

Rt Hon Stephen Timms MP,
Chair, Work and Pensions Select
Committee

From: Marcial Boo, Chief Executive

Our ref: 977Timms

By email only

21st April 2022

Dear Mr Timms,

Agreement with the Department for Work and Pensions to improve reasonable adjustments for disabled people

I am writing to share details of ongoing work that the Equality and Human Rights Commission is undertaking with the Department for Work and Pensions to protect the rights of disabled people with mental health impairments and learning difficulties.

The Commission has statutory duties to advise Government and others on the equality and human rights implications of their policies and actions, to support compliance with the Equality Act 2010, and to take enforcement action where legal obligations have not been met.

We have had longstanding concerns about shortcomings in how DWP's administration of welfare benefits meets Equality Act requirements to make reasonable adjustments to avoid disadvantage to disabled people, and to prevent indirect discrimination. In our last Strategic Plan, for the period 2019 to 2022, we committed to "tackling discriminatory barriers to justice in relation to decision making in the social security system". We know that these issues are also of concern to your Committee and to disabled people's organisations. In February 2021, the All Party Parliamentary Group on Health in All Policies,

chaired by Debbie Abrahams MP, recommended that we “undertake an investigation into the deaths of vulnerable claimants, by suicide and other causes, between 2008 and 2020.” There has also been significant stakeholder interest in our work with the DWP to improve how it responds to the needs of disabled people.

In March 2021, we wrote to the Permanent Secretary of the DWP with our concerns that his department had failed to make reasonable adjustments for people with mental health conditions and learning difficulties. Following a meeting with him, we had constructive dialogue through 2021 with DWP officials who gave us evidence of how they ensure their systems and processes meet the needs of claimants, and of their work to improve the experience of people with mental health conditions and learning difficulties.

We nonetheless believe that, to encourage greater progress, we must now put a legally-binding agreement in place with the department. We are negotiating that agreement with DWP to ensure it meets the needs of disabled claimants and builds on the improvements already underway. The agreement will ensure that DWP complies with its obligations under the Public Sector Equality Duty. We put in place a similar agreement with DWP in December 2020 which led to improved accessibility of communications for their deaf customers and a positive impact on the service provided to customers with hearing impairments.

We are confident the Commission and DWP will together develop an action plan that can provide further positive improvements to the experiences of people with mental health and learning difficulties in the social security system. I will keep you and your Committee informed of this work, including the terms of

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the agreement when it has been agreed.

Finally, you may want to be aware of our new Strategic Plan for 2022 to 2025. This includes proposed work of relevance to your Committee, including to improve access to digital services so they are available to all, and to ensure adequate routes into work for all members of society, including through apprenticeships, particularly for disabled people.

I would be happy to provide more information to you and your Committee on these issues in due course. Please let me know if you have specific queries.

I am copying this letter for information to Caroline Nokes MP and to Marcus Bell at the Government Equality Office in the Cabinet Office.

Yours sincerely,



Marcial Boo

Chief Executive

Equality and Human Rights Commission |

[Cc: Caroline Nokes MP, Marcus Bell]

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