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## Carmarthenshire Disability Coalition for Action **NEWS LETTER**

**September 2021**

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### **Right to challenge care decisions**

#### **How easy is it to challenge care decisions?**

The Equality and Human Rights Commission (EHRC) has launched a new inquiry into the right to challenge social care decisions.

Decisions about access to social care or support – such as a person's entitlement to it and what kind they can access – can seriously affect the right to independent living and inclusion of many disabled and older adults as well as unpaid carers.

It's important for people to be able to challenge a decision easily if they feel that it leaves them without the right support. An appeals system should have been introduced when the Care Act was introduced but, needless to say, wasn't.

The EHRC has launched its new inquiry after a range of organisations working on issues facing disabled and older people raised concerns that people faced barriers to complaining about or challenging decisions related to their social care. The LGSCO can only investigate if there has been maladministration not if the support offered is inadequate.

Looking specifically at England and Wales, the EHRC will examine people's experiences of challenging decisions made by their local councils about social care or support for older and disabled people and unpaid carers.

It will look to see if these decisions can be meaningfully challenged if they fall short and if the existing ways to do so are accessible and effective, including whether high-quality advocacy support is available.

#### **It will also explore:**

- if people are made aware of their rights to social care and support, and how they can challenge a decision they feel is wrong
- whether local councils and other relevant bodies learn from

- challenges to improve decision-making in future
- whether effective systems are in place to check the quality and consistency of decision-making about people's access to social care or support.

The inquiry will lead to a number of recommendations for local and national governments as well as other relevant organisations. The full report will be published in 2022.

## eFOLDi

They claim to be the world's lightest folding mobility scooter & power chair. After checking I can well believe it. If you are looking for a scooter that is both light and compact then you should check these out. See for yourself [here](#).

## Meet the new Minister for Disabled People, Health and Work: Chloe Smith MP

Chloe Smith MP was appointed the Minister for Disabled People, Health and Work in September 2021. Learn more about the Minister, her brief and the work of the Disability Unit [here](#).

Her predecessor, Justin Tomlinson MP, didn't achieve a great deal as Minister for Disabled People, so it's probably not surprising that his departure from the role hasn't caused much fanfare. He was replaced in the cabinet reshuffle by Chloe Smith, a former management consultant and MP for Norwich North since 2009. Her qualifications for the new job? None, as far as I can see. She has a consistent voting record against improving support for people with disabilities. Much like her predecessor.

## What's happening to PIP?

### Assessments for PIP and WCA from one company.

The latest change to be announced in the welfare system is a big one.

Currently, all Work Capability Assessments are carried out by Maximus, whilst PIP assessments are completed by IAS (formerly known as Atos) and Capita.

In future - from August 2023 - one company will do both types of assessment in any given area. Existing contracts have been extended by the DWP until that time.

The change means that IAS/Atos will have to resume WCA work if they want to continue with their profitable PIP contracts. They withdrew from the WCA contract in 2014, after receiving sustained criticism for the way that assessments were carried out.

*Ed. The future for disabled people seems fraught with setbacks and challenges. The rising cost of living and the increase in the cost of energy will present difficulties for many. Having disability benefits challenged will prevent many disabled people from accessing goods, services and facilities.*

## CDCfA - Time to ring some changes?



The 'pandemic' has escalated the need for change across diverse aspects of our lives. Disabled people have also had to shield themselves during the pandemic. Many people have had to deal with mental health and well-being issues as a result of being isolated.

From the perspective of the CDCfA the influence of the pandemic, in conjunction with changes being brought about by the Senedd as it implements the rollout of the 2015 Well-being of Future Generations Act and its commitment to adopting UN Human Rights and Rights of Disabled People has shown that we are "out of date".

While some issues can be remedied by amendments to the Constitution others demand examination/investigation with a view to finding working solutions. One of the most obvious is why are we not reaching out to the BAME community? Another pressing issue is how can we plan to co-produce services and facilities with CCC and Hywel Dda through the Carmarthenshire Disability Partnership if we have no idea how many people with disabilities there are in the area?

The last question also raises another point, AREA! Even though we are now Carmarthenshire our Council maintains some actions and policies in conjunction with Pembroke and Ceredigion from the Dyfed legacy. Should we be looking for other disability groups in Pembroke and Ceredigion?

Perhaps one of the more poignant questions is "How do we identify the GAPS in the provision of goods, services and facilities?" Should we campaign to encourage disabled people to ask their GP to put them on the Disability Register? Would it not benefit CCC to know how many people with disabilities there are in the County?

## CDCfA - Becoming a member?

Would you be interested in becoming a CDCfA member? As you can see from the article above we are entering challenging times. Without members, we are unable to apply for funding to help us achieve our goals. We do all the work, you just have to be a member. Any meetings would be online via zoom and would be minimal. At the moment membership is free but we may have to introduce a nominal fee of one or two pounds to cover a membership card.

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