

January 2010

**ABERDEENSHIRE
DISABILITY
ACTION Ltd**
*Supporting the **individual***



ISSUE 21

Editorial

Welcome to the first edition of the New Year of Aberdeenshire Disability Action's newsletter. We hope that you had an enjoyable time over the festive period and were not too inconvenienced by the snowy weather which has lasted so long. Disabled people do find it difficult to get around when roads and pavements are so treacherous, in fact, pavements may not even be visible because of the snow piled up on them. Let's hope that the snow disappears quickly so we can get back to normal.

Thanks to kind donations from Total and Shell, ADA was able to thank its current volunteers for their work over the year, by taking them out for lunch on the 11th December to the Strathburn Hotel. A delicious lunch was enjoyed by all and the afternoon was completed by a raffle which allowed most volunteers to take a small prize home with them.

The run up to Christmas was a very busy time for all at ADA with budget submissions to be worked on, the way forward to be decided on, along with all the usual Christmas preparations. It was identified that we would like to hold seminars on areas of concern for disabled people such as Transport, Carers, Personalisation and Direct Payments, carry out surveys to identify further areas of concern and carry out training days and information days as identified. We also hope to rent office space in the North and South of the Shire, in order to hold surgeries, where disabled people can raise matters of concern. We are looking forward to a busy year!

Stations Made Easy

Your attention is drawn to 'Stations Made Easy', a new interactive tool on the National Rail Enquiries website

www.nationalrail.co.uk/stations_destinations/

After typing in the station you want to look at, click on the 'Stations Made Easy' link and you will be offered the following options:

Station Overview

Accessibility Information

Plan a route

This facility is ground-breaking and has been developed by National Rail Enquiries Ltd and the Association of Train Operating Companies (ATOC) with support from the Department for Transport, Network Rail and Transport Scotland. Every station on the GB rail network was access-audited and 700,000 photographs were taken to enable customers to make their own assessment as to whether a particular route is suitable for them.

Feedback is being invited and information will be updated periodically. So send any comments to: ATOC Disability & Inclusion Team, 3rd Floor, 40 Barnard Street, London WC1N 1BY (Tel. 020 7841 8000) .

Safe Journey Card

You may be interested to know about the "First Group" safe journey card to use if you travel by bus or train.

This is a downloadable ticket shaped card that you can print off to show the driver / conductor to discretely ask for assistance or patience when boarding / leaving. Particularly useful if you have a hidden impairment.

There are pre-printed cards with requests on them such as: "Please wait until I sit down before driving off"; "I have difficulty speaking"; "I have difficulty hearing" and so on, plus a blank one for you to fill in yourself.

Download from: www.firstgroup.com/safejourney

New 'Healthpoint' in Aberdeenshire

A new service providing quality health information and advice for the public and health professionals is being launched in Peterhead. 'Healthpoint' is a free service which offers confidential information from trained staff on a wide range of topics:

- practical ways to improve your health, like healthy eating and stopping smoking,
- information on a range of health concerns / conditions including diabetes, asthma and mental health,
- links to NHS services and local support groups

NHS Grampian has been working with the 'Reaching Out' project over the last 12 months to develop the 'healthpoint' at the award winning Hot Spot, 1-3 Kirk Street, Peterhead. The project already offers a range of community facilities including a café with free internet and PC access, and provided the ideal site for the new NHS Grampian service.

Chris White is Buchan Area Manager, Aberdeenshire Council and Chair of the Local Community Planning Partnership Group. Welcoming the new service, he said: "The development of the 'healthpoint' is a great example of partnership working. Local residents and workers alike identified access to health advice and information as a local priority. NHS Grampian has worked closely with local partners to establish this service".

Cllr Anne Allan added: "The 'healthpoint' is a great asset. It will complement the wide range of community facilities already provided at The Hotspot. Local people now have access to a wide range of information and support right on their doorstep". Two open days were held on January 12 and 13 offering local people the opportunity to come along and receive a 'New Year New You' lifestyle check, have a look at the 'healthpoint' and meet staff. An NHS Grampian health advisor will be at the 'healthpoint' from Tuesday to Friday 11.00 am - 3.00 pm to offer free confidential information and advice. The service can also be accessed by calling the free healthline on 0500 20 20 30 or by emailing healthpoint@nhs.net.

New Year New You Campaign (Jan 2010)

Free Mini Lifestyle Checks available at the healthpoint which include.....

- Blood Pressure Checks



- Height, Weight and BMI



- Life Style Issues and Tips



+

Exercise

+

Nutrition



Stress



Alcohol

+



Smoking

Please pop in or call the free healthline to book an appointment

0500 20 20 30

Harassment of disabled people

The Equality and Human Rights Commission Scotland announced that it intends to conduct a Formal Inquiry into disability related harassment and how public authorities are protecting disabled people's human rights to live free from violence and abuse.

The announcement comes on the United Nations 'International Day of Persons with Disabilities'. The Commission plans to use its legal powers to investigate the true extent of disability related harassment and take appropriate action based on the evidence uncovered.

At the end of the Inquiry, public authorities found not to be doing enough to tackle the problem and to protect the human rights of disabled people could face legal action to force them to comply with their legal obligations.

Evidence already gathered by the Commission indicates that targeted violence or hostility towards disabled people is widespread throughout Britain. People with learning disabilities or mental health conditions in particular experience high levels of victimisation.

A report on the safety and security of disabled people published by the Commission earlier this year found that disabled people are four times more likely to be the victim of a crime than other people and are twice as likely to be the victim of a violent attack.

Morag Alexander, Scotland Commissioner for the Equality and Human Rights Commission, said:

"There have been many well-documented cases where targeted hostility, bullying and antisocial behaviour has escalated into more serious violence, murder or the death of disabled people.

"The recent inquest into the tragic deaths of Fiona Pilkington and her daughter Francesca show that early intervention and preventative action are essential, and that public authorities have to work in partnership to tackle this problem effectively.

Harassment of disabled people (contd.)

“Disabled people experiencing harassment can become conditioned to hostile treatment, or are sometimes told to ignore it by those around them – including by public authorities. They may also go to enormous lengths to avoid putting themselves at risk which can limit their freedom and opportunities. These are unacceptable outcomes for anyone in our society.

“Individual incidents can also have a much wider ‘ripple effect’, as other disabled people become aware that targeted violence and hostility is happening in their community may then fear for their own safety.”

The Commission will shortly publish draft Terms of Reference for the Inquiry, for consultation. Final Terms of Reference will then be published before the Inquiry begins in early 2010. The Inquiry will then report its findings within one year. The Inquiry will gather and examine evidence from disabled people and others who have been affected by disability related harassment and from public authorities on what steps they are taking to tackle the issue.

In particular, the Inquiry intends to look at the steps taken by public authorities to eliminate disability related harassment and to address its causes, including prejudice and negative attitudes; and how public authorities have ensured the involvement of disabled people in eliminating harassment and its causes – for example by effective joined-up reporting procedures. The Inquiry may also aim to identify examples of good practice in eliminating disability related harassment and addressing its causes.

The Commission will consider how public authorities have complied with their obligations in relation to the Disability Equality Duty set out in the Disability Discrimination Act 1995, the Human Rights Act, and the UN Convention on the Rights of Persons with Disabilities.

The Commission has produced guidance to help public authorities understand what its duties and responsibilities are and how these duties should be implemented. This can be found at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-duties/>

Landmark agreement

8th December 2009 saw the Scottish Government, COSLA and the Convenor of the Independent Living in Scotland Steering Group, Jim Elder Woodward, jointly sign up to a shared vision for independent living in Scotland, at Victoria Quay in Edinburgh.

It sets out an agreed vision, based on the core principles of independent living, where disabled people across Scotland will have equality of opportunity and enjoy the same freedom, choice, dignity and control that other citizens take for granted, at home, at work, in education and in the social and civic life of the community.

Independent living is not simply about meeting disabled people's needs; it is about ensuring that disabled people can access basic human rights, and participate fully in society as equal citizens.

This landmark occasion represents a turning point for the Independent Living Movement and all disabled people in Scotland. Disabled people will finally take their seat at the table, working jointly with senior policy and practice officials, across local and national government using the "coproduction" method of decision making.

Housing and Communities Minister Alex Neil said:

"This statement marks a significant step towards equality for disabled people in Scotland. It is both ambitious and aspirational and sets out our shared commitment to promoting cultural change, which will enable disabled people to have choice and control over decisions that affect their lives."

"It is important that disabled people are fully included in Scotland's future, as a country of equality of opportunity and quality of life - for all of its citizens"

Councillor Ronnie McColl, COSLA Spokesperson for Health and Wellbeing said:

"Independent living is in Scotland's best interest, it is right for individuals, for society and for our economy. The vision that we are setting out today fits strongly with the Single Outcome Agreements agreed by Community Planning Partnerships across Scotland and will ensure that they are inclusive of independent living principles and practices, so that disabled people can be an integral part of Scotland's future development. We have a lot to learn from each other but by working together we can make sure that better outcomes are delivered for disabled people across Scotland."

Landmark agreement (contd.)

All three groups - The Scottish Government, COSLA and the Independent Living Movement - agree that there is scope to deliver lasting change for disabled people living and working in Scotland. And, as the shared vision states, "This can only be achieved by thinking and acting aspirationally; and by ensuring that all voices carry equal weight and are well respected".

Jim Elder-Woodward, Convenor of the Independent Living in Scotland project, said:

"Making independent living a reality for disabled people will take time, but this joint statement is an important milestone in developing the shared strategic approach that will achieve that reality."

As the Core Reference Group, a high level strategic group looking at cross Government issues on independent living, the Scottish Government, COSLA and the Independent Living Movement will continue to work with others to deliver on an agreed work plan over the next two years.

Joint Event

Grampian Police and Aberdeenshire Council jointly held an event in Gordon House, Inverurie for the four Disability Access Panels based in Aberdeenshire.

Guest speakers at the event on Friday 9 October 2009 included a representative from Aberdeen Airport who updated the panels about the recent changes made to not only the main terminal building but also the car parking areas. Also speaking at the event was a representative from the council's planning office who provided an insight into the recently updated planning regulations. Grampian Police were represented by Aberdeenshire's diversity liaison officer PC Derek Allison, who gave the panels an input on personal safety and addressed issues concerning security of their homes.

Also highlighted was the importance of those with disabilities who have been the victims of prejudice to report these incidents to the police. PC Allison explained the importance of getting victims to come forward as no-one should suffer from prejudice because of their disability. PC Allison said: "It was a great day and one in which panel members, as well as the guest speaker, learned a lot."

Keith Weeks, Aberdeenshire Council Access Panel co-ordinator said: "It was really good to get all the access panels together. I think everyone including the guest speakers took something away from the event." The access panels provide valuable information to the council's planning office and local businesses on the accessibility of their proposed and current buildings including the surrounding areas. There are four Disability Access Panels in Aberdeenshire - located in Peterhead, Inverurie, Deeside and Stonehaven. All the panels were represented and there was a good turnout with in excess of 25 persons present.

Court of Appeal landmark ruling

Young wheelchair user David Allen was fighting in court to make the local branch of his bank, the Royal Bank of Scotland (RBS), allow him step-free access. A Crown Court had ruled the bank should provide him access after staff had tried to make Mr Allen conduct transactions in the street. However, RBS appealed against the ruling.

Last month judges in the Court of Appeal upheld the earlier ruling, which will force the bank to introduce a lift to allow Mr Allen to access his branch, which is based in a listed building. The changes will cost an estimated £200,000.

The victory is significant because it is the first of its kind made in the Court of Appeal. It cannot now be overturned. The judgement specifically uses the 'reasonable adjustment' definition within the Disability Discrimination Act to force a service provider to make changes to the built environment.

Mr Allen was supported by the Sheffield Law Centre and the Equality and Human Rights Commission.

Talking Buses Campaign

The Guide Dogs For The Blind Association has recently launched its new Talking Buses campaign and are looking for your help.

Public transport plays a vital role in helping disabled people to become more independent. Many people, including the elderly, disabled and other vulnerable groups rely heavily on buses to support them in living more independent lives. However, the worry of not being sure if you have got on the right bus, where you are on your journey, or when your stop is coming up, puts many people off using them.

As a result, Guide Dogs is campaigning for a change in the law to ensure audiovisual information - including audible announcements of the next stop and final destination - are available on board every bus and scheduled coach service in the UK.

With the general election coming up this year, it can be really difficult to ensure that politicians recognise important issues. An Early Day Motion has been tabled in Parliament, calling on the government to change the law, which MPs can sign to show their support of the campaign.

By logging onto www.guidedogs.org.uk/talkingbuses, you can create an automatic letter to your MP asking them to sign. It takes just two minutes, but really makes a difference. If MPs receive many letters and emails about this issue, they will realise how important it is and why they should get involved and support the campaign.

Employment and Support Allowance

In July 2008 the UK Government set out to reform the benefits system. The first major change to the benefits system came into effect in October 2008 when the Employment and Support Allowance (ESA) replaced Incapacity Benefit and Income Support for those who are sick and/or disabled. New applicants must now apply for ESA or Job Seekers Allowance (JSA), while existing claimants will be rolled onto the new program by 2013.

Citizens advice bureau (CAB) clients across Scotland who have applied for ESA benefits have found the new changes to the program to be problematic and challenging. Some of the issues include:

- In receipt of the 'wrong' benefit: Clients being awarded a benefit for which they didn't initially apply. The processing of Incapacity Benefit and Income Support applications submitted just before the cut-off date has been complicated, resulting in claimants being awarded the 'wrong' benefit leading to financial hardship, bank charges and debt.
- Jobcentre Plus administration and ESA procedures creating further financial difficulties and hardship for clients. Application and entitlement rules can be unclear and the work undertaken or advice provided by some Jobcentre Plus staff can be detrimental to a client's claim and financial well being.
 - ◆ Independent Medical Assessments are refusing claims even when GPs have confirmed clients as being physically or mentally incapable of pursuing employment. In order to receive ESA, applicants must first undergo a points based Work Capability Assessment, where an independent medical assessor confirms their eligibility for ESA. The medical assessment component of benefit claims has been outsourced by the Department of Works and Pensions (DWP) to ATOS Healthcare. This component has been most problematic for CAB clients as a large number of applications have been rejected based on these assessments, even where General Practitioners (GPs) have advised otherwise. Numerous ESA decisions have subsequently been appealed. Anecdotally, a Scottish CAB reports that appeals make up 80% of their ESA work load.

Citizen Advice Scotland's proposals for change

The Employment Support Allowance is a benefit entitlement for those who are ill and/or disabled. The Government needs to ensure that those who are vulnerable and unable to work receive appropriate and timely assistance.

- Clear and consistent guidelines and procedures on processing ESA applications for Jobcentre Plus staff
- The assessments made by the medical assessors should be overseen and evaluated by the DWP ensuring consistency between GP sick lines and independent medical assessments
- Access to crisis loans should be widened for those who find themselves in a situation where their benefit payments have been delayed through no fault of their own and who may have exhausted the limit for the number of times this loan can be accessed
- There needs to be a guaranteed same day service for the payment of crisis loan applications.

Carers Rights Day 2009

The local Carers Rights Day was held at Thainstone House Hotel on 4th December 2009. This event, hosted by Gordon Rural Action, was in support of the national Carers Rights Day 2009.

There were presentations on specialised topics by organisations from all over the country. Guardianship is a topic not often in the public eye, and Amanda Kerr from the Office of the Public Guardian gave an interesting and informative talk.

Next, Aberdeenshire Disability Action's Stephen Leeman gave a presentation on the organisation, and what we can do in the field of Carers Rights. The purpose of our organisation is to support the individual, and no more so than with carers and the cared for. ADA has an information database which can provide enquirers with much needed information on, for example, respite and holidays with suitable facilities for people with disabilities.

Denise Robson from Direct Payments came next, and spoke about the organisation she works for provides essential support to Carers in the financial arrangements available to Carers.

Carolyn Lamb, representing Visual Impairment from the NHS gave a presentation on what her role is in supporting carers.

In the afternoon the opportunity was given for some speed networking, where the speakers from the morning, and representatives from other organisations such as Telecare, Scarf, Contact a Family, and Young Carers, met for 30 minutes at a time with the public, rotating each half hour so that other members of the public could each speak to the organisation individually.

This allowed for each representative to meet with carers and the people they care for. In talking with people, Stephen discovered some of the areas of most concern to carers were activities that people with disabilities could take part in around the local area. Of concern also to some was respite for young carers so they could have time to themselves for school homework and to socialise. The day proved to be a great success, and the event was drawn to a close by Nanette Milne MSP.

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Please note that ADA does not necessarily endorse or subscribe to any of the items included or opinions expressed in the newsletter.

This publication available in alternative format on request.

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