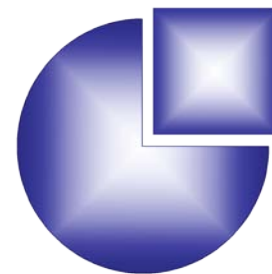


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THE DISABILITY AND EQUALITY AGENDA E-BULLETIN – AUGUST 2008

For information about how Freeneay Williams Ltd can help your organisation achieve the disability and equality agenda please contact

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1. WELFARE REFORM GREEN PAPER

Large numbers of long-term unemployed will be forced to work or lose their benefits under sweeping changes to the welfare system outlined in a green paper published on Monday by James Purnell, work and pensions secretary. For further information click:

<http://www.ft.com/cms/s/0/d2a8bf1e-5757-11dd-916c-000077b07658.html>

The Green Paper has evoked responses as follows:

* The Employers' Forum on Disability has given a cautious welcome to the proposed reforms, see:

<http://www.efd.org.uk/media-centre/media-releases/2008/efd-gives-cautious-welcome-welfare-reform-plans>

* Guardian: Polly Toynbee comments on the detail of the proposals and the impact of James Purnell's approach on his colleagues:

<http://www.guardian.co.uk/commentisfree/2008/jul/22/welfare.labour>

* Former Labour MP Frank Field: New government proposals scrapping incapacity benefit have been criticised by a former Labour MP for not making a difference. Frank Field, former Labour social security, told BBC Radio 4's Today programme that the reforms may make little difference.

The proposals aim to bring more claimants to work while providing support for the most disabled people. "The key fault of the old system is being brought into the new system and that is that if you can get through the employment capacity test - fail the employment capacity test - you will go on to a higher rate of benefit," Mr Field explained.

He called for a single rate of workless benefit and said that other costs for incapacities should be met through disability living allowance. Mr Field proposed reducing means-testing, cracking down on benefit fraud and encouraging incapacity benefit claimants back into work when he was a member of Tony Blair's government in 1997.

However, his proposals were opposed by the Treasury and James Purnell, secretary of state for work and pensions, told the Guardian that the new plans were in the same direction as Mr Field had proposed.

"We are moving towards having essentially two benefits: JSA and the new benefit ESA, the employment and support allowance," he said.

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2. LANDMARK DRAFT LEGISLATION ON EQUALITY

Harriet Harman, Minister for Women and Equality, has unveiled ministers' plans for a single Equality Bill. It brings together all the legislation on discrimination of the past 35 years - pay, race, disability - and also age and gender orientation. For more information click:

<http://news.bbc.co.uk/1/hi/business/7474960.stm>

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3. HOUSE OF LORDS CHANGES INTERPRETATION OF DDA

The House of Lords has delivered a major judgement which will change the way in which the Disability Discrimination Act 1995 is interpreted and which is expected to make it harder for employees to succeed in claims of disability related discrimination.

The case concerned a secure tenancy of which the tenant, Mr Malcolm, suffered from schizophrenia. Having omitted to take his prescribed medicine Mr Malcolm sublet the property and ceased to occupy contrary to his tenancy agreement. As a result he lost his right to security of tenure and then refused to give up his possession to the Council. Mr Malcolm claimed that his unauthorised actions were caused by his schizophrenia and that the Council's reason for seeking possession was consequently disability related, although the Council was not aware of his disability.

Read the House of Lords' findings at:

<http://www.shoosmiths.co.uk/news/1351.asp>

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4. FATHER SACKED WHILE IN HOSPITAL WINS £32,000 PAYOUT

A father-of-three, who was sacked by Stockton Council while in hospital with a serious mental illness, has been awarded more than £32,000. An employment tribunal accepted that bi-polar disorder sufferer, Russell Aylott's claims that he suffered disability discrimination and ultimately, unfair dismissal at the hands of the local authority.

For further information click:

<http://www.gazettelive.co.uk/news/teesside-news/2008/06/30/dad-wins-32-000-payout-after-being-sacked-while-in-hospital-84229-21172964/>

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5. UK LEADS IN ACCESSIBLE FILMS

The UK now leads the world in access to film for people with hearing and visual impairments. In the last five years:

* From zero to almost 300 cinemas with subtitle & audio description facilities.

* From zero to almost 700 English language subtitled & audio described films produced to date.

* At any one time most, or all of the top ten films are available with subtitles & description.

* From zero to almost 2,000 English language subtitled shows a month nationwide, and thousands more audio described shows.

'Accessible' shows are now a regular feature in many cinemas.

The information service 'your local cinema .com' is the industry sponsored website & listings service created exclusively for accessible cinema. It serves as a one-stop shop both for the cinema industry and for public audiences interested in accessible screenings nationwide.

Find out more at:

www.yourlocalcinema.com

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6. OBESITY AND DISABILITY

There is no escaping the fact that obesity is an increasing problem in the UK, but where do employers draw the line between what is discrimination and what is a health and safety consideration when considering overweight employees as potential candidates. Personnel Today gives advice for employers on working with obese employees and how they might be covered by the DDA. More information at:

<http://www.personneltoday.com/articles/2008/06/19/46330/obesity-at-work-how-fat-is-too-fat.html>

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7. MATERNITY LEAVE AND FLEXIBLE WORKING

The radical extension of maternity leave and parents' rights is sabotaging women's careers, according to the head of the new equalities watchdog. Nicola Brewer said that it was an inconvenient truth that giving women a year off work after the birth of each child - soon to be paid throughout - was making employers think twice before offering a job or promotion Read more at:

<http://business.timesonline.co.uk/tol/business/law/article4327438.ece?pgnum=2>

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8. BROADCASTING INDUSTRY – DIVERSIFY OR DIE!

A continuing failure to reflect ethnic diversity by “overwhelmingly white” broadcasters such as the BBC and Channel 4 must be urgently address if they are to survive in the digital age, according to a study. More information at:

<http://www.guardian.co.uk/media/2008/jul/17/channel4.television1>

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