

Using the TUC Manifesto for Disability Equality

A guide for trade union activists

Section one

Why a manifesto?

Trade unions campaign for a better future for all. The TUC's new [Manifesto for Disability Equality](#) sets out the TUC's policies to achieve real equality for disabled people. This guide explains the facts that lie behind the policies and suggests ways in which the manifesto can be used to campaign for change, to resist government attacks, and to make alliances between trade unions and organisations of disabled people to win popular support for alternatives to poverty and social divisiveness.

There are ten million disabled people in Britain. Recent government policies have made many disabled people poorer through a series of changes to benefits and other support, though disabled people have shown inspirational resistance. At the same time, too many employers fail to carry out their legal duty to make the adjustments some disabled people need to work.

Government and some of our media paint a picture of disabled people who need financial support as scroungers. Many people believe them. Unions must challenge this because it is a lie, and it divides us. The manifesto and this guide aim to equip union activists with the policies and the arguments to challenge division and campaign for change.

The manifesto was written by the TUC working with trade union disabled members and has been agreed by the TUC General Council.

Section two

What's the 'social model' and why does it matter?

Getting rid of barriers

The TUC manifesto calls for support for the 'social model of disability'. This approach sees disabled people as citizens deserving of equal respect, in contrast to the view of disabled people as a problem that needs 'fixing', or maybe as 'deserving' 'objects of charity'. The social model sees the person first and argues that the barriers they face, in combination with their impairments, are what disables them. Barriers can make it impossible or very difficult to access jobs, buildings or services, but the biggest barrier of all is the problem of people's attitude to disability. Removing the barriers is the best way to include millions of disabled people in our society. But the TUC also believes that disabled people are the experts on disability and that disabled people themselves should decide what they want – not non-disabled people who appoint themselves to speak on their behalf. "Nothing about us without us" is also a good trade union principle!

The TUC wants the Equality Act 2010 amended to take account of the social model, which the UK signed up to when it ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

- Invite a speaker to lead a discussion on the social model of disability.

■ DISABLED PEOPLE: SOME FACTS

- *78 per cent of non-disabled people work but only 48 per cent of disabled people. This gap has not improved since 2008.*
- *Stigma and ignorance mean that only a third of people with mental health issues are working. NHS mental health services have been cut.*
- *2,000 disabled workers lost their jobs when the government closed Remploy factories but did not deliver its promise to put the money into the Access to Work scheme.*
- *Closure of the Independent Living Fund deprived 20,000 of support. Councils have to pick up the cost but their budgets are still facing huge cuts .*
- *Government's "Work Capability Assessment" found terminally ill people fit for work and cut their benefits. Thousands have died following such wrong decisions.*

Other legal issues

The TUC wants the 'public sector equality duty' restored and extended. This was part of the Equality Act 2010 and required organisations with a public function (national and local government, education, public transport) to promote equality for all groups. It incorporated a similar duty for disabled people dating from 2006. The government elected in 2010 deliberately gutted this duty of most useful content. But the evidence was that it had been working well. The TUC believes every organisation should have a duty to promote equality including for disabled people.

Hate crime

Police statistics show that nearly 3000 hate crimes against disabled people were reported in 2013/14; many more of these crimes took place but were not reported. People are attacked because they're different, or they are seen as benefit cheats. The law does not treat disability hate crime as seriously as other hate crimes. The TUC wants this to change and also calls for police and judges to be trained on the social model so that disabled victims of hate crime are treated properly and the crimes are dealt with appropriately.

Section three

Disabled workers

▣ WHAT IS A REASONABLE ADJUSTMENT?

The Equality and Human Rights Commission has published a list of possible reasonable adjustments including:

- *physical changes to buildings*
- *changes to work duties*
- *changes to hours of work*
- *allowing working from home*
- *allowing time off for treatment*
- *modifying equipment*
- *modifying tests or assessments*
- *taking periods of "disability leave" not counted as sickness absence*
- *employing a support worker, reader or interpreter*
- *modifying grievance or disciplinary procedures*
- *adjusting redundancy selection procedures*
- *transfer to a vacant position elsewhere in the company.*

The adjustment must deal with the issue and be reasonable for the employer.

The majority of disabled adults can work (sometimes with adjustments) and want to work but employers are often scared to employ them or are quick to get rid of them. The law (the Equality Act 2010) is meant to prevent unfair treatment and requires employers to make "reasonable adjustments" to allow disabled workers to start or retain work, but too many either fail to understand or find ways of avoiding this.

The reasonable adjustment duty means that sometimes it is necessary to treat a disabled worker more favourably than a non-disabled worker: but this is only because this is needed in order to overcome the greater barrier(s) faced.

But the truth is that many employers are now making it more difficult for disabled workers to get the adjustments they may be entitled to. The employer may be breaking the law: but the government has made people pay fees before taking a case to employment tribunal so many have stopped trying, not because they don't have a claim but because of stress and the fear of costs.

- Has your employer organised training for managers on reasonable adjustments?

Access to Work fund

The cost of adjustments is usually small but sometimes not: the government's Access to Work scheme can fund a wide range of adjustments. The TUC believes Access to Work is cost-effective and increasing its budget significantly would benefit everyone: disabled people, employers, and the government's income from tax. Instead, the government is capping the maximum grant to make it reach further – at the cost of deaf workers who use sign language interpreters in particular. Meanwhile, many employers remain ignorant of the scheme.

- Does your employer know about the Access to Work fund?

A training standard

It is vital that training is carried out based on the social model of disability if discrimination is to be eliminated by employers, government and service providers. The TUC wants a national training standard established, created with disabled people.

Effective 'work programmes'

Governments have over the years tried different types of programmes to prepare disabled (and unemployed) people who are not working for the world of work. The success rates have often been poor. Recently, programmes have been run for profit by commercial contractors, as a result those nearest to work-readiness have been placed but others have been 'parked'.

The government attempted to make participation in these schemes compulsory

under threat of benefit sanctions but this completely failed to deliver (2015).

The TUC calls for sustained government support for a voluntary programme designed to prepare disabled people for the workplace with ongoing support where needed.

A fair assessment system for benefits?

The current system for assessing eligibility for disability benefits has been repeatedly shown to be unfit for purpose. Further radical changes are underway and the stated purpose of them is to reduce the numbers of people able to claim them, or to reduce the amounts received, despite the evidence that all this achieves is to make people poorer.

The government's new Universal Credit scheme has also been cut and will leave some low-income households worse off.

The TUC believes that the right approach is to design a new assessment process by working with representatives of disabled people to ensure the result is fair.

Section four

Many other issues face disabled people

Access to transport

Twenty years after the first disability discrimination legislation, most public transport remains inaccessible to many disabled people.

Without accessible transport, anyone with mobility problems may not be able to get to work in the first place (let alone enjoy a normal social existence). Progress is being made but it is much too slow.

- *Just 160 out of 2,550 railway stations are being made step-free.*
- *In London, just 67 of 270 tube stations are step-free (as of 2015).*
- *Cuts in staffing mean less assistance for many travellers including disabled people.*
- *The picture is better for buses, where 61 per cent are now compliant; but rural bus services have been badly hit by cuts.*

Independent living, care and work

Many disabled people are able to work because their support needs are met by employing carers. Others are enabled to play a part in society. The costs of care have been squeezed by funding cuts with the result that increasing numbers of disabled people are now forced to turn to the National Health Service. Everyone knows the many pressures the NHS is under to deliver healthcare and it is a false economy to cut the money spent on care for elderly and disabled people at the expense of the health service.

It also prevents disabled people from playing a positive role in society; and means some disabled people who can work (with support) are denied that opportunity to contribute to the economy.

The TUC calls for a properly funded care service and for proper employment rights, pay and conditions for care workers.

The decision to close the Independent Living Fund was a backward step. The ILF enabled 20,000 disabled people to play a full part in society including being enabled to go to work. Its closure meant that many are now being forced to abandon their independence and to move into residential

care – which is actually more expensive than independent living.

The TUC calls for the reinstatement of support for independent living.

Education cuts

It was once thought that disabled people were not worth the cost of educating. Then, for a long time, many were placed in separate (“special”) schools and received little education. Slowly, it was recognised that integrating disabled children into mainstream education was better both for them and for everyone, provided additional support was available when needed. This is “inclusive education”. From 2015, changes in education law mean big cuts in education for disabled young people as a result of closing down SEN (Special Educational Needs) facilities in mainstream schools, sacking experienced teachers and abolishing the Disabled Students’ Allowance. These steps reduce many disabled young people’s access to education, affecting their life chances including of finding decent employment.

The TUC calls for the reversal of these policies and for compliance with the call of the UN Convention for inclusive education.

Public life and media

Disabled people are under-represented in public life and rarely portrayed positively in the media or the arts. The number of disabled politicians is tiny, far short of the proportion of disabled people in the population.

These exclusions reinforce the popular perception that disabled people are not really an equal part of society, working, shopping, travelling, raising families, going

on holiday, visiting theatres or cinemas or concerts, or debating national and international issues in Parliament, or campaigning for their constituents.

The TUC has been working for big changes in all these areas and supports the call for introducing job-sharing to enable more disabled people to stand for election: a step that would also improve gender balance.

The TUC believes that media, culture, arts and sports organisations must work with disabled people to agree and monitor standards for the portrayal and representation of disabled people. Some steps are being taken but a change of culture and attitude is required along with monitoring so that progress can be measured. These are the steps that the TUC calls for.

Section five

What you can do!

Starting the fight-back

Trade unions have linked up with organisations led by disabled people to fight for disabled people's rights and equality, and challenge government policies that hit disabled people hardest. Now is the time to step up the resistance, to reach out to fellow workers, to talk to neighbours in our communities, to challenge politicians, to get our messages into local media, and to support disabled people when they take action against cuts or closures.

In your union:

- Organise a discussion on the TUC manifesto for disability equality. Invite a speaker to a meeting to talk about the social model and why the TUC supports it. You might have a member who can do this, or ask for someone from the union's disabled members' structures, or union head office; or the TUC regional office for someone from the disability network; or the TUC disabled workers' committee.
- Contact a local disability campaign and invite them to talk about their activities (and offer to help make it possible for them to attend). Find out how you could support them. Check if they wish to support the manifesto.

- Plan how to spread the message among union members. Make use of newsletters and social media.
- Write letters to your local paper on the rights of disabled people. If you know people there, get them to publish an article. Get your views onto their website and online materials.

In politics:

- If you have links with local political parties, lead a discussion on the manifesto in a party meeting, and invite them to add their names in support.
- Find out what your local politicians think (MP, MEP, councillors). Ask for a meeting and take along the manifesto, persuade them to add their names in support. Persuade them to support local disabled people's campaigns.

In the community:

- Discuss disability equality wherever you can because it is vital to challenge divisive myths with the truth.

Resources

The TUC Manifesto for Disability Equality is here:

www.tuc.org.uk/sites/default/files/Manifesto%20fordisabilityequality.pdf

The TUC guidance on the social model of disability is here:

www.tuc.org.uk/sites/default/files/socialmodel.pdf

"You Don't Look Disabled: Supporting members with invisible impairments" is here:

www.tuc.org.uk/sites/default/files/You%20don%27t%20look%20disabled_0.pdf

For other material on disability equality visit the disability pages of the TUC website, www.tuc.org.uk/equality-issues/disability-issues.

Find out more

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