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Women and Equalities Committee

The National Disability Strategy

First Report of Session 2023–24

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Women and Equalities Committee

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Summary

The National Disability Strategy, published on 28 July 2021, sets out the Government's long-term vision to transform the everyday lives of disabled people.

Lack of strategic approach

The National Disability Strategy does not resemble a strategy. The Government states the strategy provides a grand vision to “transform the everyday lives of disabled people” but it does not set out a long-term plan in order to achieve that vision. Rather, the strategy is a list of un-coordinated and largely pre-existing short-term policies. As a priority, the Government should work with disabled people to develop the strategy into a ten-year plan with clear targets along the way. To ensure Departments develop actions to meet the strategy's long-term objectives,

the Disability Unit should have oversight of all disability policies with the power to challenge Ministers when necessary.

Engagement with disabled people

The Government's engagement process when developing the National Disability Strategy was not as good as Ministers claimed.

Disabled people's organisations (DPOs) told us they had no meaningful input, while several stakeholders, including the Equality and Human Rights Commission, disability charities, and DPOs, repeatedly asked the Government to increase engagement before launching the strategy—but the Government did not, leaving disabled people feeling further disempowered.

In January 2022, the High Court ruled the strategy unlawful due to failures in the consultation process. Progress on delivering key part of the strategy then stalled for 18 months. The Government paused 14

policies it said were directly connected to the strategy while it appealed the High Court's ruling. The Court of Appeal overturned the High Court's judgment on 11 July 2023.

Failures in monitoring and communication in relation to the strategy during the period of litigation created unnecessary uncertainty and frustration for disabled people and their representative organisations.

It is clear that disabled people want more influence over the strategies, action plans, and policies affecting them. This is important if the Government wants to ensure its policymaking is effective and inclusive. The Government should appoint a national advisory group consisting of the DPO Forum England and the chairs of Regional Stakeholder Networks to review disability policy proposals, advise Ministers on key issues, and develop, implement and monitor the National Disability Strategy. It is vital the Government improves

its evidence base on disability if it is to respond appropriately to disabled people's lived experiences.

Convention on the Rights of Persons with Disabilities

The United Nations (UN) Convention on the Rights of Persons with Disabilities (CRPD) is important to disabled people. However, while other countries are taking clear steps to align their national strategies with the CRPD, the Government does not include reference to its obligations under the treaty in the National Disability Strategy. Despite having seven years to do so, the Government has made little to no progress against the UN Committee's recommendations following its 2016 investigation of the UK which found "grave or systemic violations" of disabled people's rights. Ministers had an opportunity to give evidence to the UN in August 2023, but the Government refused to attend. This is disrespectful to

both the UN Committee and disabled people. The Government should set out why it refused to attend the meeting, how and by when it will implement the UN Committee's recommendations, and what specifically it is doing to ensure that the whole of Government follows the principles of the treaty.

Further reports

This report focuses on the extent to which disabled people influenced the National Disability Strategy and the Government's engagement with stakeholders on disability policymaking. Subsequent reports will look at the inequalities that people with learning disabilities and autism face and disabled people's access to products and services.

The National Disability Strategy

Introduction

1. The Women and Equalities Committee launched an inquiry into the Government's National Disability Strategy in May 2022. The strategy, published in July 2021, had a bold vision: "to transform the everyday lives of disabled people". The then Prime Minister called the strategy "the most far-reaching endeavour in this area for a generation or more, not merely a set of worthy aspirations but a concrete plan for the future". It sets out some 120 cross-government actions: immediate commitments "to improve every part of a disabled person's day"; and "ambitious changes to the way the Government puts disabled people at the heart of decision making". Although the strategy is UK-wide, some policy areas are devolved. The strategy has statements from the devolved legislatures on the strategies they have in place.

2. The National Disability Strategy was informed by the UK Disability Survey, which Ministers claimed was “the biggest listening exercise with disabled people in recent history”; lived experience research; and wider engagement activities with regional stakeholders, the Disabled People’s Organisations (DPO) Forum, the Disability Charities Consortium (DCC), think tanks and academics. The then Minister for Disabled People, Justin Tomlinson MP, said, “the strategy was produced with the everyday experiences of disabled people at the heart of the process”.

3. Evidence to our inquiry revealed tension between the National Disability Strategy’s vision and how disabled people and disabled people’s organisations (DPOs)—which are led and run by people with disabilities—received the final product. Disability Rights UK, a DPO, claimed the strategy “should have been a clarion call for action and a transformational programme of change, however, it completely failed to

meet the challenge”. We asked witnesses how the strategy compared to disabled people’s expectations. Fazilet Hadi, Head of Policy at Disability Rights UK, praised the Government for its vision and for recognising the systemic inequalities disabled people face—such as education, employment, hate crime and wellbeing—but noted “the actions contained in the strategy didn’t live up to that very grand vision of transforming society”. The Lord Shinkwin, a Conservative Peer and former Chair of the Centre for Social Justice’s Disability Commission, agreed: “I don’t think the DWP were capable of computing the problems that Fazilet said they outlined in the strategy with the solutions”. According to Inclusion London, a DPO, the strategy “does not address key problems, does not reflect the issues and priorities of disabled people and was not developed with Disabled people’s organisations”. This report examines those concerns.

Lack of strategic approach

4. The National Disability Strategy was conceived as a cross-Government effort to transform disabled people's lives. However, as Mencap, a charity for people with learning disabilities, observed, "where the Strategy fails is the lack of a strategic approach to tackling inequalities". Mencap noted that the strategy demonstrated:

little to no overlap between the sections on health, education, social care and social security when we know that in a person's life these systems form a complicated web of support and services with failings in one impacting others.

As some witnesses argued, the Government cannot address issues in one policy area, such as disability employment, in isolation to problems in other areas, such as social care or accessible transport; a strategy should take a

holistic approach. Svetlana Kotova, Director of Campaigns and Justice at Inclusion London, told us:

Our expectation was that a disability strategy would look at disability equality from a social model point of view—that we are disabled not by our impairments, but by society—and look at all the fundamental barriers we face that the Government could help to address in a co-ordinated way, because you cannot tackle separate issues in silos. [...] It needs a co-ordinated approach, and we did not really see that.

5. Several witnesses suggested that the Government had already decided on what policies it would include in the National Disability Strategy irrespective of disabled people's expectations. Disability Rights UK noted that the document read as if the Government had started with what Departments were already committed

to doing in their own silos instead of seeking the views of disabled people. Inclusion London said that meetings between the DPO Forum and the Government:

were very general and it felt like we operated in the dark in total policy vacuum. When we raised issues related to independent living or financial support, we were quickly told that those will not be covered by the strategy.

6. The result, as most critical voices observed, was a strategy resembling little more than a checklist of existing Government actions with no indication as to how they interact with each other. Few proposals were new, with only £4 million of the £1.6 billion announced alongside the strategy representing new money. Although it welcomed some actions in the strategy, Inclusion London took the view that

those actions “could not be called strategic or transformative”. Fazilet Hadi of Disability Rights UK told us:

There were some good actions, but they were few and far between. There wasn't the kind of systemic challenge that was needed to the inequality that the strategy had set out quite clearly. In fact, it's debatable whether it was a strategy in the sense of, “We want to do this over the next 10 years, and this is how we are going to start it in year 1.” It was actually a grand ambition with a one-year action plan.

7. Disabled people and their representative organisations told us they have had little to no influence over the National Disability Strategy. The result is a disability strategy in name only: a list consisting mainly of pre-existing departmental actions with minimal strategic thinking behind how those actions

interact. Only a strategy which integrates different policy areas—such as education, health, social care, employment and transport—will have a truly transformational effect on the lives of disabled people.

A longer-term approach

8. The Disability Charities Consortium (DCC)—which brings together the chief executives and policy leads of the UK’s leading disability charities—was supportive of the actions in the National Disability Strategy but noted they “are primarily short term and a broader strategy is required to meet that ambition and deliver what disabled people really need”. It called for a “strategy with a longer-term vision, with clear milestones that can be annually measured”. Likewise, Disability Rights UK suggested that the Government co-produce a ten-year strategy with disabled people: “It could set targets, bring government departments together with DPOs

and disabled people to share the evidence, consider solutions and agree action plans to deliver radical change”.

9. During our visit to Norway for this inquiry we observed that a long-term approach had been adopted by the Norwegian Government. It had developed a five-year disability action plan based on the vision and goals as set out in its ten-year disability strategy, *A Society for All*. Although the Norwegian disability action plan was subject to similar criticisms as the UK’s disability strategy—for example, that it was lacking in ambition and new proposals—we were encouraged by the possibility of a strategy from which the Government could produce time-bound action plans that addressed specific priorities in a given period, while still being flexible enough for Ministers to respond to new challenges.

10. A multi-year approach would need consistent buy-in from other Government Departments. We note that the Minister for Disabled People, Health and Work told us:

I do not have any direct ability to compel individual Government Departments to act in a particular way. There are manifesto commitments that Departments want to see through, and they have their own workstreams.

11. Marcus Bell, Director of the Equality Hub, told us that Ministerial Disability Champions (MDCs)—Ministers within each Department appointed to oversee the implementation of the strategy’s actions—were important in that regard “because officials and Departments know that they have a Minister who really cares about the issues, wants them to be taken seriously and for progress to be made”. He added that disability policy attracts enthusiasm at official level across

Government, with some officials seconded from other Departments into the Disability Unit to expand capacity.

12. For several witnesses, however, more power should reside with the Minister for Disabled People, Health and Work and the Disability Unit to drive through policies. The DCC argued that “an enhanced Strategy with a longer-term vision and built in year-on-year targets could be monitored and bolstered, both in scope and resources, with an enhanced role for the Minister for Disabled People”. It called for the Minister and the Disability Unit “to have greater enforcement powers with other departments” for the strategy to work. Svetlana Kotova agreed: rather than rely on Ministerial Disability Champions, “the Disability Unit would come and question Departments and challenge them, as opposed to what happens now. I think that would be a more sustainable and strategic approach and would not depend on individuals”.

13. *The Government should develop the National Disability Strategy beyond the short-term actions already in progress. To support this approach, it should work with disabled people to develop a ten-year strategy with an action plan for the first five years outlining clear targets and timescales for delivery. The Disability Unit should have the final say on all disability policy sitting in or originating from other Government Departments to ensure that the whole of Government works towards the same long-term strategic objectives. It should also have the power to challenge relevant Ministers.*

Engagement with disabled people

14. Most witnesses in our inquiry observed a reluctance on the Government's part to co-produce the National Disability Strategy with disabled people or DPOs. In July 2020, the Disability Unit established a DPO forum to better engage with disabled people. The then

Minister for Disabled People, Justin Tomlinson MP, said: “I am looking forward to working with this new DPO Forum as we develop the National Strategy for Disabled People, the DWP Green Paper, and beyond”. However, the Government’s initial enthusiasm for long-term engagement waned: the forum met four times between July and October 2020 before closing down. According to Inclusion London, a “further two meetings were cancelled and then after our attempts to clarify the situation DPOs were told that the Disability Unit was reviewing the forum. It never met again”. Those meetings that did take place, Svetlana Kotova, Director of Campaigns and Justice, Inclusion London, told us, “were not even minuted. There were no agendas, and no information was given”. Several DPOs formed their own group—the DPO Forum England—following the cancellation of the Government’s own DPO forum meetings.

15. In contrast to its engagement with DPOs, the Government appeared more proactive

engaging with disability charities. It met regularly (10 occasions) with the DCC up until the strategy's launch in July 2021. DCC co-Chairs also had access to Disability Unit officials throughout the strategy's development while chief executives were offered the chance to read an early draft of the strategy. Commenting on the difference between the Government's engagement with the DCC and the DPO Forum, Inclusion London noted "unlike charities, DPOs constantly have to fight and challenge just to have those opportunities to engage", a situation several witnesses claimed was in breach of the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

16. The Government did not keep DPOs informed over its plans for the UK Disability Survey. Inclusion London was "surprised and outraged" to learn of the survey: "At no point was this survey discussed with (the) DPO forum, which did not make sense, as our expertise of engaging with disabled people could have

been extremely useful”. DPOs noted avoidable problems in the survey such as: inaccessible questions and use of language; the easy read version being difficult to complete online; minimal space in which to properly respond to multiple choice questions; and the exclusion of people in institutional settings. The survey’s relevance to what policies went into the National Disability Strategy was also questionable. It received over 16,000 responses between 15 January to 23 April 2021—yet only those responses received by 13 February, just four weeks after the survey opened, informed the strategy’s development; while those received after informed its implementation. As Inclusion London remarked: “It appears it was carried out when key policies in the strategy were already largely developed. The purpose and the timeline was confusing”. Liberation, another DPO, concluded:

the National Disability Strategy is based on a survey which did not provide a

sound foundation; the questions were not drawn up in partnership with DPOs, were limited in nature and gave almost no scope for Disabled people to raise important issues not covered by the survey. As a result, the survey was frustrating and demoralising to complete.

17. Before the National Disability Strategy was published, several organisations had asked the Government to reconsider what DPOs called a “disjointed and fragmented engagement process”. The DCC “consistently raised the point that the DU (Disability Unit) should be engaging with Disabled People’s Organisations as well as the DCC and its members”.

Following complaints about shortcomings in the engagement process, the EHRC called on the Government (again) “to undertake full and formal public consultation to inform the development of the NDS, alongside targeted engagement with disabled people and representative groups”.

Some DPOs had requested the Government delay the strategy's launch "pending the full involvement of disabled people".

18. The strength of feeling about the Government's approach led to legal proceedings being issued against the Department for Work and Pensions (DWP) on the credibility of the UK Disability Survey—later resulting in the whole strategy being temporarily declared unlawful (see below). The Lord Shinkwin claimed the Government's refusal to acknowledge disabled people's discontent with the strategy's development, including his own misgivings, was:

symptomatic of the DWP's defensiveness and inability to engage with disabled people as equals—as equal partners. For example, in another part of the UK, co-production is the approach that has been adopted in terms of developing strategies. I think that would be completely undesirable as

far as the DWP is concerned; they are still treating disabled people as maybe people from ethnic minority backgrounds would have been treated, or even women would have been treated by men, 50 years ago.

19. The Government claimed to have carried out “the biggest listening exercise with disabled people in recent history” to inform the National Disability Strategy. We disagree. Rather than being listened to, many disabled people and their representative organisations felt excluded from the engagement process. The Government then chose to ignore their concerns, even after the possibility of legal action became likely, further disempowering its primary stakeholder group.

20. Following the High Court’s ruling in January 2022 declaring the National Disability Strategy unlawful, several organisations asked

the Minister for Disabled People to reset the Government's engagement with DPOs. In February 2022, the then Minister, Chloe Smith MP, confirmed to a group of DPOs her intention to do so. We asked Svetlana Kotova if she had seen any improvements since the National Disability Strategy engagement process:

Our assessment, I guess, is this: we do now have regular face time with the Minister, and they are committed to listening to us. We have a relationship with the Disability Unit, but we are still not really involved in strategic engagement, so some of it feels a bit ad hoc. We are not, for example, involved in any engagement around the disability White Paper that was published a few weeks ago. We were not engaged in the development of social care reform. So, although we have face time, it does not necessarily always lead to real change.

21. We challenged the Government on what appeared to be a superficial level of engagement with disabled people. Although the Government could not talk about the National Disability Strategy due to the then ongoing litigation, the Minister for Disabled People, Health and Work, Tom Pursglove MP, defended his record since coming into the role. He told us he was “very available and very accessible” to disabled people and had regular contact with DPOs. The Minister also said the Government met regularly with members of the Regional Stakeholder Network, which the Disability Unit set up in 2019 “to enable disabled people and disability organisations in England to share their lived experience and insight with the UK government”. The Network covers nine regions, and its membership consists of local disabled people, parents and carers. The Government recruits network chairs to serve on a voluntary basis who can demonstrate their understanding

of disability issues specific to their regions and expertise in disability policy and its effects at grassroots level.

22. The Regional Stakeholder Network was tasked with helping to develop the National Disability Strategy but DPOs criticised its efficacy. For example, it was noted that several regions had not met by September 2020—perhaps due to restrictions as a result of the coronavirus pandemic—and of the meetings that did take place the Disability Unit had not seen the minutes. Inclusion London argued:

In these circumstances it is difficult to make out how feedback from regional stakeholder network chairs was informed by voices of their local community and how the feedback from those network meetings was taken into account.

23. As an example of his commitment to co-production, the Minister cited the British Sign Language (BSL) Advisory Board, to which he

appointed members with lived experience from across the UK to advise the Government on key issues affecting the deaf community. The Advisory Board, the Minister said, is “helping us to work through the commitments that were made as part of the BSL Act (2022)”. However, we note that only 9 out of 20 Government Departments produced BSL translations of public announcements, publications, or press conferences, social media or government website use in the first year of the BSL Act coming into effect. The Government has been heavily criticised by deaf people on its performance since the Act came into force.

24. The Minister was adamant that the consultation process on the forthcoming Disability Action Plan for 2023–24—which was open for consultation between July and October 2023 and is separate to the National Disability Strategy—was fully accessible and inclusive, with an opportunity for disabled people to share their views:

If there are things that are not included in the disability action plan and it comes through in feedback from disabled people's organisations, from charities, from individual disabled people, then we will look at that and seek to incorporate what we can before we reach a final product for delivery.

25. Although the Minister was committed to a proper consultation on the Disability Action Plan, Fazilet Hadi told us that DPOs had no prior input into what the areas of focus should be. She noted, as with the National Disability Strategy, that the Disability Unit was not starting with disabled people's priorities: "It is not our list of actions; it is theirs, or Government's, so we are starting in the wrong place". We asked Svetlana Kotova what she expected from the Government's engagement with disabled people: "Engagement on issues that are priorities for us. Engagement where we are

given enough information at the stage when policies are developed so that we could have a meaningful input”.

26. We note that the EHRC has recently criticised the Government for not providing disabled people with significant opportunities to feed into policies. On 27 October, it wrote to the Secretary of State for Work and Pensions raising concerns over the DWP’s consultation on proposed changes to the Work Capability Assessment. It argued the eight-week consultation period, from 5 September to 30 October, was “insufficient to enable disabled people and their representative organisations to respond meaningfully” and requested the Government extend the deadline. In its response to the Disability Action Plan consultation, the EHRC said:

We continue to hear concerns from disabled people about the lack of meaningful involvement in government

decision-making and consultation processes, as well as implementation of policies and programmes, and it is critical this is addressed as part of the wider strategy.

27. Disabled people and groups continue to feel excluded from having meaningful input into policies directly affecting them. This suggests the Government has not learnt lessons from the concerns raised over the development of the National Disability Strategy and that its efforts to engage are perceived to be superficial. The Government needs to improve its engagement with disabled groups, to listen to and act on what disabled people want, if its policies on improving their lives are to be effective.

28. The Government should immediately establish a national advisory group bringing together the DPO Forum England and the chairs of Regional Stakeholder Networks.

The advisory group's remit should include reviewing all government policy proposals targeted towards people with disabilities; advising ministers on issues facing disabled people; and working closely with the Disability Unit and the Minister for Disabled People, Health and Work on the further development, implementation and evaluation of the National Disability Strategy.

Evidence

29. Despite its aspiration to “engage closely with a wide range of disabled people and disabled people’s organisations”, the Government has recognised that there are gaps in its “knowledge of the size and makeup of the disability sector”. This could be problematic for many people, including those whose disabilities are not immediately obvious. Fran Springfield, Co-Chair of Chronic Illness Inclusion, a DPO by and for people with energy limiting conditions, told us: “because our conditions are invisible,

we are very often invisible. [...] I have been accused of exaggerating my symptoms. I have been accused of putting it on, and that is by a healthcare professional". Several submissions also noted that some disabled people can experience additional barriers due to the intersection of other protected characteristics, such as, sex, race and sexual orientation.

30. Some witnesses observed that the National Disability Strategy referred to disabled people as a homogenous group. Jackie O'Sullivan, Executive Director of Communications, Advocacy and Activism at Mencap, noted:

there are vast differences even within learning disabilities. We would like to see a drive towards getting a better breakdown of data, so we can really start to analyse what would make improvements for particular groups.

31. A lack of quantitative and qualitative data means solutions to the problems people with

different impairments face are potentially being overlooked in Government. Marcus Bell, Director of the Equality Hub, informed us:

A lot of the data that the Government collect about people, whether we are talking about the Labour Force survey or other areas, has quite a lot of detailed information about sex, gender, and ethnicity. It is less likely to include detail about disability, so that is a long-term thing. [...] There is also room for better qualitative evidence about disabled people and their views and experiences. We have tried to improve our understanding through the Disability Unit, but on both the quantitative and qualitative side, there is a case for more and better data, and we are working on that.

32. The Disability Unit, in its response to this Report, should provide specific

details on the steps it is taking to improve the evidence base on disability, including on disabled people's lived experiences and the intersection with other protected characteristics.

Status of the strategy

33. Throughout our inquiry the status of the National Disability Strategy was uncertain. Before the strategy's publication, four disabled people had launched legal proceedings against the Department for Work and Pensions (DWP), arguing the UK Disability Survey failed to meet the required standards for public consultations. In January 2022, the High Court ruled the National Disability Strategy unlawful due to failures in the consultation process. The Government appealed the ruling on the basis that the UK Disability Survey was an information gathering exercise rather than a consultation and paused work on the strategy until the outcome of the appeal was

known. On 11 July 2023, six days after we held our final oral evidence session, the Court of Appeal overturned the High Court's ruling. Shortly afterwards, the Minister for Disabled People, Health and Work, Tom Pursglove MP, announced that the Government would continue to implement the National Disability Strategy. He also reaffirmed the Government's commitment to the Disability Action Plan.

34. While the National Disability Strategy was subject to litigation, the Government paused 14 policies it said were directly connected to it. Most were significant policies, such as work to understand the extra costs disabled people face, an issue at the forefront of disabled people's minds during the cost-of-living crisis. The rationale for pausing several actions, according to the Minister for Disabled People, Health and Work, was to "act with caution and to act in accordance with the (High) Court ruling". The Minister said: "I am very disappointed and

frustrated that the policies in the strategy have had to be paused and that we have had to adopt this approach”.

35. In the view of some disabled people, however, the Government had imposed an unnecessary delay. Inclusion Gloucestershire and Barnwood Trust, two regional DPOs, claimed that “the lives of disabled people have been negatively impacted by the state of limbo that this incomplete and unrepresentative strategy has presented”. Fazilet Hadi, speaking in March 2023—four months before the Government’s appeal was heard—said:

I do not really know why the decision to appeal was taken. Given the urgency of the situation set out in the July 2021 strategy, there would have been ways of coming together with disabled people. Even though it was a strategy in terms of its ambition, it was essentially a one-year action plan that was going to be

reported on in July 2022. There would have been a lot more merit in talking to disabled people about how to move forward. [...] Fifteen months of energy and impetus have been wasted, and it is taking a toll on disabled people.

Progress on remaining actions

36. Although the Government paused 14 actions in the National Disability Strategy while it appealed the High Court's judgment, some 100 plus departmental actions remained in progress. Following the appeal verdict, the Minister for Disabled People, Health and Work issued a statement to the House of Commons on 18 September 2023 with an update on those actions. When we asked for this information several months earlier, we were surprised to learn from the Minister that, due to the strategy being declared unlawful, there was no central mechanism in place for tracking how well Departments were performing. The Minister

told us that the network of Ministerial Disability Champions (MDCs) was key to tracking progress and that he chaired regular meetings with individual or collectives of MDCs.

37. While meetings with MDCs provided some accountability within Government for the delivery of departmental actions, the Government remained unaccountable to the very groups who relied on the implementation of those policies—disabled people. It appeared that no-one in the Government had been communicating with disabled people and DPOs on the status of departmental actions while the strategy was paused. Fazilet Hadi told us: “we have not heard anything about the other 100 actions [...] There is no reason why we should not be hearing what Departments are doing on the actions they committed to. Why have we not had reports back?” She added “it feels like the High Court ruling has been used as an overarching pause when that is not really needed”. The lack of communication from the Government, and

the uncertainty around the strategy itself, left disabled people feeling anxious about whether the promised changes were happening.

38. The act of appealing the High Court's judgment on the lawfulness of the National Disability Strategy created many months of uncertainty and frustration for disabled people and their representative organisations. It was unclear why the Government chose to pause 14 policies in the strategy while allowing a hundred others to continue. Failure to update disabled people on those actions that remained ongoing only served to exacerbate confusion and anxiety. The Minister for Disabled People, Health and Work—who is charged with oversight of implementing the strategy—should have had a system in place to monitor the actions still in progress and to update disabled people's organisations and other relevant stakeholders accordingly.

Updating Parliament

39. As part of the Minister's statement on 18 September, the Government set out how it will proceed with the National Disability Strategy. The Government intends to continue with or review the 14 policies it had previously paused. However, the statement provided few indicators of when disabled people could expect to see outcomes. ***The Minister for Disabled People, Health and Work should immediately update Parliament and disability stakeholders with specific timescales for delivery on all outstanding actions in the National Disability Strategy.***

Convention on the Rights of Persons with Disabilities

40. Under the United Nations (UN) Convention on the Rights of Persons with Disabilities (CRPD), the Government has agreed to respect, protect, and promote disabled people's human rights. Svetlana Kotova, of Inclusion London,

the DPO responsible for feeding civil society responses into the CRPD process, explained the importance of the CRPD to disabled people:

We talk about the UN convention a lot, and that is not just because we want to challenge the Government. This is a document that was developed together with disabled people. It sets international standards for what Governments should do to promote the rights of disabled people. This is why we think it is important. It should be a blueprint for any Government: if they want to develop disability policies, they should start with what the UN convention says.

41. Prior to the National Disability Strategy, the EHRC—which together with the Equality Commission for Northern Ireland, the Northern Ireland Human Rights Commission, and the Scottish Human Rights Commission forms the UK Independent Mechanism (UKIM)—wrote to

the Government highlighting the importance of developing the strategy so that it aligned with the core principles of the CRPD. We note that the strategy had a commitment, which was later paused, to embed five elements across Government that it said would “complement those of the UNCRPD”. However, as the EHRC observed, the strategy made no direct reference to the CRPD or the Government’s commitments under the treaty. By contrast, we learned that the CRPD forms a central plank of the Norwegian disability strategy. The Norwegian government is undertaking a specific project—the CRPD project—as part of its five-year disability action plan to increase awareness of the CRPD among Norwegian municipalities to ensure its principles are incorporated into policymaking. In addition, the government has tasked a special commission to examine how Norway can incorporate the CRPD into national

law. We also note the CRPD underpins the strategies of Northern Ireland, Scotland and Wales.

42. Although the UK Government is adamant that it will not enshrine the CRPD into domestic legislation, the Minister for Disabled People, Health and Work said: “through our actions and our policies and our law making, we seek to incorporate its principles”. However, the findings of several prominent organisations would suggest otherwise. In 2016, the UN Committee on the Rights of Persons with Disabilities found “grave or systemic violations” on account of the Government’s welfare reforms and made 11 recommendations for change. According to the UKIM’s August 2023 report to the UN, the Government has made little to no progress on those recommendations. Disabled people, who also submitted evidence to the UN, were “overwhelmingly of the view that the Committee’s recommendations have not been implemented”. The UN Committee made further

recommendations in 2017 as part of its first periodic review of the UK's implementation of the CRPD. DPOs were equally critical of the Government's subsequent progress. A March 2022 civil society report found that the UK's compliance with the CRPD showed "continued regression" in many rights since 2017. It also claimed that "there is insufficient monitoring and promotion of the CRPD" by the Government.

43. Despite the Minister's claim that "everything that we do as a Government is trying to act in accordance with the UNCRPD, not just in letter but also in spirit", the Government refused to attend a UN meeting in August 2023 to give evidence on progress implementing the UN Committee's 2016 recommendations. The Government has declined to engage in this process until the UN Committee's March 2024 session, thus avoiding important public scrutiny on how its policies affect disabled people. In response, Disability Rights UK asked: "if Disabled people are able to attend this important

meeting, despite all the barriers that go with our ability to cross Europe to attend, why can the Government not attend?" **That the Government failed to engage with the CRPD process earlier this year is disrespectful to the UN Committee and disabled people. It sends the wrong message, both nationally and internationally, about the UK's commitment to upholding the rights of persons with disabilities. *The Government, in response to this report, should set out:***

- a) ***its reasons for failing to attend the August 2023 meeting with the UN Committee;***
- b) ***why it has not yet adequately addressed the UN Committee's 2016 recommendations, the steps it is taking to progress that work and by when those recommendations will be met; and***

- c) *the specific steps it is taking to ensure that the whole of Government understands and follows the principles of the CRPD in policymaking.*

Conclusion

44. The National Disability Strategy is a positive step towards ensuring equality for disabled people. The Government now has an opportunity to put it fully into action. However, it needs to listen to the concerns that disabled people and their representative organisations had with the strategy and work closely with them to develop it into a long-term plan for change over which they have ownership.

45. The findings from our inquiry are split into three parts. This report looked at the extent to which disabled people had the opportunity to influence the National Disability Strategy. It focused on the Government's engagement with

stakeholders on disability policymaking. A further two reports will separately examine the inequalities that people with learning disabilities and autism face and disabled people's access to products and services.

Conclusions and recommendations

Lack of strategic approach

1. Disabled people and their representative organisations told us they have had little to no influence over the National Disability Strategy. The result is a disability strategy in name only: a list consisting mainly of pre-existing departmental actions with minimal strategic thinking behind how those actions interact. Only a strategy which integrates different policy areas—such as education, health, social care, employment and transport—will have a truly transformational effect on the lives of disabled people.

(Paragraph 7)

A longer-term approach

2. *The Government should develop the National Disability Strategy beyond the short-term actions already in progress. To support this approach, it should work with disabled*

people to develop a ten-year strategy with an action plan for the first five years outlining clear targets and timescales for delivery. The Disability Unit should have the final say on all disability policy sitting in or originating from other Government Departments to ensure that the whole of Government works towards the same long-term strategic objectives. It should also have the power to challenge relevant Ministers. (Paragraph 13)

Engagement with disabled people

3. The Government claimed to have carried out “the biggest listening exercise with disabled people in recent history” to inform the National Disability Strategy. We disagree. Rather than being listened to, many disabled people and their representative organisations felt excluded from the engagement process. The Government then chose to ignore their

concerns, even after the possibility of legal action became likely, further disempowering its primary stakeholder group. (Paragraph 19)

4. Disabled people and groups continue to feel excluded from having meaningful input into policies directly affecting them. This suggests the Government has not learnt lessons from the concerns raised over the development of the National Disability Strategy and that its efforts to engage are perceived to be superficial. The Government needs to improve its engagement with disabled groups, to listen to and act on what disabled people want, if its policies on improving their lives are to be effective. (Paragraph 27)
5. *The Government should immediately establish a national advisory group bringing together the DPO Forum England and the chairs of Regional Stakeholder Networks. The advisory group's remit should include reviewing all government policy proposals*

targeted towards people with disabilities; advising ministers on issues facing disabled people; and working closely with the Disability Unit and the Minister for Disabled People, Health and Work on the further development, implementation and evaluation of the National Disability Strategy.

(Paragraph 28)

Evidence

6. *The Disability Unit, in its response to this Report, should provide specific details on the steps it is taking to improve the evidence base on disability, including on disabled people's lived experiences and the intersection with other protected characteristics.* (Paragraph 32)

Progress on remaining actions

7. The act of appealing the High Court's judgment on the lawfulness of the National Disability Strategy created many

months of uncertainty and frustration for disabled people and their representative organisations. It was unclear why the Government chose to pause 14 policies in the strategy while allowing a hundred others to continue. Failure to update disabled people on those actions that remained ongoing only served to exacerbate confusion and anxiety. The Minister for Disabled People, Health and Work—who is charged with oversight of implementing the strategy—should have had a system in place to monitor the actions still in progress and to update disabled people’s organisations and other relevant stakeholders accordingly. (Paragraph 38)

Updating Parliament

8. *The Minister for Disabled People, Health and Work should immediately update Parliament and disability stakeholders with specific*

timescales for delivery on all outstanding actions in the National Disability Strategy.

(Paragraph 39)

Convention on the Rights of Persons with Disabilities

9. That the Government failed to engage with the CRPD process earlier this year is disrespectful to the UN Committee and disabled people. It sends the wrong message, both nationally and internationally, about the UK's commitment to upholding the rights of persons with disabilities. *The Government, in response to this report, should set out:*

- a) *its reasons for failing to attend the August 2023 meeting with the UN Committee;*
- b) *Why it has not yet adequately addressed the UN Committee's 2016*

recommendations, the steps it is taking to progress that work and by when those recommendations will be met; and

- c) *The specific steps it is taking to ensure that the whole of Government understands and follows the principles of the CRPD in policymaking. (Paragraph 43)*

Conclusion

10. The National Disability Strategy is a positive step towards ensuring equality for disabled people. The Government now has an opportunity to put it fully into action. However, it needs to listen to the concerns that disabled people and their representative organisations had with the strategy and work closely with them to develop it into a long-term plan for change over which they have ownership. (Paragraph 44)
11. The findings from our inquiry are split into three parts. This report looked at the extent

to which disabled people had the opportunity to influence the National Disability Strategy. It focused on the Government's engagement with stakeholders on disability policymaking. A further two reports will separately examine the inequalities that people with learning disabilities and autism face and disabled people's access to products and services. (Paragraph 45)

Annex: Policies in the National Disability Strategy that were paused

In September 2022, the Government said that as a result of the High Court's ruling, it was pausing 14 of the 100-plus policies in the strategy. Those policies are:

- BEIS will publish proposals to ensure that every disabled person who wants to start a business has the opportunity to do so.
- BEIS and the Cabinet Office will set up an Extra Costs Taskforce, bringing together disabled people, regulators and businesses, to better understand the extra costs faced by disabled people, including how this breaks down for different impairments—by summer 2022.
- DWP will work with the Disability Confident Professional Advisers Group (PAG) and the Business Leaders Group this year to review and strengthen levels 2 and 3

of the scheme, to support employers to increase disabled people's employment opportunities.

- DCMS will build the evidence base about the nature and scale of the inaccessibility of private sector websites and explore how the government can effectively intervene including possible legislative options.
- MOD will explore how to increase opportunities for disabled people to serve as part of the Armed Forces reserves by the end of 2023, including guaranteeing interviews for disabled reservists who meet the minimum requirements when recruiting for those roles.
- DHSC will establish a new disability data working group in 2021 to look at health and social care datasets and address priority areas where there are gaps in the data.

- DU will publish an annual report which summarises the progress we have made in implementing the strategy.
- DU will oversee the implementation of the 5 elements featured in the strategy and report on progress.
- By summer 2022 the Disability Unit will publish, following engagement with disabled people, a set of indicators and a dashboard to track the impact of the National Disability Strategy.
- DU will review the way the UK government engages with disabled people, in discussion with disabled people, disabled people's organisations and charities.
- The Disability Unit will invest up to £1 million in 2021 to 2022 to develop a new Centre for Assistive and Accessible Technology, reporting on progress by summer 2022.

- Cabinet Office will consult on workforce reporting on disability for large employers, exploring voluntary and mandated workplace transparency, and publish a set of next steps.
- Cabinet Office will appoint a Disability Crown Representative to help unlock the innovation and economic benefits of disability inclusion through the government's commercial activities.
- Cabinet Office will consider how we can best support those standing for public office and those who hold public office.

Formal minutes

Wednesday 8 November 2023

Members present

Caroline Nokes, in the Chair

Kim Johnson

Kate Osborne

Kirsten Oswald

National Disability Strategy

Draft Report (*The National Disability Strategy*), proposed by the Chair, brought up and read.

Ordered, That the Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 45 read and agreed to.

Annex and Summary agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Adjournment

Adjourned till Wednesday 15 November 2023 at 10.00am.

Witnesses

The following witnesses gave evidence.
Transcripts can be viewed on the inquiry publications page of the Committee's website.

Wednesday 29 March 2023

Fazilet Hadi, Head of Policy, Disability Rights UK; **Svetlana Kotova**, Director of Campaigns and Justice, Inclusion London; **Lord Shinkwin**, Chair (2020–2021), The Centre for Social Justice Disability Commission Q1–14

Martin McLean, Senior Policy Advisor, National Deaf Children's Society; **Fran Springfield**, Co-Chair, Chronic Illness Inclusion; **Nil Güzelgün**, Policy and Campaigns Manager, MIND Q15–32

Wednesday 26 April 2023

Tim Nicholls, Head of Influencing & Research, National Autistic Society; **Maya Stretton**, Young Ambassador, National

Autistic Society; **Jackie O’Sullivan**,
Executive Director of Communications,
Advocacy & Activism, The Royal Mencap
Society; **Ciara Lawrence**, Engagement
Lead, The Royal Mencap Society Q33–59

George Appleton, Head of Policy, Care
England; **Jim Blair**, Consultant Nurse
and Associate Professor (Hon), Learning
Disabilities Q60–79

Wednesday 17 May 2023

Angela Matthews, Head of Policy and
Research, Business Disability Forum;
Tammy Jones, Managing Director,
Purple; **Eric Harris**, Director of Inclusive
Research, Research Institute for Disabled
Consumers; **Vivienne Francis**, Chief
Social Change Officer, Royal National
Institute for Blind People Q80–113

Wednesday 5 July 2023

Tom Pursglove MP, Minister for Disabled People, Health and Work, Department for Work and Pensions; **Maria Caulfield MP**, Minister for Mental Health and Women's Health Strategy, Department of Health and Social Care; **David Nuttall**, Deputy Director of Neurodiversity, Diversity and Learning Disability, Department of Health and Social Care; **Marcus Bell**, Director of the Equality Hub, Cabinet Office; **Jennifer Heigham**, Deputy Director for Strategy and Briefing for Work and Health Unit, Department for Work and Pensions

Q114–182

Published written evidence

The following written evidence was received and can be viewed on the inquiry publications page of the Committee's website.

NDS numbers are generated by the evidence processing system and so may not be complete.

- 1 Anonymised (NDS0009)
- 2 Anonymised (NDS0007)
- 3 Anonymised (NDS0008)
- 4 Anonymised (NDS0002)
- 5 Blair, Jim (NDS0043)
- 6 Bouhfadi , Mrs Vanessa (NDS0004)
- 7 British Psychological Society (NDS0016)
- 8 Care England (NDS0014)
- 9 Central YMCA (NDS0031)
- 10 Cresswell-Plant, John (NDS0038)
- 11 Culverwell, Mrs Teresa (Carer) (NDS0005)
- 12 Cystic Fibrosis Trust (NDS0025)
- 13 Dance Syndrome (NDS0042)

- 14 Disability Charities Consortium (NDS0024)
- 15 Disability Rights UK (NDS0021)
- 16 Equality and Human Rights Commission (NDS0039)
- 17 Family Fund (NDS0019)
- 18 Harris, Eric (NDS0044)
- 19 Healthwatch Solihull (NDS0006)
- 20 Inclusion Gloucestershire and Barnwood Trust (NDS0029)
- 21 Inclusion London (NDS0030)
- 22 Liberation (NDS0034)
- 23 Mencap (NDS0027)
- 24 Muscular Dystrophy UK and SMA UK (NDS0028)
- 25 National Association of Disabled Staff Networks (NADSN) (NDS0011)
- 26 National Autistic Society (NDS0022)
- 27 National Deaf Children's Society (NDS0040)

- 28 National Deaf Children's Society
(NDS0036)
- 29 Nethercot, Patrick (NDS0003)
- 30 New Bold Hope (NDS0045)
- 31 Pryer-Vaz, Mrs Rosie (Parent, carer and
landlady) (NDS0018)
- 32 Royal National Institute for Blind People
(RNIB) (NDS0046)
- 33 Sharp (NDS0020)
- 34 Shaw Trust (NDS0015)
- 35 The British Toilet Association Ltd
(NDS0035)
- 36 The Challenging Behaviour Foundation
(NDS0037)
- 37 The Trades Union Congress (The TUC)
(NDS0017)
- 38 United Response (NDS0033)
- 39 Voluntary Organisations Disability Group
(VODG) (NDS0023)
- 40 Whizz-Kidz (NDS0010)

- 41 Working Together with Parents Network - University of Bristol (NDS0013)
- 42 Zeyen, Dr. Anica (Senior Lecturer in Entrepreneurship and Sustainability, Royal Holloway University of London); and Branzei, Professor Oana (Professor of Strategy, Ivey Business School) (NDS0026)