

Department of Health

Disability Action Plan

5 year review over the period 2012-2017

September 2017

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1. Background

1.1 Under Section 49B of the Disability Discrimination Act (DDA)1995 public authorities are required to produce a Disability Action Plan (DAP) showing how they propose to fulfil the two duties set out under Section 49A i.e. to have due regard to the need to:-

- Promote positive attitudes towards disabled people; and
- Encourage participation by disabled people in public life.

1.2 The Department's current DAP was published in 2012 with an expectation at that time that a new plan would be required for 2015/19. The position changed as a result of the decision to introduce five-year fixed terms for devolved administrations and extend the current Assembly's mandate into 2015/16. As a result it was decided that it would be better to extend the action measures and align the new DAP with the next business planning cycle.

1.3 It was agreed that the DAP would be extended until September 2016 given the approval process for the 2016/21 Business Plan following the May 2016 Assembly elections, and subsequently it has been extended until March 2017¹. This is within the scope of the disability legislation which permits public authorities to update their action measures at any time and the Equality Commission was duly notified. A number of new actions were identified as part of the 2016/17 review and added to the DAP, see list below:

- Establishment of a Mental Trauma Service
- Mental Health Policy and Service Development
- Service Framework for Mental Health
- Learning Disability Policy and Service Development
- Development of a Service Framework for Children and Young People
- Monitoring and review of the Service Framework for Learning Disability

¹ <https://www.health-ni.gov.uk/publications/disability-action-plan-2012-14>

1.4 The Department has commenced work on the action measures for the draft DAP 2017/22, and plan to align existing/new action measures with the draft PfG measures and a more outcomes based approach. The aim would be to issue a public consultation requesting comments on the new plan and approach by Autumn 2017.

1.5 The Bamford Review will not be included in the new DAP as this is now superseded by the new actions which implement the Bamford recommendations, including development of the Mental Health Policy and Service, and the Learning Disability Policy and Service. The new DAP will include annual recurring items, the outworking of existing actions and additional action measures.

1.6 The Department has agreed that the plan would be treated as a living document and as such the Department will periodically review and update the plan during its life.

2. Purpose of the Review

2.1 The purpose of this review is to determine whether the Department, through the DAP for 2012 - 2017, has met its statutory requirements to encourage persons with a disability to participate in public life and promote positive attitudes towards people with disabilities.

2.2 In accordance with Equality Commission NI Guidance (para 3.41-3.44)² the Department must carry out a review of their DAP every five years. A copy of the report of this review is to be forwarded to the Equality Commission, and if requested by the Commission to submit a revised DAP.

2.3 When carrying out the review, the assessment criteria recommended is as follows:

- what the disability action plan had achieved;
- what remains to be done;
- how to build on success;
- and how to meet the challenges identified.

2.4 Annual progress reports of the action measures within the DAP have been provided to the Equality Commission since the inception of the current plan (2012), and these have helped to inform the findings of this report.

2.5 The Department has now conducted the five year review of the current DAP (which was extended up to March 2017) and the details are provided in the remainder of this report.

²<http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/DisabilitydutiesGuideforPAs2007.pdf>

2.6 A copy of the report will be available on the Department's website. A hard copy of the report, or a copy in a different format, can be provided on request by e-mailing, or telephoning, as below:

Equality and Human Rights Unit
Department of Health
Room D3
Castle Buildings
Stormont Estate
BELFAST
BT4 3SQ

Telephone: 028 9052 0537

E-mail: equality@health-ni.gov.uk

Text relay:

Making a call from a textphone: Dial 18001 + 028 90 520537

Making a call from a telephone Dial 18002 + 028 90 520537

Text Relay Assist can also set up the call for you – dial 0870 240 51 52 from a telephone.

3. What the Disability Action Plan has achieved

3.1 The current DAP has developed over the five year period, and focused on the themes of:

- Promoting awareness and understanding of difficulties faced by people with a disability and to ensure staff have the necessary skills to help promote a culture of positive attitudes.
- Improving the health of people with a disability and thus enhance opportunities for participation by disabled people in public and private life.
- To support people with a disability to achieve their optimal potential for personal development and social inclusion.
- To promote awareness and understanding of difficulties faced by people with a disability and to ensure their voice is heard.
- To promote a culture of positive attitudes and removing barriers that attracts disabled applicants and supports disabled employees.
- To ensure accountability and assurance as part of the Department's Business Planning process.
- To ensure the Disability Plan is up to date and addresses any emerging issues.

3.2 It is noted that many of the action measures in the DAP are long term policies and strategies, and will take time to implement. However, the key achievements over this five year review, many of which are ongoing, include the following:

Training

3.3 Diversity training e-learning is completed by all staff every 3 years, and for new staff. Awareness seminars on disability/diversity related themes are organised on, at a minimum, an annual basis. In particular during 2016/17 there was a series of seminars on issues concerning Dementia, Suicide, Carers, LGB&T in the workplace, Women's Aid, Communication Disabilities, Deaf Awareness and the Autism Spectrum; all which were very well received by staff. The Department have

continued to use their in-house Departmental publication for staff “The Pulse” to promote disability issues and events.

3.4 Our Department is also committed to the work experience placement scheme for training people with disabilities, offering a minimum of 1 placement per year. During 2016/17 the DoH Public Appointments Unit undertook 2 work placements for one day a week over a six week period.

Mental Capacity Act

3.5 The Mental Capacity Bill passed its Final Stage in the Assembly on 15 March 2016, and received Royal Assent on 9 May 2016 to become the Mental Capacity Act (Northern Ireland) 2016³. Implementation of the Mental Capacity Act will provide a single statutory framework governing all decision making in relation to the care, treatment (for a physical or mental illness) or personal welfare of a person aged 16 or over, who lacks capacity to make a specific decision for him/herself. Full commencement of the Act is subject to Executive agreement, and allocation of resources, and will include regulations in operation, code(s) of practice published and relevant workforce training.

Autism Strategy

3.6 The Department of Health lead on the implementation, monitoring and reporting of the cross-departmental Autism Strategy 2013-20 and Action Plan 2013-16. The Action Plan sets out how the needs of the people with autism, and their families and carers, were to be addressed through their lives. Actions have been ongoing and been extended to 2017. There is also development of a further action plan for 2017-20 subject to cross departmental involvement, availability of finance for any service developments, and Ministerial/Executive agreement. A progress report is delivered to the Assembly every 3 years and the last progress report was published on September 2015.⁴

³ <http://www.legislation.gov.uk/nia/2016/18/contents>

⁴ <https://www.health-ni.gov.uk/publications/autism-strategy-2013-%E2%80%932020-action-plan-2013-%E2%80%932016-progress-report-september-2015>

3.7 The Health & Social Care Board, in consultation with the Department, has been leading on a project to design a new regional model for autism services. This work is now at an advanced stage which will improve both the diagnostic process and access to early intervention in line with current best practice and National Institute for Health & Clinical Excellence (NICE) guidelines. Crucially the new model will also optimise the scope for the integration of child development, emotional and mental health services, as well as closer working with the education sector to ensure the provision of coordinated and appropriate support for children with autism.

Physical and Sensory Disability Strategy

3.8 The Physical & Sensory Disability Strategy and Action Plan had been developed in accordance with articles stated in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and therefore supports the values of dignity, respect, independence, choice, equality and anti-discrimination for disabled people.

3.9 The Strategy and Action Plan (2012-2015) ⁵aimed to help and achieve improved outcomes, services and support for people, regardless of their age, that have a physical, communication or sensory disability. While implementation has been ongoing, the action plan has been extended to September 2017 for any remaining actions.

Service Framework for Learning Disability⁶

3.10 The aim of the framework is to improve the health and well-being of people with learning disabilities by improving the quality of the service provided to and experienced by those with a learning disability and their carers. The framework has 34 standards which have been progressed and monitored since the launch in 2015. It sets standards in relation to communication, children's services, transition to adult services, healthy lifestyle, access to HSC services, carers, aging well, palliative care

⁵ <https://www.health-ni.gov.uk/publications/physical-and-sensory-disability-strategy-and-action-plan>

⁶ <https://www.health-ni.gov.uk/publications/learning-disability-service-framework-documents>

and support to make the most of life opportunities. A number of actions are planned for the 2017/18 reporting period, with plans to revise the service framework and consult by March 2020.

NI Rare Diseases Implementation Plan (2015-2020)⁷

3.11 The aim of the plan is to improve awareness of the effects that rare disease can have on a person's education, family, social relationship, and ability to work; and to ensure that patients and their families have a say in treatment decisions during their care. Implementation has been ongoing in line with the strategy.

Inter-Departmental Review of Housing Adaptations Services

3.12 Housing adaptations help people with disabilities to remain at home and enhance their much valued independence. The Inter-Departmental Review of Housing Adaptations Services Final Report and Action Plan includes recommendations on how the Departments, agencies and others can better collaborate with each other, use resources more effectively, and deliver better services. The publication of the Housing Adaptations Final Report and Action Plan has been completed, and will be subject to Ministerial approval and NI Executive Agreement in 2017.

⁷ <https://www.health-ni.gov.uk/publications/northern-ireland-implementation-plan-rare-diseases>

4. What remains to be done

Mental Trauma Service

4.1 The objective of this Service is to comprehensively address the legacy of the conflict for mental trauma sufferers and address unmet mental health needs. The establishment of a Mental Trauma Service has a speculative working date of April 2019, subject to resources. The Mental Trauma Model will continue to be developed with the intention that the final model will support the voluntary and community sector in creating an integrated approach with the Health and Social Care system to address mental health need.

Mental Health Policy & Service Delivery

4.2 The Department aims to improve the provision of mental health and psychological therapies services. A move towards parity of esteem for mental health evidenced by, among other matters, further investment/service development in early intervention, specialist services, community and home treatment services; and increased focus and resource on physical needs of people with mental ill-health over the period of this plan.

4.3 More crisis support, and help for carers of people with mental health issues, is planned acting on the findings of the Bamford evaluation. The Bamford evaluation is completed but not yet published. It is subject to Ministerial/Executive agreement.

Learning Disability Policy & Service Delivery

4.4 The Department will identify good practice, deficiencies and needs in the learning disability services through the findings of the Bamford evaluation. It will incorporate the findings into future policy, service development, funding processes, and decisions during 2017/18. This will include improving the transition process from children's to adult learning disability services, better support for carers, short break provisions, enhance community learning disability teams and consider further development of crisis support.

Service Frameworks

4.5 Service Frameworks set out explicit evidence based standards for health and social care used by patients, clients, carers and their wider families, to help them understand the standard of care they can expect to receive. They are used by health and social care organisations to drive performance management in planning and deliver services.

4.6 Work has commenced on development of a **Service Framework for Mental Health**. The Framework will seek to improve the health and wellbeing of people with a mental health problem by:

- promoting social inclusion;
- reducing inequalities in health and social wellbeing; and
- improving the quality of health and social care services.

4.7 Work is underway on development of a **Service Framework for the Health and Wellbeing of Children and Young People** with the aim to:

- improve the health and wellbeing of all children and young people in Northern Ireland;
- promote social inclusion;
- reduce inequalities in health and improve quality of health and social care services; and
- publish the final standards.

5. How to build on success

NICS Disability Working Group

5.1 The NICS Disability Working Group was set up in March 2016 and comprises of representatives from NICS Corporate and Departmental Human Resources, the Disability Employment Service and Departmental representatives with known disabilities from a range of Departments and grades.

5.2 The Department of Health has been actively involved, through its representative on the NICS Disability Working Group, to improve the recruitment process for disabled candidates, encourage people with disabilities to join the service, and market the NICS as a disability positive employer. Implementation of the findings of the Disability Working Group on the NICS position in relation to recruitment, career development and management support for disabled candidates and employees was produced and presented to the Diversity Champions Network (which the Department has a representative) on 14 December 2016, and being considered by the Permanent Secretary Group (PSG).

5.3 The Department will continue to champion and advance equality of opportunity in the area of disability through implementing the agreed recommendations designed to target issues on recruitment, career development and management support for disabled staff and candidates, through its work within the NICS Disability Working Group.

5.4 The Department's Appointments Business Unit will also continue to ensure that all documentation and advice relating to public appointments are considered by the sponsor branches and do not form barriers to people with a disability applying for public life appointments.

Diversity Champions Network

5.5 The Department is represented on the NICS Diversity Champions Network, which meets every 4 months. Their role is to develop awareness within their own departments through events, communications and briefing their Departmental Board

on Diversity, which also would include disability. Our Department continues to be focused on the Network activities which include the development of a work plan with a series of actions including proposals on disability.

Disability Action Plan

5.6 The Department's current DAP was published in 2012 and action measures extended for the 2015/16 and 2016/17 reporting periods. The Department commenced pre-engagement with disability groups in October 2016, with the intention of consulting on a DAP for 2016 – 2021. Following ongoing discussions with the Health and Social Care Trusts (HSCTs), and in line with the principles of inclusion, collaboration and partnership working, it was decided to extend the current DAP to the end of March 2017 and work together with the HSCTs in producing a more collaborative DAP for 2017-22.

5.7 We have commenced work on the proposed new DAP for 2017- 2022 with the intention of aligning with the draft PfG measures and a more outcomes based approach. Views from the HSCT Stakeholder event in January 2017, which the Department attended, and further discussions with the HSCTs, will help inform the DAP. Due to the uncertainty of our political situation we were unable to issue the draft DAP plan for consultation for it to be in place in April 2017. However, our aim would be to go to public consultation in Autumn 2017.

Consultation forums

5.8 The Department has been forward thinking through the establishment of a successful virtual reference group during the development of the Mental Capacity Act. The group, with 150 members including section 75, voluntary and community groups, was formed and draft legislation circulated for comment. By December 2015 11 chapters had been circulated. This example of a 'virtual' forum is a method of increasing access, engagement and interaction with stakeholders, and this success could be built on for future policy and development consultation processes, where appropriate. The Department has also further broadened its consultation network through the use of the NICS accredited on line consultation tool 'Citizens Space'.

6. How to meet the challenges identified

Consultation and engagement with unrepresented groups and Section 75 groups.

6.1 To promote awareness and understanding of difficulties faced by people with a disability and to ensure their voice is heard there needs to be appropriate engagement and interaction with the sector. A number of measures are already catered for but at the stakeholder event held by the HSCTs in January 2017 it had highlighted issues on the increased need for pre-engagement prior to formal consultation and consideration of outreach pre-engagement with community based groups where relevant.

6.2 The Department has recognised that, in accordance with the NICS Policy Making Guide (February 2017)⁸, adopting the models of co-production, co-design and co create will ensure policies are developed in partnership with stakeholders, voluntary and community groups, charities etc., as well as the people who are most likely to be impacted or otherwise affected by the implementation, and this will include those people with a disability. Co-production in practice would open a transparent recruitment, engagement and communication process of taking positive steps to include unrepresented groups and Section 75 groups. The Department is making a commitment that the design of new and reconfigured services will be taken on the basis of co-production and co-design, as outlined in Delivering Together Health & Wellbeing 2016.⁹

6.3 It was also raised at the HSCT Stakeholder event of the increased need for easy read in all health and social care consultation documents, not just those specific to their disability. The Department provides information available in other formats on request for consultation documents. Alternative formats may include

⁸ <https://www.executiveoffice-ni.gov.uk/publications/practical-guide-policy-making-northern-ireland>

⁹ <https://www.health-ni.gov.uk/sites/default/files/publications/health/health-and-wellbeing-2026-delivering-together.pdf>

Braille, audio formats (CD, mp3 or DAISY) or large print. The Department has given specific consideration to how best to communicate with children and young people, and people with disabilities (in particular people with learning disabilities). Where appropriate, it will include Easy Read or Young Person's version. The Department will continue to consider methods of communication to ensure constructive stakeholder engagement with all groups.

Draft Equality Scheme 2017

6.4 Following the Departments Act (NI) 2016, and the renaming and restructuring of Departments, it was necessary to update the Department of Health's Equality Scheme and confirm continued compliance with the two statutory duties i.e. due regard to the need to promote equality of opportunity and promote good relations under Section 75 of the Northern Ireland Act 1998.

6.5 The Department took the opportunity to review the Equality Scheme as a whole and proposed some changes to the current Scheme, particularly in respect of section 4 on 'Screening'. The changes include the expansion of questions when considering the impact of new/revised policies, whereby there is an opportunity to encourage people with disabilities to participate in public life by altering the policy or working with others in government or the wider community. The Equality Scheme went out to consultation on 13 January 2017 with a closing date of 10 April 2017.¹⁰ Based on the consultee feedback we may encounter challenges that have been identified for the department, which impact on the inclusions within the Departments screening template.

¹⁰ <https://www.health-ni.gov.uk/consultations/equality-scheme-department-health-2017>

7. Conclusion

7.1 The Department made good progress during the period of this review. The Department remains committed to the fulfilment of the two disability duties, as set out in Section 49A of the Disability Discrimination Act 1995, across the Department's functions. Meeting the needs of people with a disability is an integral part of the business of health and social care.