


Disability and Inclusion Strategy Programme – Status Report No 16

Members	Date	Overall Project RAG Status
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Workstream Status:
Red – significant issues
Amber – some issues/risks
Green – on track

Overview

Discrimination Legislation

A public consultation on the Sex Discrimination Ordinance was launched on 13 September 2018. The consultation was promoted via the local media, States of Guernsey social media posts, Chartered Institute of Personnel and Development (CIPD) and Chamber of Commerce e-newsletters, and emails sent directly to target audiences. The consultation closed on 26 October 2018. 57 responses were received to the non-technical survey and 17 responses were received to the technical survey.













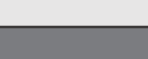
A policy discussion workshop was held on 2 November with Committee members and selected key stakeholders to discuss to how deal with unfair dismissals, awards and remedies.

Information and awareness raising

The Committee for Employment and Social Security will be launching a call for bids from charities, businesses and other organisations for grants ranging from small amounts to £5,000 for awareness raising initiatives on disability specifically and human rights/equality generally. The Committee have launched a webpage with more information at www.gov.gg/equality/awarenessraisinginitiatives

Capacity Legislation

Proposals have been completed for Deprivation of Liberty, Lasting Powers of Attorney and Advanced Decisions. These have been discussed with Health and Social Care staff professionals. A detailed report will be presented to the Health and Social Committee. If the Committee is in agreement to the proposals the next stage will be to go out to consultation.

Discrimination Legislation	
Equality Rights Organisation (ERO)	
Review of States' Obligations	
Information and awareness raising	
Information and awareness raising for businesses in Guernsey	
Capacity legislation	
Safeguarding vulnerable adults	
Framework for people with dementia	
Framework for people with communication difficulties	
Framework for people with learning disabilities	
Framework for people with autism	
Supported and mainstream employment	
United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)	

Disability & Inclusion Strategy Programme Board – Status Report - Workstreams

Discrimination Legislation	
Project Lead:	ESS
Target Completion Date:	2020
RAG Status:	

Current Status	Next Period
<p>Consultation/awareness raising</p> <ul style="list-style-type: none"> • Concluded initial series of meeting with representatives of the proposed protected grounds. • Held two meetings with representatives of the business community during September. An update was provided on the status of the project and attendees were invited to discuss issues of concern to businesses as future duty-bearers. • A public consultation on the Sex Discrimination Ordinance was launched on 13 September 2018. The consultation was promoted via the local media, States of Guernsey social media posts, Chartered Institute of Personnel and Development (CIPD) and Chamber of Commerce e-newsletters, and emails sent directly to target audiences. The consultation closed on 26 October 2018. 57 responses were received to the non-technical survey and 17 responses were received to the technical survey. • An update was given on the project at a CIPD event led by the Guernsey Employment Trust regarding ‘reasonable adjustments’ on 25 September. • An update was given on the project to planning and building control staff on 1 November. • Developed a communications plan, in consultation with the States of Guernsey’s Chief Operating Officer, for engaging with States Committees regarding the project and seeking their assistance in identifying any areas where decisions are made within the States of Guernsey which are based on any of the proposed grounds of protection. Plan approved by the Committee on 2 October. • Kept the Equality Working Group and the Employment & Discrimination Tribunal apprised of progress through preferred mechanisms. 	<p>Consultation/awareness raising</p> <ul style="list-style-type: none"> • Prepared high level summary of the Sex Discrimination Ordinance consultation feedback for publication on gov.gg in December 2018. <p>Policy research and development</p> <ul style="list-style-type: none"> • Drs Buckley and Quinlivan to complete ‘straw man’ Ordinance. • Drs Buckley and Quinlivan to present ‘straw man’ Ordinance to engaged stakeholders on 19 November. Attendees to be invited to raise issues which require further consideration in 2019. • Arrange for Drs Buckley and Quinlivan to visit Guernsey in January 2019 for various meetings and policy discussions – date of trip and programme to be confirmed. • Initiate engagement with States of Guernsey Committees. In particular, seek their assistance in identifying any areas where decisions are made within the States of Guernsey which are based on any of the proposed grounds of protection. This will feed into the development of a proposed list of exceptions for consultation. • Following policy discussion workshop held on 2 November, committee to agree high principles that will underpin what awards and remedies are available under the proposed new Discrimination Ordinance. • Enter into discussions with the Employment & Discrimination Tribunal Panel (or representatives of the Panel) regarding adjudication of complaints and potential awards and remedies.

Current Status	Next Period
<p>Policy research and development</p> <ul style="list-style-type: none"> • Part 4 (re: enforcement) of the ‘straw man’ model Ordinance delivered by Drs Quinlivan and Buckley and reviewed by Policy team. [Part 1 (re: definitions and key provisions) delivered and reviewed during an earlier reporting period. Parts 2 (re: employment equality) and 2 (re: goods and service provision) expected to be delivered in early November.] • Ongoing research regarding emergency policy issues. • Review key points that UN Human Rights Committees have made through General Comments/General Recommendations with regards to what is expected from State Parties’ discrimination legislation. • Carried out research and prepared a briefing paper regarding different mechanisms for handling claims of unfair dismissal involving discrimination and awards and remedies. • Policy discussion workshop held on 2 November with Committee members and selected key stakeholders to discuss: <ul style="list-style-type: none"> • Whether it should be possible to bring unfair dismissal cases under employment protection legislation or discrimination legislation or both; • Whether it should be possible to claim compensation for actual financial loss or injury to feelings in addition to or instead of the current fixed award; • Whether the size of the awards should be changed, and if a cap should be included for the maximum amount that could be awarded; • Whether other non-financial remedies (such as orders to pursue a course of action) should be included. 	<ul style="list-style-type: none"> • Carry out research and prepare briefing papers regarding: <ul style="list-style-type: none"> • The location of advice and the production of codes of practice, • Legal assistance, strategic litigation and amicus curiae functions, • Regulatory and compliance functions. • Attend Employment and Discrimination Tribunal hearing if one is planned. <p>Resourcing</p> <ul style="list-style-type: none"> • Liaise with P&R regarding resourcing for the project during 2019. • Finalise Consultancy Agreement with NUI Galway (currently awaiting feedback from NUI Galway contracts department). <p>Personal development</p> <ul style="list-style-type: none"> • Policy Officer to attend accessibility training. • Policy Officers to attend CIPD Conference – ‘Diversity and Inclusion – What’s it all about and are there any shortcuts?’

Equality Rights Organisation (ERO)	
Project Lead:	ESS
Target Completion Date:	2020
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> • Communications with UK Foreign and Commonwealth Office (FCO) re: National Human Rights Institutions guidance, Global Alliance of National Human Rights Institutions (GANHRI) status considerations and the Overseas Territories' human rights commissions. • Recommendations to the Committee on ERP development issues including GANHRI status and branding considerations. • Mapping of remaining ERO Policy issues to be resolved before business case submission. • A workshop and further consultation on ERO functions in relation to other bodies. • A further development of the ERO Business Case, to be submitted alongside a Policy Letter. 	<ul style="list-style-type: none"> • ESS Committee to consider mapped remaining ERO policy aspects in relation to timetable. • Further workshops to pin down enforcement questions pertinent to ERO functions. • Further discussions with FCO and Overseas Territories' human rights commission.

Review of States' Obligations	
Project Lead:	ESS
Target Completion Date:	
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> • Each Committee continues to identify tasks to deliver on each action with appropriate timescales. • Project Board reviewed Committee reports at the Project Board meeting on 7th November. • Project Board reported on the Progress of the Project to the Civil Service Leadership Team (CSLT) on 26th October. • CSLT approved the public release of the BDF reports and action plans. 	<ul style="list-style-type: none"> • Publically release the BDF Reports. • Each Committee to submit their report to the Project Board for Quarter 4. • Next Project Board meeting 11th January.

Information & awareness raising	
Project Lead:	ESS
Target Completion Date:	
RAG Status:	

Current Status	Next Period
<p>Awareness raising initiatives</p> <ul style="list-style-type: none"> Created call for bids brief for awareness raising initiatives. Application form, guidance notes and media release have been drafted. <p>Transport</p> <ul style="list-style-type: none"> New accessible crossing point installed linking a new footway from the bottom of Havelet through to Les Echelons. New accessible bus shelter at Port Soif Lane. Two new accessible parking bays installed on Albert Pier. New dropped kerbs and blister paving installed at junction of Bulwer Avenue/Longue Hougue Lane as part of road improvements project. <p>Wheelchair Services</p> <ul style="list-style-type: none"> Administration post has been approved for action and is not required to be recruited within the wider administration support as was previously considered. Off island support attachment arrangements are partially in place and first visit undertaken but the support is shared with two wheelchair services in the UK and Bristol Wheelchair Service is yet to finalise. Post holder in place. An increase in referrals to the service since the position filled. <p>Online Disability Awareness Training</p> <ul style="list-style-type: none"> 2681 people have signed up to the Online Disability Awareness training. Out of the 2681 people 2566 have started the training. To date 1986 people have completed the training. 	<p>Awareness raising</p> <ul style="list-style-type: none"> Launch call for bids for awareness raising initiatives on 14 November. Launch webpage and media release for awareness raising initiatives on 14 November. <p>Transport</p> <ul style="list-style-type: none"> Completion of extended footway at Rocque Poisson/Les Adams including dropped kerbs and installation of new informal pedestrian crossing onto headland. Completion of extended footway at La Vallette including dropped kerbs. Completion of dropped kerbs, new footways, new blister paving and new zebra crossings all being completed along Le Vrangue. Completion of new Toucan crossing at junction of Bulwer Avenue/Grandes Maison Road to include signalised crossing, dropped kerb and blister paving. <p>Wheelchair Services</p> <ul style="list-style-type: none"> Recruit to the administrators post. Finalise the arrangements with Bristol Wheelchair Service to complete the off-island attachment.

Information and Awareness Raising for Businesses in Guernsey	
Project Lead:	ESS
Target Completion Date:	
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> This workstream is in the implementation phase. It is acknowledged that further updates will be required for business which become part of the Information and Awareness Raising workstream. 	<ul style="list-style-type: none"> GET continue providing training and support on the Good Practice Guide. Further awareness raising to be part of the communications and included in the information and awareness raising workstream.

Capacity Legislation	
Project Lead:	HSC
Target Completion Date:	
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> Proposals have been completed for Deprivation of Liberty, Lasting Powers of Attorney and Advanced Decisions. These have been discussed with Health and Social Care staff professionals, who have broadly supported the proposals. A detailed report will be presented to the Health and Social Care Committee at the end of November. 	<ul style="list-style-type: none"> If the Committee is in agreement to the proposals, these will need to go out to consultation. Consideration of sending a copy of the proposals to the Ministry of Justice in order to move things forward when the Law has been finalised.

Adult Safeguarding	
Project Lead:	HSC
Target Completion Date:	
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> Adult MASH remains a pilot service at this time, continuing to convene 1 x weekly. MASH Steering Group will review quarterly performance in January 2019. Multi-Agency information Sharing Protocol has been prepared but delayed until end November, whilst awaiting legal advice and sign off. HSC Adult Safeguarding Policy & Procedures refresh has been completed and document will be sent out for wider consultation in next few weeks. HSC MARAC policy has been reviewed by the working party and to the Caldicott Group for comments in advance of wider consultation. 	<ul style="list-style-type: none"> Adult MASH staff user survey and feedback to be carried out in advance of January steering group/performance review. Adult Safeguarding Policy & Procedures to be ratified. Adult Multi Agency Information sharing Protocol to be signed off

Framework for people with Dementia	
Project Lead:	HSC
Target Completion Date:	Framework written. In implementation phase.
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> This workstream is in the implementation phase and reports each quarter. 	<ul style="list-style-type: none"> To progress the action plan and report at the end of Q4.

Framework for people with Communication Difficulties	
Project Lead:	HSC
Target Completion Date:	Awaiting resources.
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> Awaiting resource allocation – no progress to report. 	<ul style="list-style-type: none"> No actions planned.

Framework for people with Learning Disabilities	
Project Lead:	HSC
Target Completion Date:	
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> Launch of review of Adult Learning Disability Service took place on 6th September including media piece for newspaper, radio and TV. Steering group including people with learning disabilities, family members and professionals established and meeting monthly. Quantitative and qualitative data from service-user and family questionnaires analysed. Task finish groups on topics agreed including allocated leads. Reporting template developed. Poster presentations on learning disability awareness being included in HSC's 'Thinking differently: Working differently' conference on 9th November. Support identified and arranged for people with learning disabilities to use 'Talking Mats' as a communication tool to express their views. Plans made for visit to Alderney for Stakeholder session. 	<ul style="list-style-type: none"> Stakeholder consultation sessions booked will take place 2 days per month until February. Steering group to continue to meet. Set up webpage on gov.gg and continued liaison with communications team. Initial meetings of task and finish group.

Framework for people with Autism	
Project Lead:	HSC
Target Completion Date:	Framework written.
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> This workstream is in the implementation phase and reports each quarter. 	<ul style="list-style-type: none"> To progress the action plan and report at the end of Quarter 4.

Supported and mainstream employment	
Project Lead:	ESS
Target Completion Date:	
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> Meetings held with GROW and GO regarding provision of services. Meeting with GET continue to be bi-monthly. Closer working with GSPCA on placements. 	<ul style="list-style-type: none"> To work out a method of engagement with stakeholders to identify gaps in service.

United Nations convention on the Rights of Persons with Disabilities (UNCRPD)	
Project Lead:	ESS
Target Completion Date:	
RAG Status:	

Current Status	Next Period
<ul style="list-style-type: none"> No action during this period 	<ul style="list-style-type: none"> Resourcing for this project will be considered as part of discussions underway for wider resourcing for the ESS Equality mandate.