

**Labour's
Policy
Review**

Making Rights a Reality for Disabled People

A Report by the Shadow DWP team to
Labour's National Policy Forum

Making Rights a Reality Consultation

Last year Labour's Shadow Work and Pensions team launched a nationwide consultation to ask how a Labour government can make rights a reality for disabled people and carers.

We have travelled across the country to listen directly to the views of disabled people and carers, as well as drawing on the expertise of disabled people's organisations (DPOs), campaigners, charities, policy experts and academics. So far we've listened to hundreds of disabled people and carers at five consultation events in Glasgow, Liverpool, Manchester, Sunderland and London. We are really grateful for the campaign organisations and DPOs that helped us.

We also received email, postal and telephone submissions from individuals and organisations.

We also consulted disability organisations, experts and campaigners, including Professor Harrington, Disability Rights UK, Pat's Petition, Citizens Advice, RNIB, Mencap, Leonard Cheshire, Scope, National Autistic Society and Mind, to name but a few.

We have led three debates on disability in Parliament on 28th November, 27th February and 10th July and researched in depth Australia's ground breaking National Disability Insurance programme, where their model of 'universal disability insurance' has seen the integration of back to work support, social care, and disability benefits in a single personal service, which is being pioneered with cross-party support.

This report sets out a high level summary of the ideas generated – both those submitted directly and those discussed through the consultation groups. We have grouped comments under the following broad themes:

- The right to work
- The right to live independently
- The right to live free of crime
- The right to a home
- The right to a family life

We will announce next steps at Party Conference.

The right to work

The overwhelming majority of disabled people and carers we spoke to were extremely keen to work, but were frustrated with a back to work system that was not properly supporting them.

“Disabled people are willing to work, we're willing to put in the effort and actually we're incredible workers, we're really intelligent people. You put a ramp in place and I can get to work. You put a lift in place and I can get to the third level, it is not a problem. There is still some Victorian ideology that disabled people are a burden on society. We're not.”

Fatima, Manchester listening event

Many respondents pointed out that it is important to support disabled people who can work, those who can work some of the time, and those who can't work at all, and that the existing system does not always achieve this. One respondent said “disabled people need a safety net, not a struggle”.

Research by the Shadow Work and Pensions team and the House of Commons library found that working even a small number of hours could help lift disabled people out of poverty.

The table below shows that working just three hours a week at the minimum wage could lift a disabled person over the poverty line by £393 a year. Working 30 hours a week could lift them over the poverty line by £5,021 a year.

Income scenarios - single, childless individual on lower rate of DLA			
2013-14			
	Single, childless		
	Out of work	3 hours a week at Minimum Wage (full Oct 2013 rate £6.31ph)‡	30 hours a week at Minimum Wage (full Oct 2013 rate £6.31ph)‡
	Per year	Per year	Per year
TOTAL NET INCOME	£6,300	£7,284	£11,912
<i>Of which: benefits/tax credits</i>	£6,300	£6,300	£2,398
<i>Relative poverty benchmark after housing costs, 2013-14 (est.)</i>	£6,891	£6,891	£6,891
How net income compares	-£591	+£393	+£5,021

For the purposes of this model benefits include DLA at £21 a week and ESA at £100.15 a week. Under current rules someone can earn up to £20 net per week indefinitely without their ESA award being affected. This is the 'Permitted Work Lower Limit' disregard.

Poverty affects not just disabled people, but their families too. 2.3 million people have given up work to care for a relative who is disabled or has a long term chronic health condition.

We were told of the importance to create a system that intends to create a team behind disabled people to help them into work, rather than put a bureaucracy in front of them.

The Work Capability Assessment

Although most respondents agreed with the principle of a test, a vast number told us the Work Capability Assessment is “fundamentally flawed”, and merely tweaking the descriptors will not bring about the improvement needed.

“As a disabled and chronically ill person, I am strongly in favour of having assessments for disability benefits - after all, nobody is angrier than the disabled and chronically ill, when people abuse and defraud these vital systems, which are a lifeline to us. However, the current tests are entirely unfit for purpose.”

Individual, via email

Part of the problem is its “tick box” design, which does not provide an effective assessment of someone’s ability to work.

Respondents told us that a test needs to recognise someone’s readiness to the job market, rather than a specific impairment. One respondent pointed out that in the example of two people with a visual impairment - one who is blind from birth and the other who loses their sight later on in life after a successful career - the job opportunities are hugely different, despite having the same impairment.

By contrast, we were told that the WCA doesn’t identify those who are too ill to work some or all of the time, such as those with long term or fluctuating conditions. Respondents highlighted the inadequate link with skills training. We were given the example of a manual worker in his 50s who became disabled. He could “physically” work at a desk so he was found fit for work. In reality he has little chance of finding a desk based job without reskilling.

Many respondents described going through multiple reassessments, despite there being no change in their condition and no chance of there ever being so. Some reported being sent reassessment forms weeks or even days after winning a yearlong appeal to claim ESA. People pointed out that unnecessary reassessments are costly and stressful.

People also reported that assessors had a lack of experience and expertise of disability issues, evidence was not being adequately collected at the point of assessment, and there was a widely held view that decision makers were “rubber stamping” Atos recommendations without consideration of other professional evidence.

We heard that people's benefits had been stopped as a result of the poor assessment process and incorrect decisions.

We were told that the failings of the WCA have "poisoned" the whole ESA system in the eyes of many disabled people, undermining trust in the whole system. Discussions with Professor Harrington and other key stakeholders including Citizens Advice, The Work Foundation, the British Medical Association and RNIB pointed to the conclusion that implementation and delivery of the WCA has been seriously flawed. In particular, the high level of appeals against decisions, and the high proportion of appeals which succeed, show that the system is not working well. The problem has been exacerbated by the re-assessment of very large numbers of existing Incapacity Benefit recipients before the new system was ready to assess them reliably. Delivery of the Work Capability Assessment process has also been deeply unsatisfactory. People who have been assessed have found it a grim experience in which they have been treated shabbily. Too many have found it humiliating and unpleasant, and been baffled by the findings.

It was pointed out several times during the consultation that proper co-production with service users and disabled people's organisation would help fix the problems.

Government management of Atos

Many respondents expressed serious concerns with the service provided by Atos, the company contracted to provide the Work Capability Assessment. People described a poor service, a lack of medical expertise, rude staff, a "tick box mentality" and a lack of understanding of how to support disabled people. Some voiced concerns of a perceived and inappropriate target system.

We heard that some Atos assessment centres weren't fit for purpose - one respondent said his local centre in the North West lacked disabled access. Inclusion London recommended that government contracts are only awarded to companies which are fulfilling measurable targets for disabled people.

Employment support programmes

1. The Work Programme

There was a strong consensus amongst respondents that the Work Programme is not supporting disabled people. One respondent, a disability employment adviser, said that people with complex mental health needs are being referred to the Work Programme, and after just one 15 minute telephone assessment are being "parked". Those who are more job ready are "cherry picked", leaving everyone else behind. Respondents felt that employment support programmes for disabled people are failing because of a lack of an individual approach. One person said:

"Of course I do not want to be recognised as vulnerable and being "in need" but employment advisers need to be individualistic in their approach."

According to the mental health charity Mind:

“A fundamental rethink of back-to-work support for disabled people needs to take place. The WCA should accurately identify the barriers people face in finding and maintaining employment in order to inform the type of support people need and what sort of funding might be needed to provide this. We have been told by Work Programme providers that the current assessment process gives them little to no insight as to what support someone might need and that the WRAG/fit for work categorisation is far too broad and inaccurate.”

Some people felt back to work schemes were based on a false assumption that disabled people don't want to work, and focussed too much on sanctions and conditionality rather than building positive, personal relationships with disabled people to help them back to work.

Several respondents suggested work programmes should be co produced with disabled people.

“There's a lot made about coproduction in social care but less so in terms of employment support. Employment support should take the same kind of approach and be “coproduced, codesigned and codelivered”.

Families who care for disabled relatives have told us that the system leaves them feeling destroyed – asking the impossible – to care and to go back to work when affordable services and support are there not to help them.

2. Right to Control

There was a general consensus that Right to Control is a step in the right direction and is helping disabled people into work, but the employment support aspect needs to improve:

“I know what I need to do to get myself into work, and perhaps even what area of work I want to go in, but it is the physical searching that I struggle with. Although Right to Control looks at things holistically, it does tend to focus primarily on assisting you with personal care issues and not necessarily in the application of a job.”

3. Access to Work

While there was widespread consensus that Access to Work was an effective programme, some people reported a frustrating and bureaucratic process to unlock the support they needed. One respondent, a recent psychology graduate from Manchester, was offered a job at a bank but yet was still waiting to start two months later after hitting a wall of bureaucracy.

“There are so many organisations that have got involved - Access to Work, ATOS, the bank itself, everybody is so confused and I am getting stressed because they aren't getting on with the adaptations I need to do the job. I think they have already done two assessments already for me to get into work and after that they are still confused about what I need to work.”

Others reported that Access to Work can be effective, but the scope of support should be extended. It was suggested that disabled and deaf people should be involved in extending and improving Access to Work.

Many respondents emphasised the value of work experience and voluntary work, both for disabled people and for the communities they contribute to.

Self employment and entrepreneurship

Several respondents pointed out that disabled people have the potential to become entrepreneurs given the right opportunities and support, due to the flexibility that self employment offers. This is particularly true of people with fluctuating conditions. One respondent said that “learning to live with a disability requires us to be flexible in our thinking and forces us to make adaptations to our lives; this ability is regularly unrecognised and unacknowledged.”

Employers

“Working from home presents a real opportunity to widen our chances to actively engage in employment, at times that suit our conditions and without further damage to our health. This also reduces costs for employers.”

Individual, via email

Respondents highlighted the need to tackle employer attitudes towards disabled people, and the fixing the “demand side” of employment, so that businesses can help disabled and their families get work, stay in work and return to work.

Suggestions included tackling discrimination at the recruitment stage, improving accessibility of workplaces, encouraging employers to embrace flexible practices including working from home, and paying employees a living wage.

“Business is also paying the price of an inadequate care system - disabled people unable to get to work on time because services do not arrive; a woman rushing off from work having been given a few hours notice that her mother was being discharged from hospital. Good quality health and social care services are a vital bedrock on which millions of people depend in order to work – whether they are disabled, have a long term health condition, or whether they care, unpaid for a

relative. Getting care right will not only improve the lives of millions, it will ensure that UK plc remains a competitive and thriving nation in an increasingly challenging global economy.”

Carers UK

Job retention

We were told of the importance of helping disabled people and carers remain in jobs, as well as starting them. This could be achieved by working with employers to help support sick and disabled people and carers to stay in jobs.

There was also concern that there is not enough support to help disabled people who lose their jobs, and more should be done to prevent them from falling out of the system altogether.

Education

Several respondents talked about the need to support more disabled children into mainstream education rather than specialist schools.

Others recommended more education and training support for older adults who become disabled later on in life.

The right to live independently

General comments

Respondents pointed out that it's not just the Welfare Reform Act that affects disabled people – cuts to EHRC funding, changes to legal aid funding, tribunals and the Localism Act indirectly impact on disabled people's lives.

People were concerned about the impact of the Uprating Bill on disabled people, and limiting Contributory ESA to one year. One respondent said "it feels like disabled people are bearing the brunt of all the cuts".

We heard several concerns that the government is moving away from the social model of disability in its design of services and support.

Several respondents said the government should publish a cumulative impact assessment of all the policy measures affecting disabled people. We have noted the broad public support behind calls for the government to produce a cumulative impact assessment. Over 62,000 people signed Pat's Petition and WOW Petition currently stands at almost 49,000 signatories.

Social care

We heard widespread concerns about the availability and quality of social care provision for disabled adults.

Respondents told us that families are having to give up work to care for loved ones because of the squeeze to social care as a result of local authority budgets. This prevents carers and disabled people from living independently.

One respondent said: "people who rely on social care are the most vulnerable of the vulnerable and need to be protected".

Issues raised during the consultations relating to quality of care included a lack of provision of night time care, local variations in service provision, the "postcode lottery" of homecare charging, budget cuts falling disproportionately in some areas, and a lack of an adequate provision for those with "moderate needs", such as people with mental health problems.

People emphasised the need for better quality control of social care services, including the need to protect whistleblowers.

Lack of adequate equipment was highlighted as a problem. Access to Work provides quality equipment that users should have all along. It was suggested that improved government procurement could bring the costs down of equipment.

There was concern that the closure of the Independent Living Fund and the lack of ring fencing for support as it is devolved to local authorities, would prevent disabled people with high support needs from living independently in the community.

Many individuals and organisations highlighted the importance of fair and sustainable funding for care and support.

Respondents emphasised the need for services to be co produced with disabled people and user led organisations.

DLA

While most respondents acknowledged the need for reform of DLA, people were concerned that the government's plans would prevent people from living independently and push more people into poverty.

“Whilst we agree with the need to reform DLA, we do not agree with the ferocity of the change which is causing unprecedented levels of anxiety and further stress amongst those who were already living below poverty lines.”
Disability Syndicate

In particular, we heard concerns from several respondents that the new 20 meter rule for DLA/ PIP claimants is going to have a considerable impact on the independence of disabled people. This is now the subject of judicial process.

Several respondents mentioned the knock on effects to full time carers, who risk losing Carer's Allowance when Personal Independence Payment is introduced. We also heard that the new assessment for PIP fails to adequately take account of the barriers and additional costs faced by people with mental health problems.

Joined up services

There was widespread consensus that support should be joined up across health, social care and DWP services.

Respondents complained of a time consuming and disjointed testing process, whereby people have to go through multiple tests, often asking the same questions, to access different benefits and services.

“There should be one, single assessment process, designed and operated with the input and agreement of disabled people’s organisations, which covers all aspects of social and societal inclusion.”

Anonymous, by email

It was pointed out that there is overlap between the support provided to help people live independently and find work, so we should consider integrating DWP support into whole person care.

Highlighting the importance of the need for joined up services, one respondent said “I want to make a plea for truly integrated health and social care”.

“There is real value in looking to effectively join up support provided to people with mental health problems. Not only do people currently have to go through a number of different assessments, repeating their story to multiple people, but there is also a lack of oversight as to whether someone is getting the right support across the board.”

Mind

Some respondents however highlighted that streamlining assessments could mean some disabled people would be locked out of all support, if the tests were badly designed.

Inclusion London said that Disability Living Allowance assessment should be different from an assessment of fitness for work.

Mind pointed out that any attempt to combine assessments would have to be managed extremely carefully, and recommended:

“an exploration of joined up assessments of eligibility but with a focus on ensuring that any such assessment would accurately assess the circumstances, needs and barriers of people with various disabilities; and fairly administer access to a variety of benefits and support mechanisms”.

Personal budgets

There was general consensus that personal budgets are a good idea but some social care services haven’t promoted them due to an institutionalised resistance to change. “Social services are reluctant to give up power”, one respondent told us. On accessing services through a personal budget, one respondent via email said:

“I believe the best person to assess what they need is the disabled person but a list of various appliances, services and state, third sector and voluntary organisations would be extremely useful, especially if provided in a standard format either on .gov.uk or elsewhere. It would also be extremely useful if suppliers were to be listed to enable the disabled person to source their requirements from whomever they desire in order to remove their reliance on outside bodies except where necessary.”

Young people

We heard concerns from many respondents that disability services don't fulfil the needs of young people, including the right to live independently, and the right to education, training and employment.

Respondents reported the lack of robust transition arrangements in some social service authorities meant young disabled people aged between 16 and 18 often do not receive adequate assessments and support, because they fall under the responsibility of neither Children nor Adult Social Care services.

One respondent said: “we must smooth the steps from childhood to adulthood for young disabled people”.

Carers

The general opinion from carers was that they felt they have been overlooked by the government as the welfare reform proposals were developed, as they are hit by the consequences of the changes.

We heard that carers who give up work to look after loved ones aren't properly supported.

Carers are struggling as respite centres are closing, which is causing huge distress. The introduction of Personal Independence Payment is of particular concern to some full time carers who responded to the consultation, who face the loss of Carer's Allowance if the person they look after loses entitlement to DLA, even though that person they care for will still need a high level of support.

Several respondents pointed out that protecting carers is cost effective, as without their vital support many more disabled people would rely on social care services. Protection should include enabling carers to remain healthy and in work. Others made the economic case for helping support carers back into the labour market.

Standard of living

Several respondents reported that the standard of living for disabled people and their families is deteriorating.

One respondent felt that the government's reforms called into question Article 28 of the Convention on The Rights of Persons with Disabilities, which says that states should recognise disabled people have a right to:

"An adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability."

Mental health and learning disabilities

Several respondents said that the hardest hit by this government's welfare reforms are on those "on the periphery" – people with learning and mental health disabilities.

Public life

"We don't want red carpet treatment, just a level playing field."
Attendee, Liverpool listening event

We heard that disabled people still face systematic exclusion and discrimination in public life.

For example, there are still too many public places with poor disabled access, including shops, restaurants and public services. One attendee said "we don't want red carpet treatment, just a level playing field".

Other highlighted the need for better training and resources of public services to ensure equal access for deaf people, including more provision of British Sign Language interpreters.

The right to live free of crime

"I don't go out at night anymore. Because I'm blind, I'm a target."

Attendee, Sunderland listening event

Many respondents reported that hate crime has spiralled due to the perception of disabled people as "scroungers". Some felt this was fuelled by some of the language around welfare reform that is perpetrated by the current Government. Members of the family can also be targeted by hate crime.

One respondent said:

"There has been a rise in disability hate crime so I would implore yourselves and your colleagues when talking about welfare reform to actually talk in a responsible manner, that doesn't leave disabled people feeling segregated and stigmatised".

Some raised concerns that changes to Legal Aid would leave disabled people without any legal support when things go wrong.

The National Autistic Society highlighted an inconsistency in the law whereby disability hate crime is not treated in the same way as religious or racial hate crime. Currently, the Attorney General has the power to review sentences he considers "unduly lenient" for some racially or religiously aggravated offences, including common assault. However, this power does not extend to offences aggravated by hostility towards the victim based on his or her disability. The National Autistic Society, along with other charities, is calling for the Government to make sentences fairer for disability hate crime.

Inclusion London recommended that Leveson's 'Recommendation 11 & 38' to allow 3rd party complaints is fully implemented to ensure that false or inaccurate portrayal of disabled people in the media is challengeable and prevented.

The right to a home

Bedroom Tax

Many respondents were extremely anxious about the changes to housing benefit, in particular the impact of the Bedroom Tax. Several pointed out that the Bedroom Tax and other housing benefit cuts are forcing disabled people to move to unfamiliar communities and services, away from their networks of support and area of employment. Several people highlighted the hidden costs of the bedroom tax to health, social care and local authority budgets.

Families have been left struggling in desperate situations; parents and partners sleeping on sofas, families facing increasing debt and yet no impact assessment ever considered the impact this policy would have on carers.

Hidden costs of the bedroom tax: case study

One respondent in Newcastle had stage three renal failure and used the spare bedroom to keep his dialysis equipment. After being forced to move to a smaller property following the introduction of the bedroom tax, he was no longer able to carry out dialysis at home. Instead, an ambulance would drive him to hospital to undergo treatment in a dialysis unit, adding considerable extra costs to the NHS.

Joined up assessments

We heard that accessing housing support can be complex and bureaucratic. Disability Syndicate suggested we should move towards an integrated housing and social care related support by streamlining housing and social care assessments.

Freedom to move – postcode lottery of social care support

We heard that disabled people face difficulties moving house to another area. The variation of social care eligibility across different local authorities and the housing reassessment process makes moving almost impossible. One respondent said: “in an equal society disabled people should be able to move much as a non-disabled people.”

Lack of accessible, affordable homes

The lack of accessible and affordable homes for disabled people was raised in many discussions.

The right to a family life

Respondents felt that many of government's changes threaten family life. With stretched social care, families are under pressure and relationships breakdown. Parents of disabled children expressed deep concern about the quality of life they could provide for their children, given the changes to services and support. There were concerns that disabled families will lose out under Universal Credit, in particular parents of disabled children who will no longer receive the disability element of child tax credit in future claims.

Some expressed fears that children will lose entitlement to DLA when they turn 16 and are retested for PIP which will be assessed under different criteria.

Many respondents expressed the view that the cumulative impact of government changes would lead to more families with children falling into poverty.

One respondent suggested that more should be done to enable disabled people to adopt children.

Next steps

Our work over the last year has exposed a searing account of how disabled peoples' rights have been attacked by this government. Many disabled people and their families have told us how they live now in a climate of fear.

This is why in July, Labour summoned the government to the House of Commons to debate a debate on a cumulative impact assessment of the cuts affecting disabled people. We were deeply disappointed that Liberal Democrat and Conservative MPs were ordered to vote against this simple request.

We will continue to campaign for this vital assessment.

Labour is still a year and a half away from presenting its manifesto to Britain.

So we want to know now whether you think our consultation has captured the issues which disabled people confront. Please tell us if there are significant issues which you believe we have missed.

We firmly believe in the idea of co-producing our policy response with disabled people.

As such, we will now take these issues into five reviews and commissions to develop our specific response, exploring ideas which have been put to us over the last year.

1. We will explore how we can move towards a comprehensive disability service, together with disabled people advised by the architect of the Australian system of Universal Disability Insurance, Jenny Macklin MP.

This will require fundamental transformation of the WCA – and we will call on David Cameron to sack Atos from the Work Capability Assessment with immediate effect.

Many people told us that a big part of the answer to delivering the right to work and the right to live independently for disabled people is a much better, integrated system, bringing together health, social care and back to work support. We believe it is right therefore to develop our Health Team's idea of 'whole person care' and extend how back to work support and benefits can be combined with this. This is the approach currently being rolled out in Australia, known as National Disability Insurance.

We are asking Jenny Macklin, Australia's former Minister for Disability Reform, to advise us on how we can take this approach and put it to work in Britain.

The approach combines 5 principles:

Principle 1: A personal plan for support, including employment

We should bring support for disabled people together as far as we can - including employment. We need this too to help family members stay in work.

Rather than separate services treating different bits of a person, we should provide a single service to meet all of a person's care needs.

This means health and social care, mental health and employment services working together.

As Scope's Richard Hawkes put it: "Disabled people don't only fall between the cracks separating the health and social care system – but they must also navigate the welfare system, employment support and housing".

At the centre of Australia's National Disability Insurance Scheme is a personal plan for each participant.

Coordinators will work with participants to establish goals and support needs, to develop a personalised plan and to connect people to mainstream services and community supports.

In Britain we could build this out of the legislation in the Care Bill which aims to enshrine the principles of economic wellbeing in a wider definition of wellbeing for disabled people and families who provide care by introducing a new requirement on Local Authorities to promote "economic well being" and the "participation in work, education and training" for disabled people and their families.

Principle 2: Local partnerships

Second, to achieve this aim, we should create local partnerships between the DWP, specifically the DWP's Pensions, Disability & Carers' Service, Social Care, the NHS, Local Enterprise Partnerships, emerging City Deals and disability organisations.

These partnerships could be underpinned by the 'duty to cooperate', like for example the children's trusts we created in 2004.

Children's trusts transformed the way services worked together to improve the learning, health and happiness of children.

This is what the Care Bill misses out. There is plenty in there about the duties on local authorities. But nothing about the way in which councils, the NHS and the DWP have to work together.

Principle 3: "Tell us once" approach to assessments

Third, a person centred approach would need a radical approach to information

sharing.

Everyone agrees that assessments are necessary to make sure people get the help and support they need, but the last thing anyone wants to do is fill out time consuming forms, or take a series of tests unless they are absolutely necessary.

Labour believes it is now time to look again at how we can streamline the process. For example, we will look at introducing assessments which dovetail together to gauge eligibility and need in the quickest and most efficient way possible. This could include assessments for employment, health and social support needs as well as benefit entitlement.

The principle should follow the “Tell Us Once” approach, a cross-government programme pioneered by Labour which allows customers to inform local government of a change in circumstance such as births, deaths and change of addresses only once.

I’m delighted that the former head of Pensions Disability and Carer’s Services Alexis Cleveland has agreed to help us think this through.

Principle 4: Empowering approach to assessments

Fourth assessments should serve to put a team behind disabled people, not a bureaucracy against them.

So Labour will also look at reforming tests so that they identify the help disabled people actually need to achieve economic well-being and independent living, rather than a simple assessment of conditions.

Principle 5: Root and branch review of employment support programmes for disabled people offered through a personal budget

To simplify the employment support system, improve targeting and give disabled people choice over the type of support they receive, we will look at the potential for rolling disability employment programmes into one individual budget-based programme.

This could be contracted locally with the budget pooled with other services. This could build on Andy Burnham’s Whole Person Care approach and the Right to Control pilots, and would give individuals greater choice over the support that they most need.

We know the impact work can have for disabled people – and whether or not they live in poverty. Today someone on ESA and DLA will live in poverty – nearly £600 below the poverty line.

Help someone work three hours a week and they will be £400 above the poverty

line.

Someone working 30 hours a week will be over £5,000 above the poverty line.

As Ed Miliband's speech said - if we reform social security in the right way, we free more people to work, lift more people out of poverty, and bring down the benefits bill at the same time.

We will ask Sir Bert Massie to help us develop a green paper in 2014, advised by Australia's former Minister for Disability Reform, Jenny Macklin.

We believe that there should be dedicated back to work programmes and funding for disabled people, and much greater government leadership of employers' response. As part of this work, we will therefore review how back to work support can be revised to work better and completely transform the WCA.

2. We will develop ideas for reform of disability benefits, advised by Sir Bert Massie 's taskforce on disability poverty.

Many people told us about the struggle to live independently and how this independence is now in jeopardy because of benefit changes. We have therefore asked Sir Bert Massie, together with a taskforce of experts, to review disability benefits with the goal of enabling disabled people to escape poverty and making sure they are supported in meeting the inevitable costs imposed by disability. We want look at the system of support for disabled people in the round, and will make sure that these reviews work together.

3. We will act to ensure hate crime against disabled people is treated as seriously in the law as any other hate crime.

We were struck by the number of people who had experienced disability hate crime, and felt that hostility towards disabled people was increasing.

Hate crime against disabled people needs to be treated as seriously as any other hate crime. Yet the law today doesn't deliver this treatment. This government says it won't act. Today we say we will.

We will make sure that the law treats disability hate crime as seriously as other hate crimes, and tougher sentences are more consistently applied.

We will act, subject to the Law Commission's recommendations in spring 2014, to:

- Extend the aggravated offences in the Crime and Disorder Act 1998 to include where hostility is demonstrated towards people on the grounds of disability.

- Extend the stirring up of hatred offences under the Public Order Act 1986 to include stirring up of hatred on the grounds of disability.
- Ensure consistency in tougher sentencing for disability hate crimes by producing a new guideline from the Sentencing Council to deal exclusively with aggravation on the basis of hostility under sections 145 and 146 of the CJA 2003.
- Ensure that disability hate crime is properly recorded on the perpetrator's criminal record.

We will review:

- Whether the Attorney General's power should be extended to review sentences he considers "unduly lenient" to offences aggravated by hostility towards the victim based on his or her disability.

4. We will commit the next Labour Government to repealing the bedroom tax, and have already earmarked funds to pay for it.

Disabled people and their families are extremely concerned about the impact of the bedroom tax on their ability to stay in their homes and live independently.

Labour believes the Bedroom Tax has become a symbol of an out of touch government standing up only for the interests of a privileged few. Two-thirds of the 660,000 people affected are disabled and the vast majority do not have the option of moving to smaller accommodation.

The next Labour Government will repeal the Bedroom Tax. But we are clear that there cannot be extra borrowing to pay for social security changes.

So to ensure that it can be reversed without any additional borrowing, funds have been earmarked from:

- Reversing George Osborne's recent **tax cut for hedge funds** announced in Budget 2013;
- Reversing George Osborne's **shares for rights scheme** which has been rejected by businesses, has opened up a tax loophole, and will lead to £1bn being lost to the Exchequer according to the Office for Budget Responsibility; and
- Tackling **disguised employment** in the construction industry.

5. We will ask employers what change is needed to transform employment for disabled people and their families.

We were told of the need to fix the “demand side” of employment, so that businesses can help disabled people and their families get work, stay in work and return to work.

The Shadow Work and Pensions team will therefore be meeting business forum Employers for Carers to discuss best practice for both care services and workplaces in supporting families affected by poor health and disability to stay in and return to work.