

DISABILITY: NO BARRIER TO OPPORTUNITY

Policy Paper



March 2024

Introduction

The DUP have sought views to review how government supports those with disabilities in Northern Ireland and what actions are needed to ensure barriers to opportunity are removed. We understand the term “disability” covers a wide range of individuals, circumstances and experiences. We have concluded the consultation and developed this final policy paper. Thank you to all the consultees that participated.

The consultation process:

The development of this paper included research and consultation. A two-stage consultation process took place;

- Full consultation paper – This proposed policy ideas and options to address the identified issues and those highlighted in the pre-consultation process.
- Final policy document – Following the consultation process a final policy paper was adopted and will inform future DUP manifestos.

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Section 1: Background and overview of legal and policy context

The Disability Discrimination Act (DDA) 1995 defines a disability as a physical or mental impairment which has a substantial and long-term adverse impact on the individual's ability to carry out day-to-day activities. It's content now has effect (with some amendment) in Great Britain through the Equality Act 2010 but the DDA remains the relevant statute in Northern Ireland.

The Act protects against discrimination by ensuring an individual cannot be treated less favourably due to their disability on account of providing them with a right to reasonable adjustments and prohibiting discrimination against any person for making a complaint about their treatment as a disabled individual. It is estimated that 1 in 5 people in Northern Ireland are living with a disability.¹

This legislation is complemented by the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), pledging to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, formalised by the UN in December 2006 and adopted by the United Kingdom in 2009.

Before focusing in on Northern Ireland, it is helpful to briefly consider relevant developments in other parts of the UK.

England

In April 2020 the Cabinet Office's Disability Unit co-produced a National Strategy for Disabled People. The objectives of the National Strategy have been to:

- Develop a positive and clear vision on disability. Make practical changes to policies which strengthen disabled people's ability to participate fully in society.
- Ensure lived experience underpins policies.
- Strengthen the ways in which the Government listens to disabled people and their advocates, using these insights to drive change. Improve the quality of evidence and data and use it to support policies and how they are delivered.²

A National Disability Strategy was published in July³. This was declared unlawful in 2022 because of inadequacies regarding the consultation in response to which the Government has recently announced a new consultation.⁴

¹ [Disability Action Northern Ireland](#)

² <https://www.gov.uk/government/news/a-national-strategy-for-disabled-people-to-remove-barriers-and-increase-participation>

³ [National Disability Strategy \(publishing.service.gov.uk\)](#)

⁴ <https://www.gov.uk/government/news/new-disability-action-plan-confirmed-for-2023-as-minister-meets-paralympians-and-opens-pioneering-lab-at-olympic-park>

Scotland

A Fairer Scotland for Disabled People was published in 2016 by the Scottish Government and is built around five key ambitions:

1. Services that support independent living.
2. Decent incomes and fairer working lives.
3. The protection of the rights of disabled people.
4. Disabled people playing an active role in society.
5. Accessibility for everyone.

Some of the commitments as part of this strategy included:

- Investment in the Child Poverty Delivery Fund in Scotland to work with disabled parents and disabled people's organisations to identify and address the barriers disabled parents face entering and staying in employment.
- Work with disabled people's organisations to develop and pilot a peer-to-peer Ambassadors programme, to provide support to those applying for 'Access to Work' in Scotland.
- The provision of focus groups with service users to record views of what has worked well to secure appropriate and sustainable work.
- Ensuring disabled young people are supported with career options.

In March 2021 this was followed up with a Fairer Scotland for Disabled People Progress Report.⁵

Wales

The Welsh Government published *Action on Disability: The right to Independent living*, first in 2013 and then again in 2019. The aim of the framework was to reduce and remove barriers to equality and inclusion to ensure disabled people have equal access to opportunities. It identified key priority areas for action:

- advice, information and advocacy
- personal care and support
- person centred technology
- employment
- housing
- transport
- access to places

This framework commits to:

⁵ <https://www.gov.scot/publications/progress-report-fairer-scotland-disabled-people/>

1. Engaging with partners in the public and private sectors to ensure the rights of disabled people are included in policies and programmes.
2. Ensuring the use of language and terminology in Welsh Government communications conveys disabled people's rights and equality and its adoption of the Social Model of Disability.
3. The Provision of consultation documents in a range of formats e.g. Large Print, Easy Read and BSL video. Engagement activities and events in accessible venues.
4. Work with partners to explore options for a new approach to encourage organisations to improve how they work with and support disabled people, including staff, customers and the general public.
5. The Welsh Government setting a positive example by providing equality and diversity training and support to staff and working with partners and other agencies to encourage them to do likewise.⁶

Section 2) Background overview of legal and policy context of Northern Ireland

In turning now to Northern Ireland specifically, the relevant legislative framework is, as noted above, the Disability Discrimination Act 1995 (DDA).

The Equality Commission Northern Ireland is responsible for enforcing the DDA in Northern Ireland. Moreover, as the Commission explains: 'It also has a legal duty to work towards the elimination of discrimination against disabled people, to promote the equalisation of opportunities for disabled people, and to keep under review the working of the Disability Discrimination Act 1995 (DDA).'⁷

Northern Ireland's Disability Strategy, meanwhile, '*A Strategy to improve the lives of people with disabilities 2012 – 2015*' was developed by the Northern Ireland Executive and extended to 2017. The Department for Communities was the lead on this strategy and its aims were to:

- Set out a high-level policy framework to provide coherence and guidance to Northern Ireland Departments' activities
- Drive improved performance of service delivery leading to improved outcomes for persons with a disability
- Increase the understanding and importance of the needs of persons with a disability and ensure these needs are recognised when policy is developed and when implementing initiatives which impact on disabled people, and
- Improve the opportunities for people with disabilities to contribute across all areas of society.

⁶ [action-on-disability-the-right-to-independent-living-framework-and-action-plan.pdf \(gov.wales\)](#)

⁷ <https://www.equalityni.org/ECNI/media/ECNI/Publications/Individuals/DisabilityDiscrimShortGuide2011.pdf>

The Executive sought to build on what had been achieved through the Disability Strategy through its Programme for government 2016-2021 which committed to improving the quality of life for people with disabilities and their families by:

- *Raising awareness and changing attitudes*
- *Addressing the needs of children and young people*
- *Improving opportunities for employment and learning*
- *Improving independent living opportunities*
- *Improving participation in public and community life*
- *Improving access to information.*⁸

To meet these aims, the programme for government committed to:

- Establishing a regional disability forum involving people with disabilities
- Improving further and higher education for people with a disability
- Working with disability groups on a public awareness campaign to counter negative attitudes Raising awareness of the needs of children with disabilities in schools
- Strengthening disability anti-discrimination legislation
- Ensuring the Children and Young People's Strategy impacts positively on children with disabilities and their families
- Improving access to childcare for parents of children with disabilities
- Streamlining the adaptations and disabled grants process'

A commitment to a new disability strategy was agreed within New Decade New Approach. The UK Government Disability Strategy includes:

'Northern Ireland Executive statement

*The Northern Ireland Executive began work on a new Disability Strategy for Northern Ireland in September 2020. The strategy is being developed through co-design with involvement from disabled people and their representative organisations at all stages of the process. It will be outcomes-focused, rights-based and aligned with international obligations including the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). Grounded in evidence, it will target areas of greatest need.'*⁹

⁸ [Draft Programme for Government Framework 2016-21 and Questionnaire | Northern Ireland Executive](#)

⁹

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1006098/National-Disability-Strategy_web-accessible-pdf.pdf p. 15.

Examples of Disability Policy in Practice

There are obviously many examples of disability policy in practice in Northern Ireland. Before moving to Section 3 we highlight just two.

i. Disability and Local Development Plans

Local councils within Northern Ireland have a responsibility to ensure accessibility is taken into account in local development plans. Lisburn and Castlereagh Council have, for example, committed to providing:

- a) facilities to aid accessibility, e.g. level access to buildings, provision of dropped kerbs and tactile paving etc, together with the removal of any unnecessary obstructions
- b) user friendly and convenient movement along pathways and an unhindered approach to buildings
- c) priority pedestrian movement within and between land uses
- d) ease of access to car parking reserved for disabled or other users, public transport facilities and taxi ranks.¹⁰

ii. Transport

The Inclusive Mobility and Transport Advisory Committee (IMTAC) provides advice to Government and transport providers in Northern Ireland to ensure the improved accessibility of services is considered within policy and service development. The Committee is made up of people with disabilities, older people, representatives from government bodies and departments and representatives from transport providers.

Current adaptations utilised in public transport in Northern Ireland include:

- Hearing loop systems
- Accessible pay stations with low level counters
- Accessible toilets
- Staff available to provide assistance ¹¹

¹⁰ [Disability Action Plan 2021-25 - Lisburn & Castlereagh \(lisburncastlereagh.gov.uk\)](https://www.lisburncastlereagh.gov.uk)

¹¹ [Accessibility Guide \(translink.co.uk\)](https://www.translink.co.uk)

Section 3) Challenges Facing People with a Disability in NI today

Living with a disability can impact many aspects of an individual's daily life, for example, access to public services, employment, leisure facilities, healthcare and places of worship. Some factors which can make accessibility more difficult for people living with disabilities are:

- An environment that has not be adapted for accessibility
- The absence of assistive technology or adaptations
- Lack of awareness and understanding of the experience of those living with a disability and negative attitudes from individuals who are not living with a disability
- Services, systems and policies which are not tailored to promote engagement and accessibility

In what follows we consider 7 challenges associated with living with a disability in Northern Ireland today:

i. **Non-Visible Disabilities**

Some people experience disabilities that are outwardly visible to others, while other people experience disabilities that have fewer or no outward signs. Different terms are used to describe this experience such as invisible disabilities or hidden disabilities.¹²

Many of those who have a non-visible disability report difficult experiences when attempting to use accessible or adapted facilities such as disabled toilets. For example, Crohn's and Colitis UK have been championing a public campaign for the last number of years *Not Every Disability is Visible*. The campaign includes a request for disabled toilets to display the slogan due to the number of reported incidents of harassment of those with a non-visible disability attempting to use a disabled toilet.¹³

ii. **Expense of Living with a Disability**

Living with a disability can be incredibly expensive when relevant medical interventions are not readily available under the NHS and many people living with disabilities require adaptations to their home, transport adaptations and adaptations to make the workplace accessible.

The Northern Ireland Housing Executive (NIHE) provide a Disabled Facilities Grant to help people with disabilities adapt their homes, based on a recommendation from an Occupational Therapist. The grant can be used to improve:

- Access to bathroom, living room or bedroom
- Additional bathroom facilities
- Modifications to kitchen facilities

¹² <https://www.gov.uk/government/publications/dptac-position-on-non-visible-disabilities>

¹³ [Add your voice to our toilet campaign | Crohn's & Colitis UK \(crohnsandcolitis.org.uk\)](https://www.crohnsandcolitis.org.uk/add-your-voice-to-our-toilet-campaign)

The DUP are aware individuals are experiencing difficulties securing this grant in a timely fashion to ensure appropriate adaptations to their homes.

iii. Barriers

Physical barriers prevent or cause difficulties with access, for example, steps and kerbs can block a person with additional mobility needs from entering a building or using a footpath. Communication barriers prevent individuals from engaging with essential services, for instance, being unable to understand their doctor without adapted technologies or access to a sign language interpreter.

Accessibility needs to be considered in terms of transport, healthcare, housing, employment and other areas of public and community life.

A key initiative in the building accessibility field is Access Able which provides, an online directory across Northern Ireland through which disabled people and carers can assess how accessible a venue is.¹⁴ This website enables any individual or carer to check how accessible a venue is before they visit. This includes all venues from car parks to toilet facilities. A surveyor will call to access a venue before this information is published.

Lack of accessible health information can be problematic for those who are blind and partially sighted. We will support charities and organisations in their hope to change this. For example, information cannot be provided in the form of a written document if those needing the information have experienced complete loss of sight or if they are visually impaired. Neither must it ask them to undertake activities that assume they can see.

Another example of barriers are accessible toilets. 'Changing Places Toilets' are fully accessible toilets, that have the right equipment, including a changing bench and a hoist, designed to support disabled people who need assistance. Increasing numbers of premises have changing places toilets and where possible we would encourage this provision as new premises are built and existing premises are refurbished.

iv. Employment

Securing employment can often be more challenging for individuals with disabilities. The Labour Force Survey (LFS) found that although the disability employment gap has reduced, the employment rate for those living with a disability was 53.2% in 2019, compared to 81.8% for those who do not have a disability.¹⁵

¹⁴ [AccessAble Northern Ireland is Go! | AccessAble](#)

¹⁵ [Disability and employment, UK - Office for National Statistics \(ons.gov.uk\)](#)

Access to work

Access to Work (NI), an initiative of the Department of Communities, can provide advice and guidance to employers on employee's disability needs in the workplace and financial support towards the cost of necessary support. Access to work NI can assist with the following:

- Adaptions to premises and equipment
- Support at interviews
- Special aids and equipment
- Travel to work costs
- A support worker
- Travel within work e.g. to attend a meeting or training course

v. Transport

Accessing public transport can be challenging for a person living with a disability.

- SmartPasses

Smart Passes are available for those registered blind or war disabled and half fare SmartPasses available for some individuals receiving Personal Independence Payment (PIP), those with a learning disability, those diagnosed as partially sighted and for those who have been refused a driving licence on medical grounds.¹⁶

- Community Transport

Community Transport has supported many communities in Northern Ireland and is a particularly important resource for those with disabilities. The Community Transport Association (CTA) is a national charity that represents and supports providers of community transport: thousands of local charities and community groups across the UK that all provide transport services that fulfil a social purpose and community benefit. There are many disabled people who avail themselves of this initiative across Northern Ireland.¹⁷

- Ticket Offices

Ticket offices in train and bus stations remain a lifeline to blind and partially sighted people because they provide support for those with disabilities. Any closure of these should not be supported unless there is a viable alternative that can be supported by disability groups and a disability impact assessment.

¹⁶ <https://www.nidirect.gov.uk/articles/registered-blind-smartpass>

¹⁷ <https://www.communityni.org/organisation/community-transport-association>

vi. Parking

Parking can be a real challenge for people with disabilities both because of the lack of disabled parking and the misuse of it by people without disabilities.

Blue Badge Scheme

The Blue Badge scheme provides on-street parking concessions for people with severe mobility problems. Benefits include free on-street parking in 'pay and display' bays.

Accessible parking

An accessible parking bay is a reserved space on the public road for use by Blue Badge holders only. This can be applied for near a workplace or home. This accessible parking will be convenient and should make life easier.

While being of general public benefit, Controlled Parking zones can be of particular benefit for people living with a disability. The Department for Infrastructure (DfI) introduced the first Controlled Parking zones initiative for residents and business owners in the Rugby Road and College Park Avenue area of Londonderry at the overwhelming request of residents. There was a further consultation for this in Rossville Street, but no parking zone has been introduced there yet.

Section 4) DUP policy proposals to address current challenges

In recent years, the DUP has delivered on previous manifesto commitments to:

- Deliver more accessible play facilities for children and young people with disabilities across Northern Ireland's local council areas.
- Support better changing facilities for children, young people and adults with disabilities.
- Provide a greater range of events and initiatives that meet the specific needs of people with disabilities.

In the last Assembly, we:

- Introduced legislation to improve services and support for people with autism.
- Prioritised removing barriers to training and employment facing Deaf and disabled people.
- Supported a pilot for sign language interpretation during Question Time in the Assembly.
- Allocated additional funding for special schools and brought forward new SEN regulations.
- Ensured children with Special Educational Needs have the right to participate in decisions involving their education.
- Welcomed the inaugural Disabled Person's Parliament at Stormont.

- Delivered the Troubles Permanent Disablement Payment Scheme.

Moving forward together, we want people with disabilities to play an even greater role informing how government makes policy and plans for the future. Our 2022 Assembly manifesto *affirmed that the DUP would:* -

- Seek to expedite delivery of a new Disability Strategy, co-designed with service users.
- Support an intensive review of current disability legislation.
- Support the introduction of a Sign Language Bill and enhanced signing provision within the school curriculum.
- Ensure public bodies and community providers have the resources to go beyond minimum legal requirements to make buildings more accessible and services more accommodating.
- Promote the principle of universal design to ensure new buildings and services are inclusive of those with disabilities from the start.
- Ensure the planning system practically delivers on the challenges facing people with disabilities. Ensure greater availability of supported living.
- Support the reopening of the independent living fund.
- Ensure disabled people are equal partners in the decisions about their health, care and wellbeing.
- Support improved recreation and play facilities.
- Support local investment in specialist play equipment across Northern Ireland.
- Roll-out *more changing places toilets across Northern Ireland and*
- *Pursue fair and uniform regional access to disabled play facilities.*

Disability Policy for the Future

The DUP propose the following actions:

- Assessment of central and local government facilities to ensure they are accessible.
- Support the ‘not every disability is visible’ campaign in local councils
- Engage with disability groups to assess the cost of living with a disability and explore options for assistance
- Further DfI investment to ensure accessibility of public transport
- Improving the accessibility of NIHE Disability Access Grants and ensure timely allocation
- Work with the IMTAC in future transport projects
- Ensure people with a disability have a strong voice in the Mental Health Review
- Supporting flexible work environments and home working for people with disabilities
- Review of blue badge scheme criteria to engage with disability groups and ensure these are fit for purpose.
- Assessment as to whether the accessible parking bay scheme at someone’s home could be designated to the applicant.

- Supporting a public campaign challenging able-bodied use of disabled parking
- Supporting introduction of further resident parking zone schemes
- *Encourage all of Northern Ireland's 11 local councils to join Access Able or require them to provide comparable information on disability access, disabled toilets etc.*
- Support accessible health information.
- Support community transport.
- Lobby to keep ticketing offices open.
- Support changing places facilities.