

SHAC Disability Visibility Group Meeting

WEDNESDAY,

24 MARCH 2021, 6:30PM

BY JACQUELINE PARKES, SHAC MEMBER

AGENDA

Welcome & Introduction

Meeting Overview and Key Observations from *'Look Who's Talking: Mental Health Disability and Housing Associations'*

Reviewing the Data - Findings from Local Government & Social Care Ombudsman, Equality and Human Rights Commission

Examining the Public Sector Equality Duty

Open Discussion - Should we form a SHAC disability visibility group?

Linking with Other Disability Groups.

Campaign Ideas

KEY OBSERVATIONS FROM '*LOOK WHO'S TALKING: MENTAL HEALTH DISABILITY AND HOUSING ASSOCIATIONS*' BY CARL DAVIS

'Residents with mental health disabilities and with autistic behavioural traits are... perceived as difficult, awkward or anti-social 'problem tenants' by housing providers.'

'Historically, the larger social Landlords have done very little to develop a meaningful understanding of mental health disability and neurodiversity. Their policies, practice and, increasingly, on- and offline public relations campaigns, essentially trivialise and over simplify the subject.'

INITIAL DEMANDS:

ENFORCEABLE PROTOCOL - Social landlords should be subject to an enforceable protocol to ensure that those with mental health disabilities or ASD are treated fairly and equally.

EXTERNAL MONITORING - Social landlords should be externally monitored on how well they adhere to their own policies on equality diversity, inclusion, and the Equality Act

CQC PERSON-CENTRED APPROACH IMPLEMENTATION - Measures should be introduced to ensure that social landlords implement the Care Quality Commission's person-centred approach on mental health service provision, including through contracts with 'community partners'.

REVIEWING THE DATA

The following is a review of cases where the Local Authority & Social Care Ombudsman recognised Council failures in their duty of care to tenants with 'hidden' disabilities.

LOCAL AUTHORITY & SOCIAL CARE OMBUDSMAN DETERMINATIONS:

Article - 28 June 2019

'COUNCILS NEED TO CHECK HOW THEY HELP PEOPLE WITH HIDDEN DISABILITIES'

In the first case, London Borough of Hillingdon did not suspend housing benefits payments when the woman told it she had returned to work. This meant she accrued an overpayment of more than £1,000. And when the council demanded she repay the money, it did not help her navigate its complex system. It would not give her a named officer to email and often insisted she telephone, which she found difficult because of her autism, despite her explaining why this would cause her problems.

REVIEWING THE DATA

In the other cases, London Boroughs of Lambeth and Wandsworth failed to help a man with severe dyslexia pay for, or challenge, parking fines and apply for parking permits, insisting he fills out written forms, which he struggled with because of his dyslexia, rather than using the telephone.

REVIEWING THE DATA

OMBUDSMAN RESPONSE:

'The Equality Act 2010 requires councils to anticipate the needs of people who may need to access their services. This means when councils are alerted to the fact someone might need to be treated in a different way, they should ask that person what adjustments are needed, and consider whether these are reasonable.'

It can be difficult for people to navigate complex council procedures, yet in all three cases, the councils were made aware that these people needed additional help, but none was given.

We recognise the significant challenges faced by public service providers in adapting their processes to the needs of people who may require adjustments, particularly where the services have been automated. But this is a duty councils must meet and needs they must anticipate...'

REVIEWING THE DATA

Interestingly, the Local Authority and Social Care Ombudsman *itself* was found guilty in the courts of failure in a duty of care to those with 'hidden' disabilities.

In 2017, couple win 'aggravated' damages against Local Authority and Social Care Ombudsman for Equality Act 2010 and Data Protection breaches

REVIEWING THE DATA

While this report focuses on accessibility for those with physical disabilities, it indicates how much disabled people are being failed in housing.

EQUALITY & HUMAN RIGHTS
COMMISSION

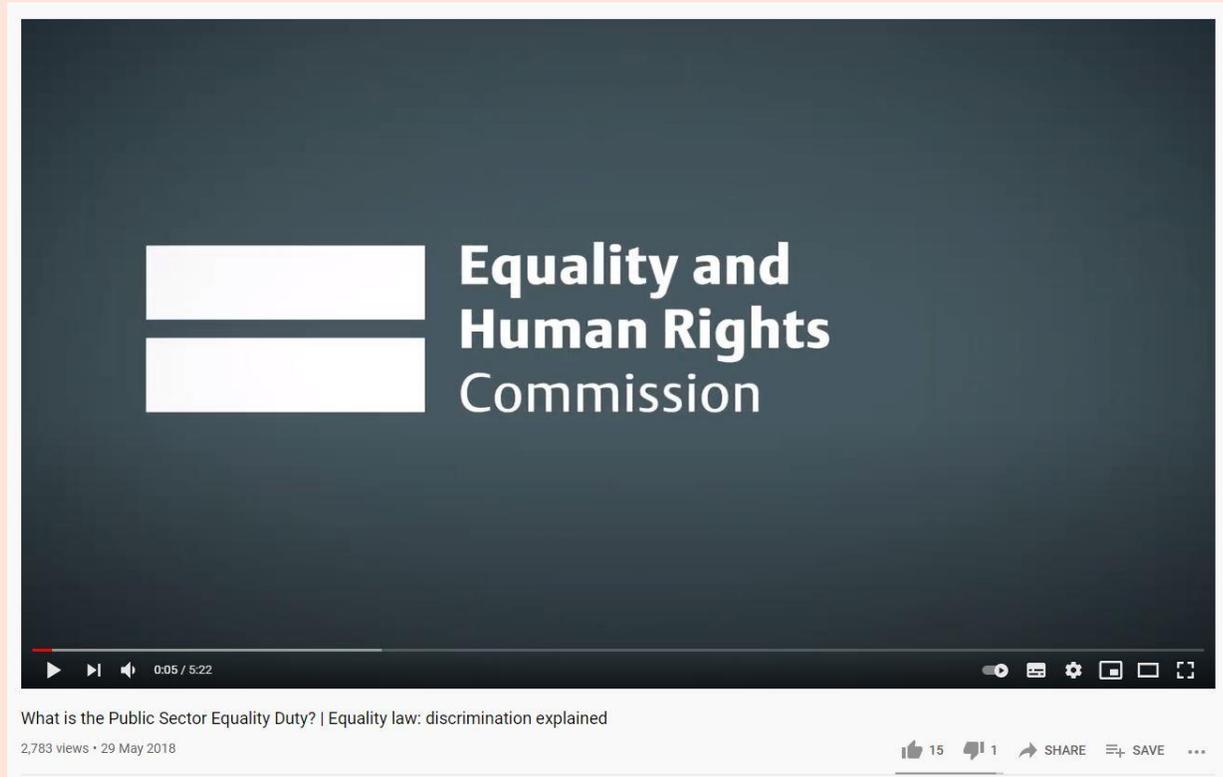
'Housing and Disabled People: Britain's Hidden Crisis'

[2016 Report](#) focusing on poor accessibility

EXAMINING THE PUBLIC SECTOR EQUALITY DUTY

This duty is outlined in section 149 of the Equality Act 2010. (please also see section 35 regarding discrimination in housing).

VIDEO



- Should we form a SHAC disability visibility group?
 - Linking with Other Disability Groups
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- Campaign Ideas

