

Statement by Deputy Michelle Le Clerc, President Employment and Social Security Committee (ESSC), to the chamber on the update of the Disability and Inclusion Strategy

Rule 10 Statement given at the States meeting of 18 October 2017

Progress of the Disability and Inclusion Strategy

Sir,

Thank you for allowing me to make a statement today on the subject of the Disability and Inclusion Strategy. As some members may be aware, in November 2015, following a Policy Council update on the Strategy and mindful of the impending restructure of Committees, the States resolved to direct the relevant committee to report back on the Strategy no later than November 2017. Since May 2016, responsibility now falls to the Committee for Employment & Social Security.

The Committee intends for its next policy letter on the Strategy to include concrete recommendations on the implementation of outstanding Resolutions. As such, it regrets that it has not been able to meet the deadline for reporting back by next month. But I hope that, through this statement, I can provide this Assembly with an interim update on progress.

Disability and inclusion is one of the five key priorities submitted by the Committee within the latest phase of the Policy and Resource Plan and likewise proposed by the Policy & Resources Committee as one of the 23 priorities of the States.

As the Policy & Resource Plan indicates, the “inclusion” agenda is broad, ranging from work on disability to P&R’s review of matrimonial laws – all the while, centred on the equal rights and fair treatment of all members of our society. The Disability and Inclusion Strategy itself, which is our priority, is made up of around a dozen individual work streams, many of which are large projects in their own right. I should note that some of these work streams are the responsibility of the Committee *for* Health & Social Care, for example capacity legislation, safeguarding vulnerable adults and several frameworks for people with particular disabilities.

I will not be commenting on the HSC work streams, but understand that they are progressing well and I would like to take the opportunity to commend Deputy

Soulsby, her Committee and staff for their excellent work on projects such as the framework for people with dementia and the framework for people with autism.

But returning to the Employment & Social Security responsibilities, I would first like to discuss disability discrimination law. Such law is a cornerstone of the Strategy and the UN Convention on the Rights of Persons with Disabilities, and an indication to disabled islanders that we take their rights and inclusion seriously.

The Committee's responsibility is to bring to the States proposals for a law that protects against discrimination and promotes equality for disabled islanders. When this project began, it was thought that Guernsey would develop its own bespoke legislation from scratch. However, on reflection, the Committee considers that adapting the non-discrimination legislation of another jurisdiction – an approach adopted for many other local law-drafting projects, especially in relatively new or complex areas of law – will achieve the aims of the Strategy within a more rapid and acceptable timeframe.

The Committee has drawn together a project team for this work, which includes ESS officers and political sponsorship, as well as members of the Guernsey Disability Alliance and the Chamber of Commerce – the two groups whose members are most likely to be directly impacted by the new law – for whose time and commitment we are very grateful.

ESS, with input from the project team, intends to carry out a thorough review of relevant laws from six jurisdictions in order to identify a law on which to largely base our own legislation, recognising that there is no single law which is internationally upheld as the best way of preventing discrimination or promoting equality, and that any law would need to be adapted to fit the Guernsey context.

While this approach will bring the work down to a manageable level, it is still a challenging and complex project. In February this year a senior policy officer was seconded within Employment & Social Security to lead on this work stream. We believe that assigning a dedicated resource is the only way to ensure progress, although in the same breath I have to acknowledge that there have at times been difficulties in fully protecting the officer's time for disability and inclusion work

because of essential competing demands; and we are now adding a second, half-time, officer to the project to add further support.

The second work stream I would like to mention is the development of an Equality and Rights Organisation, a statutory body that would promote equality, provide advice and education on best practice, and monitor compliance with legislation. In 2013 the States resolved to approve, in principle, the establishment of such an organisation but to defer implementation until a business plan has been developed stating in detail the functions, staffing resources, costs and charges for such an organisation and any additional funding required becomes available. Within our small and very stretched policy officer resource, we have since August 2017 assigned part of the time of an officer to the development of a business plan for an Equality and Rights Organisation. It is hoped that the business plan will be completed, and the States will provide the resources necessary to establish such an organisation, ahead of the commencement of any Disability law, so that it is able to raise awareness, advise on best practice and provide support to businesses and islanders in respect of that law.

The States must lead by example when working towards a future where disabled persons and their carers are not excluded from or denied access to employment, goods, services or education on the basis of disability or because they provide care for a disabled person. So, in August 2016 we commissioned the Business Disability Forum to review the entire operation of the States, with a view to establishing how the States could improve its operations and better accommodate people with disabilities. This is consistent with Public Service Reform and the goal of improving customer experience across the States, and the resulting action plans have been presented to the Chief Executive's Management Team to progress and implement as a priority.

Great progress has been made on information and awareness raising. The second phase of the new signpost.gg website was launched in February 2017. It provides information on support, services and activities for parents and carers of children with disabilities. I'm pleased to say that the website has been well received. We will be making sure it stays up to date so it remains a valuable resource.

An online disability awareness training course was developed in 2016 by the States and third sector. The training aims to combat stereotypes and educate people on common misunderstandings. The training is available free of charge and has been circulated widely through the States and beyond. The training has been well received and so far over 1,400 people have started the training with 981 people completing all modules.

One of the most useful resources that has been developed is a comprehensive database of accessibility information via DisabledGo. The DisabledGo Guernsey website includes reviews with factual accessibility information on over 600 venues including visitor accommodation and public buildings. All of this information is available online to islanders and visitors. Statistics show that visits to the website are split roughly 50/50 between on-island and off-island. This suggests that potential visitors to the island are using the service to consider or plan a trip to Guernsey.

Recognising the importance of providing information for businesses in Guernsey in preparation for the Disability Discrimination Legislation, the States commissioned Guernsey Employment Trust to write a Good Practice Guide for employers and an Employers' Disability Charter. The documents are available free on-line for businesses to access. In addition GET are delivering a number of training sessions and provide guidance on the Employers' Disability Charter. The training was oversubscribed and GET has arranged additional sessions.

In concluding this update, it is obvious that work has not progressed as quickly as was anticipated when the Strategy was approved by the States in November 2013. Many good things have happened since the Strategy began, but the flagship projects – disability discrimination law and an equality & rights organisation – have still not become reality. Those are now our priority.

ESS has been responsible for progressing the strategy since May 2016. We, too, have not made the progress that we would have hoped for. But we have a good structure in place, we now have some, albeit limited, staff resource dedicated to the work and we have the cooperation and assistance of third sector partners.

The Committee needs no persuasion as to the need to improve the quality of life of disabled people and their carers. We are all committed to do so.