

Speaking Out Briefing No.17

Children, young people and disability

Issues around equality and human rights are becoming increasingly prominent in policymaking today. Disability is frequently included in legislation and policy documents as an area that needs to be covered to ensure that all children and young people have the same rights and access to services. This paper sets out the current policy and legal context around children and young people, disability and the children and young people's voluntary and community sector (CYPVCS). It gives case studies of good practice currently taking place in the CYPVCS and considers possible implications for the sector.

This briefing is part of the Speaking Out series.

Speaking Out

Speaking Out is a partnership between Children England (formerly the National Council of Voluntary Child Care Organisations) and the National Council for Voluntary Youth Services (NCVYS), which seeks to build a voice for the children and young people's voluntary and community sector across government.

The project aims to develop closer links between a range of government departments (Home Office, Ministry of Justice, Department for Environment, Food and Rural Affairs, Communities and Local Government, Cabinet Office and HM Treasury) and the voluntary and community sector in delivering cross departmental policies such as Every Child Matters and *The Children's Plan* and the direct implementation of initiatives which affect children and young people.

Speaking Out aims to support children, young people and family voluntary and community organisations to better understand the impact on their users of a wider range of government policies and provide routes to influence them.

The project is funded by the Office of the Third Sector in the Cabinet Office.

Who are these briefings for?

This series of briefings intends to provide members of both NCVYS and Children England and other interested parties with background and analysis on specific policy items affecting the sector.

Other activities

In addition to these briefings the Speaking Out project is developing work streams around the policy themes which include:

- organising a series of seminars and events;
- establishing communities of interest amongst members and other organisations on specific policy themes;
- making representations to government; and
- linking with wider NCVYS and Children England campaigns.

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1. Introduction

Human rights and equality feature prominently in the current policy climate. Disability is often listed, along with age, gender, religion or belief, sexual orientation and race, as a key aspect that can lead to discrimination and needs to be assessed in order to avoid any potential adverse impact on children and young people with varying abilities accessing services. Disability can affect children and young people in many ways and the children and young people's voluntary and community sector (CYPVCS) makes a valuable contribution in supporting children and young people with disabilities through both mainstream and targeted services. This paper considers the current policy and legal context around children, young people and disability, how the CYPVCS is involved in issues around disability and what implications this might have for the sector.

Disability is often hard to define, although the Office for Disability Issues¹ offers the following:

Definition of disability

There are a number of different definitions of disability used in surveys to identify disabled people. The Office for Disability Issues (ODI) is encouraging the use of a single harmonised definition of disability. This definition reflects the Disability Discrimination Act (DDA) definition of disability and is therefore a minimum standard for public bodies to use as part of their duties under the Disability Equality Duty (DED).

DDA definition of disability

The Act defines a disabled person as a person with 'a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities.'

1 Definition taken from: <http://www.officefordisability.gov.uk/docs/disability-definitions.pdf>

2. Policy context

This section considers the current policy context around children, young people and disability.

Central Government departments

The Office for Disability Issues (ODI)² works across government to ensure that equality becomes a reality for disabled people. The ODI was set up to help government deliver on the commitment made in the report, *Improving the Life Chances of Disabled People*³, which states that by 2025, disabled people should have the same opportunities and choices as non-disabled people and be respected and included as equal members of society.

Six government departments are responsible for ensuring the recommendations in the *Improving the Life Chances* report:

- Department for Children, Schools and Families (DCSF);
- Department of Health;
- Department for Business Enterprise and Regulatory Reform;
- Department for Transport;
- Department for Work and Pensions (DWP); and
- Department for Communities and Local Government (CLG).

The ODI works with, and supports, Jonathan Shaw MP, Minister for Disabled People in DWP. The Minister is responsible for areas including disability legislation, disability rights and independent living funds.

Through the Ministerial Group and Inter-Departmental Group on Disability, the ODI ensures departments are kept up-to-date with developments. The Inter-Departmental Group on Disability includes people from most central government departments and the devolved administrations in Scotland and Wales.

The ODI also supports departments in making consultations and projects inclusive and in meeting their duties under the Disability Equality Duty (explained below). In December 2008, key Secretaries of State, including from DCSF and CLG, reported on progress towards disability equality across their areas of responsibility. The reports are the first of their kind and identify progress towards disability equality made by each department and where there are still issues to address. They also show how departments and public bodies will work strategically to introduce mechanisms for change. The ODI has produced an overview of the Secretary of State reports, highlighting key findings from each⁴.

² Further information about the Office for Disability Issues is available via: <http://www.officefordisability.gov.uk>

³ *Improving the Life Chances of Disabled People* (Prime Minister's Strategy Unit, 2005) is available via: <http://www.cabinetoffice.gov.uk/media/cabinetoffice/strategy/assets/disability.pdf>

⁴ Further information about the Secretaries of State reports is available via: <http://www.officefordisability.gov.uk/working/ded.asp>

The Equality and Human Rights Commission

The Disability Rights Commission (DRC) closed on 28 September 2007. Responsibility for helping secure civil rights for disabled people was transferred to the Equality and Human Rights Commission (EHRC)⁵ which opened on 1 October 2007. The EHRC combined the responsibilities and powers of the three previous equality commissions; the Commission for Racial Equality, the Disability Rights Commission (DRC) and the Equal Opportunities Commission.

In June 2005, the DRC launched the Disability Debate, a major national debate on the future of disabled people's equality in Britain. Over 18 months this developed to become the Disability Agenda through actively involving a wide variety of individuals and organisations. The Agenda sets out what the DRC believed were the chief public policy challenges for the coming decade and the actions required to meet them. The EHRC continues to promote the recommendations included in the Agenda including *Bringing an end to child poverty*⁶.

Aiming high for disabled children

Launched in May 2007, *Aiming high for disabled children: better support for families*⁷ (AHDC) is Government's 'transformation programme for disabled children's services'. The AHDC programme aims to deliver:

- access and empowerment for disabled children and families;
- responsive services and timely support; and
- improved service quality and capacity.

The programme is currently being implemented⁸ and new measures include a Transition Support Programme for disabled young people aged 14-19, launched on 2 December 2008. As part of the Programme every local authority area will receive £10,000 to assess their current support for transition, including drawing on the views of young people and families and completing a self-assessment questionnaire. In addition, 13 local authorities (LAs) will receive an extra £37,500 to develop existing good practice.

Aiming high for young people

Aiming high for disabled children was followed in July 2007 by *Aiming high for young people: a ten year strategy for positive activities*⁹ which set out Government's plan to transform leisure-time opportunities, activities and support services for young

5 Further information on the Equality and Human Rights Commission is available via: <http://www.equalityhumanrights.com>

6 Further information on EHRC's Disability Agenda is available via: <http://www.equalityhumanrights.com/en/aboutus/history/disabilityagenda/pages/default.aspx>

7 *Aiming high for disabled children: better support for families* (HM Treasury & Department for Education and Skills, 2007) is available via: <http://www.everychildmatters.gov.uk/socialcare/ahdc/>

8 For updates on programme developments visit: <http://www.everychildmatters.gov.uk/socialcare/ahdc/news/>

9 Further information on *Aiming high for young people: a ten year strategy for positive activities* and the Implementation Plan that followed, is available via: <http://www.everychildmatters.gov.uk/youthmatters/aiminghigh/>

people in England. The paper recognised that disabled young people have particular needs and expectations of services and young disabled people are highlighted as a group disproportionately at risk of the poorest outcomes.

Speech, language and communication needs

Following the Bercow Review¹⁰, which reviewed services for children and young people with speech, language and communication needs (SLCN), DCSF and the Department of Health jointly published *Better Communication: An Action Plan to Improve Services for Children and Young People with Speech, Language and Communication Needs*¹¹. The Action Plan details a range of initiatives across Government to improve services for children and young people with SLCN, culminating in the National Year of Speech, Language and Communication in 2011-12. Initiatives include:

- up to 20 local area pathfinders to develop good practice guidance and a supplemental joint commissioning framework on SLCN;
- up to £1.5 million invested in grants to the alternative and augmentative communication sector; and
- up to £1.5 million invested in a research programme looking at SLCN over the next three years.

CAMHS Review

The final report of the child and adolescent mental health services (CAMHS) review¹² was published in November 2008 by DCSF and the Department of Health and contains 20 recommendations for Government. The report sets out a clear vision for promoting children's psychological well-being and mental health and describes how a step change in the quality and consistency of services at all levels can be achieved. Recommendations included that Government should ensure that all bodies responsible for initial training of the children's workforce provide basic training in child and mental health and psychological well-being.

10 Further information on the Bercow Review is available via:
<http://www.dcsf.gov.uk/bercowreview/bercow-review.shtml>

11 *Better Communication: An Action Plan to Improve Services for Children and Young People with Speech, Language and Communication Needs* (DCSF and Department of Health, 2008) is available via:
<http://www.dcsf.gov.uk/bercowreview/index.shtml>

12 *Children and young people in mind: the final report of the National CAMHS Review* (DCSF and Department of Health, 2008) is available via: <http://www.dcsf.gov.uk/CAMHSreview/>

3. Legislation

This section considers legislation that affects children, young people and disability.

Disability Discrimination Act¹³

The Disability Discrimination Act 1995 made it unlawful to discriminate against disabled people. It also requires services to make reasonable adjustments to ensure they are accessible. Under the Disability Discrimination Act 2005, LAs and all public bodies have a duty to actively promote equality for disabled people and to have a Disability Equality Scheme which has involved disabled people. Furthermore, the 2005 Act changed the definition of disability slightly, removing the need for people with mental illness to show that their illness is “clinically well-recognised”¹⁴.

Special Educational Needs and Disability Act 2001

The Special Educational Needs and Disability Act 2001¹⁵ set out the right for disabled students not to be discriminated against in education. It also requires education services to make reasonable adjustments to ensure they are accessible.

Disability Equality Duty

In December 2006, the Disability Equality Duty¹⁶ came into force for public authorities. It meant that, as well as their existing duties, LAs have to take proactive steps to promote disability equality for pupils, employees and service users.

The Disability Equality Duty is intended to prevent disability-related discrimination from occurring at the outset and to promote equality of opportunity for disabled people. Public bodies will be expected to proactively take account of disability equality in the ways they serve the public, employ people or more generally carry out their work, for example through establishing and operating regulatory frameworks, making planning decisions etc.

(DRC, 2006:11)¹⁷

Public authorities subject to specific duties under the Disability Equality Duty are listed in the statutory code of practice¹⁸. Voluntary and community sector organisations that are delivering public services on behalf of a statutory agency are

13 Further information on the Disability Discrimination Act 1995 and 2005 is available via: <http://www.equalityhumanrights.com/en/foradvisers/keylegislation/pages/keylegislation.aspx>

14 Children’s Rights Alliance for England (2005) *State of Children’s Rights in England – Annual review of UK Government action on 2002 Concluding Observations of the United Nations Committee on the Rights of the Child*. Available via: <http://www.crae.org.uk/pdfs/State%20of%20childrens%20rights%202005.pdf>

15 Further information on the Special Educational Needs and Disability Act 2001 is available via: <http://www.equalityhumanrights.com/en/foradvisers/keylegislation/pages/keylegislation.aspx>

16 Further information on the Disability Equality Duty is available via: <http://www.equalityhumanrights.com/en/forbusinessesandorganisation/publicauthorities/disabilityequalityd/pages/default.aspx>

17 DRC (2006) *The Disability Equality Duty and involvement: Guidance for public authorities on how to effectively involve disabled people*.

18 Disability Rights Commission (2005) *The Duty to Promote Disability Equality Statutory Code of Practice* is available via: http://83.137.212.42/sitearchive/DRC/PDF/DED_Code_Dec05_pdf.pdf

subject to the duty. However, voluntary and community sector organisations directly delivering public services are not compelled to comply with the Disability Equality Duty but are still subject to the Disability Equality Act.

Equality Standard for Local Government

The Equality Standard for Local Government¹⁹ was launched in 2001. The Standard recognises the importance of fair equal treatment in local government services and employment. It was developed primarily as a tool to enable LAs to mainstream age, disability, gender, race, religion or belief and sexual orientation into council policy and practice at all levels. It is a voluntary best value performance indicator but in December 2008, 90% of all LAs had adopted the Standard.

As part of the Equality Standard for Local Government, and in order to comply with specific duties prescribed by the Disability Equality Duty (referred to above), LAs will publish their priorities for action as part of an equality scheme²⁰ which should cover actions to promote disability equality. LAs have to regularly report on their progress in implementing these duties.

Single Equality Bill

The new Single Equality Bill²¹ was announced in the Queen's Speech on 3 December 2008. The Bill aims 'to fight discrimination in all its forms and help to make equality a reality to everyone'. The Government Equalities Office states that the Bill will strengthen the law in many areas, it will ban age discrimination in the provision of goods, facilities or services and it will ensure that public bodies report on equality issues such as disability employment in their organisation.

The Bill will merge nine pieces of legislation into one single Act with the aim of creating a clearer legal framework for equality which will be easier to understand and implement. It will also create a single new Equality Duty on public bodies to tackle discrimination, promote equality of opportunity and encourage good community relations. Government will set out its views on the new Equality Duty in spring 2009. The Bill will also simplify the definition of disability discrimination.

As it stands, under the new Equality Bill, children and young people with disabilities will be able to argue against discrimination because of their disability, however they will not be able to argue against discrimination because of their age, i.e. under 18 years old. This means that an 80-year-old person could claim they have been discriminated because of their age but a 15-year-old young person could not.

19 Further information on the Equality Standard for Local Government is available via: <http://www.idea.gov.uk/idk/core/page.do?pageld=5145192>

20 Further information on the equality scheme and duties for LAs is available via: <http://www.equalityhumanrights.com/en/forbusinessesandorganisation/publicauthorities/pages/businessesorganisationspublicbodies.aspx>

21 Further information on the Equality Bill is available via: http://www.equalities.gov.uk/equality_bill.aspx

4. Human rights, children and young people and disability

Key developments around human rights and children and young people with disabilities include UN Conventions and issues around the provision of social care.

Article 44 of the UN Convention on the Rights of the Child

Under Article 44 of the United Nations (UN) Convention on the Rights of the Child, Government has to report to the UN on the progress that it has made in recognising children's rights and children and young people being able to enjoy those rights. In October 2008, the Committee on the Rights of the Child published its observations on the report submitted by the United Kingdom of Great Britain and Northern Ireland²². With regards to children with disabilities the Committee recommended that the State party (Government):

- take all necessary measures to ensure that legislation providing protection for persons with disabilities, as well as programmes and services for children with disabilities, are effectively implemented;
- develop early identification programmes;
- provide training for professional staff working with children with disabilities, such as medical, paramedical and related personnel, teachers and social workers;
- develop a comprehensive national strategy for the inclusion of children with disability in society;
- undertake awareness-raising campaigns on the rights and special needs of children with disabilities, encourage their inclusion in society and prevent discrimination and institutionalisation; and
- consider ratifying the International Convention on the Rights of Persons with Disabilities and its Optional Protocol.

UN Convention on Disability Rights

In March 2007, the Government signed²³ the UN Convention on Disability Rights. The Convention aims to ensure that disabled people across the world have the same human rights as everyone else and sets international human rights standards for disabled people. The Convention covers areas such as the rights to life, access to justice, to personal mobility, to health, to education and to work. In December

22 Committee on the Rights of the Child (2008) *Committee on the Rights of the Child Forty-ninth session – Consideration of reports submitted by states parties under Article 44 of the Convention: Concluding observations United Kingdom of Great Britain and Northern Ireland*. Available via: <http://www.unhcr.org/refworld/category,COI,,,GBR,4906d1d72,0.html>

23 The first step in becoming a party to a Convention is signing the treaty. States may sign the Convention at any time. By signing the Convention, States indicate their intention to take steps to be bound by the treaty at a later date. Signing also creates an obligation, in the period between signing and ratification, to refrain from acts that would defeat the object and purpose of the treaty. Further information on becoming a party to a Convention is available via: <http://www.un.org/disabilities/default.asp?navid=23&pid=151#bp1>

2008, Government restated its intention to ratify²⁴ the UN Convention on Disability Rights and said that it is its ambition to do so in spring 2009²⁵. Government's Human Rights Joint Committee published its first report on the Convention in December 2008²⁶. However, in early January 2009, the EHRC reported great concern that the Government is delaying the ratification process by requesting more reservations on the Convention²⁷.

Human rights and service provision

Although public bodies that provide services are required to comply with the Disability Equality Duty and the Human Rights Act, there is a loophole in the law around compliance with human rights legislation by private and voluntary sector social care providers.

A briefing paper by, led by Age Concern²⁸, highlights that thousands of older and disabled people do not have access to the protection they were promised under the Human Rights Act after a legal loophole in this Act was created by a series of judicial rulings. For example, the test case in the House of Lords, *YL v Birmingham City Council and others*²⁹. In 2007, an amendment to the Health and Social Care Bill was put forward to ensure that all bodies providing health and social care (as defined in the Health and Social Care Bill) would be required to act compatibly with the rights and freedoms contained in the Human Rights Act 1998 when performing those functions. It would have closed the loophole in the Human Rights Act which means that people receiving care in a private or charity care home are not covered by the Human Rights Act. This amendment would have ensured that those who receive contracted services are guaranteed the same levels of protection and rights to redress as those who receive services from the state. The amendments suggested were accepted, although with some changes.

24 Ratification follows the signing of a Convention. By ratifying the Convention, a country accepts its legal obligations and adopts any necessary legislation. Upon ratifying, governments can express 'reservations', whereby they opt out of particular articles or aspects of the Convention, or 'interpretative declarations', whereby they ratify on the basis that they understand the Convention has a particular meaning (EHRC, 2009).

25 Further information is on the UN Convention on Disability Rights is available via: <http://www.officefordisability.gov.uk/working/theunconvention.asp>

26 House of Lords, House of Commons (2008) Joint Committee on Human Rights The UN Convention on the Rights of Persons with Disabilities First Report of Session 2008-09. Available via: <http://www.publications.parliament.uk/pa/jt200809/jtselect/jtrights/9/0902.htm>

27 The EHRC press release is available via: <http://www.equalityhumanrights.com/en/newsandcomment/Pages/DelaysinratifyingtheUNDisabilityConventionriskdamagingtheUK%27sreputationasaleaderondisabilityrights,Commissionwarns.aspx>

28 *Parliamentary Briefing Health and Social Care Bill – Committee Stage, House of Commons Amendment: To bring private and voluntary sector health and social care providers within the scope of the Human Rights Act* is available via: http://www.ageconcern.org.uk/AgeConcern/Documents/Health_and_Social_Care_Bill_-_Human_Rights_Loophole_Briefing.pdf

29 The full judgement produced by the House of Lords (2007) *Judgments - YL (by her litigation friend the Official Solicitor) (FC) (Appellant) v. Birmingham City Council and others (Respondents)* is available via: <http://www.publications.parliament.uk/pa/ld200607/ldjudgmt/jd070620/birm-1.htm> A summary is available via: <http://www.andersonstrathern.co.uk/knowledge/html/YLCase.pdf>

The Health and Social Care Act³⁰ was passed in 2008. A different amendment to the one detailed above was introduced by the Government which partially addressed the loophole created by the *YL* case. The amendment which passed into law strengthened the protection of vulnerable people using residential care by ensuring that any independent sector care home that provides accommodation together with nursing or personal care, where that care has been arranged on behalf of a local authority, is subject to the Human Rights Act. People who entirely fund their own care where it is delivered by an independent provider, receiving no help from a LA in arranging their care, are still outside the scope of the Human Rights Act.

However, all service providers should ensure that their services comply with the Human Rights Act and are accessible to all adults, children and young people. The onus is on the provider or contract holder, regardless of what sector, to ensure that this is the case.

Disability discrimination

Another contested area is indirect discrimination against disability and comparability. In July 2008, a landmark case at the European Court of Justice, *Coleman v Attridge Law* and *Steve Law*³¹, passed verdict on whether a mother had been subject to unfair constructive dismissal and had been treated less favourable than other employees because she was the primary carer of a disabled child. The Court found that:

the prohibition of direct discrimination laid down therein is not limited only to people who are disabled. Consequently, where an employer treats and employee who is not himself disabled less favourably than another employee in a comparable situation, and it is established that the less favourable treatment of that employee is based on the disability of his child, whose care is provided primarily by that employee, such treatment is contrary to the prohibition of direct discrimination...

The mother, Ms Coleman, also claimed harassment by her employer due to abusive and insulting comments made about both her and her child. The court again found in favour of the claimant. This meant that EU discrimination laws covering disabled people can also apply to people who are not disabled themselves, but are closely associated with a disabled person³².

This case shows that those associated with (including caring or working with) children and young people with disabilities need to be aware of their rights to ensure that they receive the same treatment as those who are not associated with children and young people with disabilities — including those who care or work with children and young people without disabilities, and those who have no caring responsibilities.

30 Further information on the Health and Social Care Act 2008 is available via: <http://www.dh.gov.uk/en/Publicationsandstatistics/Legislation/Actsandbills/HealthandSocialCareBill/index.htm>

31 A European Court of Justice press release and link to the full judgement is available via: <http://curia.europa.eu/en/actu/communiqués/cp08/aff/cp080053en.pdf>

32 Comment taken from BBC news article *Win for disability rights woman* available via: <http://news.bbc.co.uk/1/hi/england/london/7219097.stm>

5. Young carers

Children and young people can be carers for parents or siblings with disabilities. Organisations such as Young Carers³³ provide advice, support and resources for children and young people who care for a parent or sibling. An example of a young carers story is given below:

Young Carers – Jamie’s story

Jamie is 16 and for the last seven years he has been taking care of his Mum who has septicaemia. Due to the septicaemia his mum has lost her kidney, her liver is damaged, her heart is affected and she only has 12cm of her bowel left.

Jamie constantly worries about his mum as he never knows when she will end up in hospital next and for how long it will be. Jamie has to help his mum with her medication, which includes a pump that she has to connect to every night, which ensures she receives vital nutrients.

When Jamie isn’t looking after his mum he is ensuring his younger brother is ok, he sorts out all the meals, helps his brother with his homework, makes sure he goes to bed on time and then Jamie himself sits down to do his homework for college.

At 16 Jamie is getting frustrated with his life and the fact that he cannot do what he wants when he wants often annoys him. Jamie knows his mum can’t help it but it does get to him sometimes.

Further information is available via: <http://www.youngcarers.net/>

³³ Further information on Young Carers is available via: <http://www.youngcarers.net/>

6. Youth participation

All young people should have the opportunity to engage in decision-making about services available to them. YoungMinds's Very Important Kids project is an example of how this is happening in practice:

YoungMinds – Very Important Kids (VIK)

Very Important Kids (VIK), YoungMinds's Children and Young People's National Advisory Board, aims to enable the views of children and young people to be heard within YoungMinds and across the children's mental health sector. 18 children and young people from across the United Kingdom meet every eight to ten weeks at YoungMinds's office in London, where they discuss issues raised by themselves and YoungMinds's Virtual Panel, Healthy Heads and respond to questions raised by YoungMinds staff.

Through these discussions, and based on their experiences, VIK has identified the following areas where they would like to see changes in children and adolescent mental health services: education, restraint and health.

In October 2008, YoungMinds received £2.5 million from the Big Lottery Fund's Young People's Fund 2 National Grants programme to ensure 2,700 children and young people contribute to mental health policy by 2013. The new funding will expand the VIK group to include nine new regional officers who will raise awareness of young people's issues and concerns, will consult with services and make recommendations to promote best practice in child and adolescent mental health services (CAMHS).

Further information is available via: <http://www.youngminds.org.uk>

Voice provides an advocacy service for children and young people in care. Voice's advocates enable children and young people to be empowered to make sure that their rights are respected and their views and wishes heard at all times³⁴:

Voice

Voice believes that children and young people with a disability should have equal access to advocacy services to that of children and young people without a disability.

As with all its advocacy services, the Voice advocacy service for children with disabilities is designed to empower young people and protect their rights. Voice therefore ensures that the service is accessible to children with a wide range of abilities by:

- allowing sufficient time to ascertain wishes and feelings;
- being mindful of disability needs when devising information about the service; and
- ensuring the service is flexible enough to include a range of abilities.

Voice's advocacy services are currently provided to children with disabilities in the following settings:

- children's homes for children with disabilities;
- respite centres; and
- residential schools for children with learning difficulties.

Voice has also adapted its advocacy postcards and posters for children and young people with learning disabilities.

Further information is available via: <http://voiceyp.org>

³⁴ A definition of advocacy is given by the Department of Health (2002) in National Standards for the Provision of Children's Advocacy Services which is available to download via: http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalasset/dh_4018893.pdf

The children's disability charity Norwood runs a project to ensure children and young people with disabilities have their voices heard in decisions that affect them:

Norwood – Young People's Focus Group

Norwood's 'Young People's Focus Group' (YPPG) was set up in 2005 to ensure that children and young people using Norwood's disability services will have their voices heard, regardless of their disability. The YPPG works towards the Every Child Matters Outcomes and ensures that the group's contribution has an impact on the strategic direction of Norwood for the benefit of all its users.

The key outcomes of the YPPG include:

- young people have an increased say in the services available to them;
- young people are empowered to advocate for themselves;
- young people develop and learn new skills;
- young people have increased confidence and independence; and
- young people are involved in the implementation of their chosen activities and programmes.

Projects undertaken by the YPPG include:

- being involved in the recruitment of a participation worker and other sessional staff;
- inputting into the design of the YPPG webpage on the Norwood website;
- producing biannual newsletters with articles written by young people. Newsletters are written in easy English (with symbols);
- organising events including Summer Fun Days and trips out;
- consulting on recreational activities and ensuring these are implemented in Norwood's services;
- putting forward ideas on a new recreational group for young people in transition; and
- as part of the Every Child Matters outcomes, young people took part in 'Healthy Living' and 'Staying Safe' projects, all the results have been implemented into Norwood's services.

With all the projects, the YPPG consult their peers enabling everyone to have their voice heard. Representatives from the group meet the Norwood Directorate biannually to ensure that their ideas form part of the Norwood strategy.

Future ideas include a sports event, a friendship project and a conference/workshop showcasing the work of the YPPG. The project received a Big Lottery grant from January 2007 until December 2009.

Further information is available via: <http://www.norwood.org.uk>

7. Campaigns

Every Disabled Child Matters

Every Disabled Child Matters (EDCM)³⁵ is a campaign by four leading organisations working with disabled children and their families; Contact a Family³⁶, Council for Disabled Children³⁷, Mencap³⁸ and the Special Educational Consortium³⁹. EDCM aims to challenge politicians and policymakers to make good on the Government's commitment that every child matters.

EDCM supports and represents thousands of disabled children, young people and families and hundreds of organisations, professionals, and disabled people working with and for disabled children, young people and their families.

EDCM's campaign objectives are:

- families with disabled children to have ordinary lives;
- disabled children to matter as much as all other children;
- disabled children and their families to be fully included in society;
- all disabled children and their families to get the right services and support – no matter where they live;
- poverty amongst disabled children and their families to be cut by 50% by 2010 and eliminated by 2020;
- an education system that meets the needs of each child and enables them to reach their full potential; and
- disabled children and their families to shape the way that services are planned, commissioned and delivered.

Anti-Bullying Alliance

The Anti-Bullying Alliance (ABA)⁴⁰ brings together over 50 organisations into one network with the aim of reducing bullying and creating safer environments in which children and young people can live, grow, play and learn.

ABA's objectives are:

- to raise the profile of bullying and the effect it has on children and young people's emotional health and well-being, life chances and achievement ;
- to create a climate in which everyone agrees that bullying is unacceptable and must be tackled as a matter of urgency to improve outcomes for children and young people; and
- to ensure that teachers and other adults who work with children and young people, and young people themselves, are equipped with the skills and knowledge to address bullying effectively.

35 Further information on Every Disabled Child Matters is available via: <http://www.edcm.org.uk>

36 Further information on Contact a Family is available via: <http://www.cafamily.org.uk/index.php?section=861>

37 Further information on the Council for Disabled Children is available via: <http://www.ncb.org.uk/Page.asp?sve=785>

38 Further information on Mencap is available via: <http://www.mencap.org.uk/>

39 Further information on the Special Educational Consortium is available via: http://www.ncb.org.uk/Page.asp?originx_6575ud_86058461632917e47f_20071195132n

40 Further information on the Anti-Bullying Alliance is available via: <http://www.anti-bullyingalliance.org.uk>

Mencap also has a campaign to stop the bullying of children and young people with a learning disability:

Mencap – Don't stick it, stop it! campaign

According to a Mencap survey, 8 out of 10 children with a learning disability are bullied. Don't stick it, stop it! is Mencap's campaign to stop the bullying of children and young people with a learning disability. Mencap want children and adults to take action to stop disablist bullying (when children and young people are bullied because of their disability).

The campaign aims to get disablist bullying dealt with as seriously as other forms of bullying - like racist and homophobic bullying. To ensure this the Government needs to provide strong leadership and local councils should support schools and children's services to prevent disablist bullying.

What Don't stick it, stop it! has done:

- produced a website, with three short animations and campaign materials to help children and young people take action to stop bullying; and
- called for the government to publish guidance and resources on preventing and tackling disablist bullying.

What Don't stick it, stop it! is doing:

- lobbying the government and local councils to take action to stop disablist bullying; and
- gaining celebrity support for the campaign.

Further information, including how to get involved, is available via: <http://www.mencap.org.uk/dontstickit>

8. Accreditation

CYPVCS organisations have the opportunity to be examples of good practice as employers. For example St John Ambulance has been awarded the Two Ticks Disability Symbol⁴¹:

St John Ambulance and the Two Ticks Disability Symbol

St John Ambulance has been accredited with the Two Ticks Disability symbol status. This is recognition given by Jobcentre Plus to employers who have agreed to take action to support disabled employees in employment, retention, training and career development.

The Two Ticks Disability Symbol aims to ensure that people with disabilities feel confident that their employer, or potential employer, will be positive about their abilities.

To qualify for the Two Ticks Disability Symbol, St John Ambulance has signed up to the following five commitments:

- interview all disabled applicants who meet the minimum criteria and consider them on their abilities;
- review the development needs of disabled employees at least once a year;
- make every effort to ensure employees can stay in employment if they become disabled;
- take action to develop disability awareness among key employees; and
- review these commitments annually, to improve and publicise progress and future plans.

Further information is available via: <http://www.sja.org.uk>

⁴¹ Further information on the Two Ticks Disability Symbol is available via:
http://www.direct.gov.uk/en/DisabledPeople/Employmentsupport/LookingForWork/DG_4000314

CYPVCS organisations can also lead the way in providing accreditation schemes that promote inclusiveness and diversity:

Mencap – me2 Award

The me2 award is a kite-mark, (symbol of trust, integrity and quality) that recognises, promotes and ultimately celebrates inclusive service provision for disabled children and young people throughout the borough of Dudley in the West Midlands. Services achieve the me2 award by working through the me2 award standards, which are a series of good practice guidelines that have been developed with a variety of specialist organisations.

26 disabled and non-disabled young people have been trained to support the project, by carrying out audits on services to see how welcoming and accessible they are for all children and young people. The panel will award settings that they feel are truly inclusive and offer advice and support to settings which need to make improvements to their service.

Further information is available via: <http://www.mencap.org.uk>

9. Implications for the children and young people's voluntary and community sector (CYPVCS)

The CYPVCS has a vital role to play in supporting children and young people with disabilities, from accessing services to getting their voice heard. The CYPVCS needs to ensure that it is aware of current legislation and policy developments around children, young people and disability to ensure that it can effectively engage with decision-making processes. Organisations will need to ensure that they are compliant with legislative requirements in delivering services to the public and in particular ensuring that these are accessible. There are various resources available to support organisations to do this, for example the EHRC website and NCVYS and Children England information bulletins (additional resources are given below).

The CYPVCS can play a role in campaigning with or on behalf of children and young people with disabilities. This might be for a specific cause like the anti-bullying campaigns featured in this briefing, in addition, CYPVCS organisations can act to influence Government policy-makers to adopt a joined-up approach to issues around disability. When developing policy, such as the Aiming high strategies, Government produces a separate document for disabled children and young people. Although *Aiming high for young people: a ten year strategy for positive activities* recognises that disabled children and young people may have additional needs, it does not specifically address barriers around participation/access to positive activities in relation to this, e.g. bullying, inaccessible venues or lack of staff training. Government needs to assess the impact of emerging strategies on all children and young people, including those with disabilities. The Every Disabled Child Matters campaign has produced *Going places!*⁴² which considers how play and youth strategies deliver for disabled children and young people.

When providing services to children and young people, the CYPVCS has the opportunity to promote examples of good practice and lead the way in working with children and young people with disabilities.

CYPVCS organisations also have a role to play in holding LAs to account with regards to the Disability Equality Duty. For example, services and major policy changes which are subject to equality impact assessments should clearly set out any significant impact expected on vulnerable groups including those that are disabled. CYPVCS organisations can use these assessments to challenge LAs where a change in service delivery or policy implementation is likely to adversely affect children and young people with disabilities. In addition, disability equality policies and schemes, which LAs and schools are required to publish, are an avenue

⁴² Every Disabled Child Matters (2008) *Going Places! Ensuring the play and youth strategies deliver for disabled children and young people* is available via:
http://www.edcm.org.uk/Page.asp?originx_5175bn_2888810122597t49o_20089184948s

for CYPVCS organisations to explore opportunities for engagement with statutory services in order to promote equal opportunities for young people with disabilities. For example, through delivering targeted services in school where this is deemed to be appropriate for particular groups who have a disability. The extended services model⁴³ is a good way for the CYPVCS to link up with schools delivering services to specific groups within their pupil intake, for example catering for young people with disabilities through targeted voluntary and community sector groups who have specific expertise in this area.

⁴³ Further information on the extended schools programme is available via:
<http://www.everychildmatters.gov.uk/ete/extendedschools/>

10. Resources

Information on the Office for Disability Issues is available at:

<http://www.officefordisability.gov.uk>

Information on the Equality and Human Rights Commission, the Disability Equality Duty and other legislation is available at:

<http://www.equalityhumanrights.com>

Information on Aiming High for Disabled Children is available at:

<http://www.everychildmatters.gov.uk/socialcare/ahdc/>

Information on the Every Disabled Child Matters campaign is available at:

<http://www.edcm.org.uk>

Information on the Children's Rights Alliance is available at:

<http://www.crae.org.uk/>

11. Other briefings

- Briefing 1** Knife, gun and gang crime
- Briefing 2** The Government's Social Exclusion Agenda
- Briefing 3** Access to Services in Rural Areas
- Briefing 4** Public Service Delivery
- Briefing 5** Community Cohesion
- Briefing 6** Local Government Reform
- Briefing 7** Place-shaping
- Briefing 8** The Comprehensive Spending Review
- Briefing 9** Rural migrant children, families and young people
- Briefing 10** Gang, Gun and Knife Crime: Seeking Solutions (Part 2)
- Briefing 11** Ministry of Justice Third Sector Strategy
- Briefing 12** The Youth Crime Action Plan
- Briefing 13** Communities in control: real people, real power
- Briefing 14** 2012 Olympic Legacy
- Briefing 15** The 2008 Drug Strategy
- Briefing 16** Environment

All the briefings are available at www.childrenengland.org.uk or www.ncvys.org.uk

Free hard copies are also available to order. Please contact Ilona Pinter, NCVYS's Information and Website Officer on 020 7278 1041 or email ilona@ncvys.org.uk , or Sophie Griffiths, Children England's Policy and Information Officer on 020 7833 3319 or email sophie@childrenengland.org.uk.

