

Debate Pack

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UK's commitment to the United Nations Convention on the Rights of Disabled Persons

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The UN Convention on the Rights of Persons with Disabilities

Section 2 of the Library briefing paper [The UN Convention on the Rights of Persons with Disabilities: UK implementation](#) (CBPO7367) provides detailed background on the Convention. The UK ratified the Convention in July 2009.

A timeline of investigations and reports:

- The Government [published its initial report on the rights of disabled people](#) in November 2011.¹
- The UN Committee on the Rights of Persons with Disabilities published its first review under the Optional Protocol on how the UK was implementing the Convention in October 2016.²
- [The UK Government responded](#) in October 2016.³
- The UK's first periodic review since the ratifying the treaty was carried out in 2017.
- In April 2017 the [UN asked for more information](#) by publishing a 'List of issues'.⁴
- The Government [published its response](#) in July 2017.⁵
- The UN then published its [report of 'concluding observations'](#) in August 2017.⁶ This included 10 recommendations and asked the UK to follow-up on these recommendations every 12 months until the next periodic review. Final [concluding observations](#) were reported in October 2017.⁷
- Follow-up responses were published in [September 2018](#)⁸ and [September 2019](#).⁹

¹ Office for Disability Issues, [UN Convention on the Rights of Persons with Disabilities: initial report on how the UK is implementing it](#), 24 November 2011

² United Nations Committee on the rights of persons with disabilities, Inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out by the Committee under article 6 of the Optional Protocol to the Convention, October 2016

³ [The United Kingdom Government Response to the Report by the United Nations Committee on the Rights of Persons with Disabilities under article 6 of the Optional Protocol to the Convention](#), October 2016

⁴ UN, [List of issues in relation to the initial report of the United Kingdom of Great Britain and Northern Ireland](#), 20 April 2017

⁵ Office for Disability issues, [List of issues in relation to the initial report of the United Kingdom of Great Britain and Northern Ireland: government response](#), 5 July 2017

⁶ UN Committee on the Rights of Persons with disabilities, [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), October 2017

⁷ UN Committee on the Rights of Persons with disabilities, [Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#), October 2017

⁸ Department for Work and Pensions and the Office for Disability issues, [Disabled people's rights: information following the UK's first periodic review](#), 6 September 2018

⁹ Department for Work and Pensions and the Office for Disability issues, [Disabled people's rights: the UK's 2019 report on select recommendations of the UN periodic review](#), 12 September 2019

The Library paper was last updated in November 2020. Detailed information on investigations and outcomes up to that point can be found in the paper.

The government's intention is to respond to the Committee's remaining concluding observations from the 2017 review during the next periodic review, which is due in 2023:

We will be responding to the recommendations in the Concluding Observations during our next periodic review, currently scheduled for 2023. In the meantime, we will be preparing in due course, as recommended by the UN Committee, a progress update on the 2016 inquiry recommendations.¹⁰

The sections below outline the main developments since November 2020.

1.1

UN Committee on the Rights of Persons with Disabilities 2016 inquiry – UK 2021 follow-up report

In December 2021 the UK Government published its latest [follow-up report to the UN Committee on the Rights of Persons with Disabilities' 2016 inquiry covering both 2020 and 2021](#). As well as UK-wide responses on progress with the ten UN recommendations made in 2017, it includes additional commentary on activities undertaken in the devolved nations.¹¹

Some Government actions highlighted include:

The [National Disability Strategy](#)¹² published in July 2021:

As a key element of this, in July 2021 we published the national disability strategy, which sets out steps to improve disabled people's everyday lives. It offers both a positive vision for long-term societal change and a wide-ranging, practical plan for action now. The strategy includes over 100 practical actions from right across Government to improve the lives of disabled people, across education, employment, housing, transport, shopping, culture, justice, public services, and data and evidence.¹³

[Shaping future support: the health and disability green paper](#)¹⁴ published by the Department for Work and Pensions in August 2021:

¹⁰ [PQ 214659 \[on Convention on the Rights of Persons with Disabilities\]](#), 30 January 2019

¹¹ Disability Unit and Department for Work and Pensions, [Disabled people's rights: UK 2021 follow-up report to UNCRPD 2016 inquiry](#), December 2021

¹² Disability Unit, Equality Hub and Department of Work and Pensions, [National Disability Strategy](#), 28 July 2021

¹³ [HC Deb 9 December 2021 c28 WS](#)

¹⁴ Department of Work and Pensions, and Disability Hub, [Shaping future support: the health and disability green paper](#), 12 August 2021

...which explores how the welfare system can better meet the needs of disabled people. We are committed to improving access to crucial support.¹⁵

And the [Government response: Health is everyone's business](#):¹⁶

...which sets out measures the Government are taking to provide greater clarity around employer and employee rights and responsibilities: address the need for employers to have access to information and advice that is easy to understand, trustworthy and accessible, and encourage more employers to provide access to expert support services such as occupational health (OH).¹⁷

1.2

The National Disability Strategy 2021

The National Disability Strategy was published in July 2021, it is a cross-Government strategy to improve the lives of disabled people:

Imagine if there was a vast British city where the 14 million residents were much less likely than those elsewhere to have a job or even any qualifications at all. Where the children were twice as likely to become victims of crime, far fewer adults owned their own home, and the impact of Coronavirus had been distressingly disproportionate.

If such a place existed, policymakers and politicians would be clamouring to intervene and fix the obvious injustices that bedevilled the population. Think tanks would whirr into action, task forces would be created, no stone would be left unturned.

Yet these statistics relate to the daily reality of life of the UK's 14.1 million people living with a disability. And, even though it is more than a quarter of a century since John Major introduced the ground-breaking Disability Discrimination Act, no UK government has ever drawn up such a comprehensive, concerted, cross-government plan to deal with such problems and make disability policy a truly ecumenical endeavour.

That is, until now.¹⁸

The strategy was informed by an online 'UK Disability Survey'¹⁹ which ran from January to April 2021, as well as engagement with disability stakeholders, some disabled people, academics, charities and Think tanks.²⁰

¹⁵ [HC Deb 9 December 2021 c28 WS](#)

¹⁶ Department for Work and Pensions, and Department of Health and Social Care, [Government response: Health is everyone's business](#), July 2021

¹⁷ [HC Deb 9 December 2021 c28 WS](#)

¹⁸ Disability Unit, Equality Hub and Department of Work and Pensions, [National Disability Strategy](#), 28 July 2021, Prime Minister's Foreword, p8

¹⁹ Disability Unit, [UK Disability Survey research report, June 2021](#)

²⁰ Disability Unit, Equality Hub and Department of Work and Pensions, [National Disability Strategy](#), 28 July 2021, p12

The strategy aims to address difficulties faced everyday by people with disabilities, including:

- Living in a home that is not adapted to their needs.
- Difficulty accessing the transport network to get out and about.
- Difficulty navigating inaccessible and inflexible workplaces or education settings.
- Facing limited choice and additional expense when shopping around for goods and services.
- Unresponsive and fragmented public services that do not meet their needs.
- Feeling excluded from leisure opportunities and socialising,
- Finding themselves barred from exercising rights, such as voting and serving on a jury.²¹

It is in three parts. The first sets out immediate actions the Government will take to improve disabled people's everyday lives under the following headings:

- Rights and perceptions: removing barriers to participating fully in public and civic life and wider society.
- Housing: creating more accessible, adapted and safer homes.
- Transport: improving the accessibility and experience of everyday journeys.
- Jobs: making the world of work more inclusive and accessible.
- Education: ensuring children and young people fulfil their potential
- Shopping: creating more consumer choice and convenience.
- Leisure: widening access to arts, culture, sport and the great outdoors
- Public services: making access as smooth and easy as possible.²²

The second part deals with longer term structural change to the way Government works with and for disabled people. Part three sets out each Government department's particular commitments.

Many of the commitments rely on other Government work, including:

- the Health and Disability Green Paper Shaping Future Support, led by the Department for Work and Pensions (DWP), setting out proposals to make the disability benefits system easier to access and navigate
- the government response to the Health is Everyone's Business consultation (DWP and the Department for Health and Social Care (DHSC))

²¹ Disability Unit, Equality Hub and Department of Work and Pensions, [National Disability Strategy](#), 28 July 2021, p18

²² Disability Unit, Equality Hub and Department of Work and Pensions, [National Disability Strategy](#), 28 July 2021,

- the Department for Education's (DfE) publication of the findings of the Special Educational Needs and Disabilities (SEND) Review and DHSC's refreshed Autism Strategy.²³

The response to the Strategy was mixed. The concept of having a cross departmental government strategy was generally welcomed, especially as the last strategy, [Fulfilling Potential: improving the lives of disabled people](#), had not been updated since 2015. The paper laid out the inequalities experienced by disabled people very clearly and included actions that were seen as positive, for instance:

[...]

There are areas that are promising, such as the commitment to get companies reporting on disability figures in the workplace, the creation of an accessible technology centre, action to improve public transport, and a taskforce to look at the extra costs that disabled people face.²⁴

However, more critical comment claimed the content was not new. The Disability News Service reported:

Many of the “practical actions” have already been announced, amount to nothing more than updated guidance, or are subject to further consultation, discussion or review.

These include many of the education, housing, transport and employment proposals.

The strategy has already been dismissed by disabled people's organisations as a “damp squib”, “tokenistic” and “not fit for purpose” (*see separate story*).

Even in the government's own launch, briefings and press releases, there appear to be no stand-out proposals that ministers are pointing to as significant steps forward in improving disabled people's lives.

The strategy is so lacking in headline-grabbing new policies that [the government's own press release](#) includes plans to “consult on disability workforce reporting for businesses with more than 250 staff” as one of its highlights.

There is also an absence of an overarching theme, demonstrated by the failure to come up with a name for the strategy, and the comments of the prime minister, Boris Johnson, who stressed instead how every government department and agency will have to “do their bit to bring about... practical and lasting change”.

Despite Johnson drawing attention in his foreword to the document to the “obvious injustices” facing disabled people, there is little or no recognition in

²³ Disability Unit, Equality Hub and Department of Work and Pensions, [National Disability Strategy](#), 28 July 2021, p22

²⁴ Scope Press Release, [National Disability Strategy 'falls short' of what disabled people expected and deserve](#), 28 July 2021

the strategy that successive Conservative-led governments have failed to act on these injustices over more than a decade.

There is also no mention in the 121-page strategy of the word “austerity”, despite widespread recognition of the negative impact of a decade of austerity on disabled people’s lives.

It [had already emerged](#) – in last week’s disability benefits green paper – that ministers want to cut future spending on disability benefits and are apparently considering merging personal independence payment with universal credit, but this is omitted from the strategy.

Instead, the strategy appears to be based on collecting as many disability-related policies as possible from each government department, many of which have previously been announced.²⁵

The strategy was criticised for only having short-term plans:

Many of the short-term commitments made are to be welcomed, but the strategy as a whole falls short of the transformational plan that many disabled people expected and deserve. Unless we get clear detail beyond the next 12 months, it is difficult to see how life will be significantly different for the next generation of disabled people.²⁶

Criticism also focused on a lack of detail about commitments, targets and funding. Disability Rights UK CEO, Kamran Mallick, said:

Disabled people have been waiting a long time for a Strategy that has meat on its bones.

Despite being 120 pages long, the Strategy is disappointingly thin on immediate actions, medium-term plans and the details of longer term investment.

The Strategy has insufficient concrete measures to address the current inequalities that Disabled people experience in living standards and life chances.

There are scant plans and timescales on how to bring about vastly needed improvements to benefits, housing, social care, jobs, education, transport, and equitable access to wider society.

While we welcome the Government’s recognition that Disabled people are much less likely than non-Disabled people to have a job, qualifications, to own a home, or to live in an accessible home, we haven’t been given the bold plans that will fix these huge issues.

²⁵ Disability News Service Press Release, [National Disability Strategy: No headline-grabbing initiatives and no mention of austerity](#), 30 July 2021

²⁶ Scope Press Release, [National Disability Strategy 'falls short' of what disabled people expected and deserve](#), 28 July 2021

A vision is not enough. Admitting change won't happen 'overnight' isn't enough. We need radical plans, timescales, and deep financial investment to make change a reality.²⁷

Strategy held to be unlawful (2022)

On 25 January 2022, the High Court's judgment in *R(Binder & Others) v Secretary of State for Work and Pensions* was handed down. The High Court declared the Strategy to be unlawful for failures in the consultation process.

On 3 February 2022 the Department for Work and Pensions was refused an opportunity to appeal against the High Court's ruling. The Government may apply for permission to appeal in the Court of Appeal.

It is currently unknown whether the Government will seek to appeal the decision or will carry out a new consultation on the strategy, potentially with revisions.

1.3

Covid-19 and people with disabilities

A good deal of research has been carried out on the disproportionate impact of the Covid-19 pandemic on people with disabilities. Some of this is covered in the summary of the Library Briefing [The UN Convention on the Rights of Persons with Disabilities: UK implementation](#).

Further to this, a Library Briefing was prepared for a debate, [Women and Equalities Committee: covid, disability and access to services, 15 April 2021](#).

A House of Lords Library 'In Focus' article may also be of interest: [Covid-19 pandemic: impact on people with disabilities, 18 November 2021](#)

²⁷ Disability Rights UK, [Government's National Disability Strategy 'disappointingly thin'](#), 28 July 2021

2

The global context

The World Health Organisation (WHO) estimates around [1 billion people](#) live with some form of disability worldwide, making up around 15% of the population.²⁸

Around 80% of disabled people live in [developing countries](#), according to the UN.²⁹

Further information on the situation of disabled people globally, the effects of the coronavirus pandemic on disabled people, and UK aid and diplomatic efforts to promote disability inclusion worldwide, can be found in the Library paper, [Disability, development and UK aid](#) (CBP09396). This also includes further reading and resources on these topics.

2.1

Global disability summits, 2018 and 2022

In 2018, the UK and Kenya co-hosted the world's first global disability summit. The summit resulted in 170 commitments by governments and other organisations [to strengthen disability inclusion](#).³⁰

[Commitments by the UK](#) included using aid to strengthen inclusive education and increasing funding to reduce violence against women and girls with disabilities.³¹

The second summit was hosted by Norway on 16-17 February 2022.³² The UK [made 18 additional commitments](#), including integrating disability inclusion across its aid work and better disaggregation of data by disability to inform policy.³³

At present, much global data is [not disaggregated by disability](#). This means research often relies on estimates and makes it difficult to see how people with different types of disabilities are affected by events, or to evaluate the success of policy interventions.³⁴

²⁸ WHO, [Disability and health](#), 24 November 2021, accessed 15 February 2022

²⁹ UN Department of Economic and Social Affairs, [Factsheet on persons with disabilities](#), accessed 15 February 2022

³⁰ Foreign, Commonwealth and Development Office (FCDO) and Department for International Development (DFID), [Global Disability summit: Commitments](#), updated 3 August 2018

³¹ FCDO and DFID, [National Governments: Global disability summit commitments](#), 23 July 2018

³² Global Disability Summit, [Norway](#)

³³ FCDO, [Global disability summit 2022: New UK commitments to progress the FCDO's work on global disability rights](#), 16 February 2022

³⁴ Development Initiatives, [Generating disability statistics](#), September 2020, accessed 1 December 2021

2.2

UK aid strategies for disabled people

2018 Strategy

In 2018, the UK's Department for International Development (DFID), now merged into the Foreign, Commonwealth and Development Office (FCDO), [launched a disability inclusion strategy](#), which originally ran until 2023. Its aims included improving education results for disabled children and doubling the proportion of UK aid programmes that are disability-inclusive by 2023.³⁵

The FCDO published a [report of its progress](#) in November 2020. This included supporting 100,000 girls with disabilities participate in education, and seeing the number of DFID programmes with a principal focus on disability inclusion rising from 202 (November 2017) to 278 (September 2020). This represented a rise from 19% to 35% of active DFID programmes.³⁶

For other evaluations of UK aid efforts on disability inclusion, see section 4 of the Library briefing, [Disability, development and UK aid](#) (CBP09396). Section 5.2 provides examples of aid programmes targeted at disabled people.

New strategy launched, February 2022

To mark the second global disability summit in 2022, the FCDO launched its new [disability inclusion and rights strategy](#), to cover the period from 2022 to 2030. The Department says it is underpinned by the UN Convention on the Rights of Persons with Disabilities (UNCRPD), and seeks to promote greater rights, voice, choice, and visibility for disabled people.³⁷

Under the strategy, the Government says it will work to accelerate implementation of the UNCRPD globally by supporting governments to fulfil their responsibilities under the Convention through legislation, development, and improving local accountability mechanisms.³⁸

The strategy identifies six areas of intervention, including education, health, social protection, and economic empowerment.³⁹

The strategy will be monitored using several metrics, including reducing the proportion of people with disabilities living in poverty in certain countries, improving employment rates, the number of additional girls with disabilities

³⁵ FCDO and DFID, [Disability inclusion strategy 2018 to 2023](#), updated 11 November 2020

³⁶ FCDO, [FCDO disability update: Progress against DFID strategy for disability inclusive development](#), November 2020, p3

³⁷ FCDO, [Disability inclusion and rights strategy, 2022 to 2030](#), 16 February 2022

³⁸ FCDO, [Disability inclusion and rights strategy, 2022 to 2030](#), 16 February 2022, p17

³⁹ FCDO, [Disability inclusion and rights strategy, 2022 to 2030](#), 16 February 2022, p7

in education, and the number of disabled people reached with social protection and humanitarian support (eg food, cash).⁴⁰

⁴⁰ FCDO, [Disability inclusion and rights strategy, 2022 to 2030](#), 16 February 2022, p39

3 Parliamentary Material

3.1 Early Day Motions

[Global Disability Summit 2022](#)

EDM 971 (session 2021-22)

9 February 2022

Marion Fellows

That this House marks the second ever Global Disability Summit (GS22), hosted February 16 to 17 by the International Disability Alliance, the Government of Norway and the Government of Ghana; recognises the aims of this year's summit to mobilise efforts for the implementation of the United Nations (UN) Convention on the Rights of Persons with Disabilities (CRPD), the principle of Leave No One Behind (LNOB) and building back better and more inclusive programming with regards to Covid-19; notes that globally, disabled people are disproportionately impacted by poverty, natural disasters, healthcare barriers and Covid-19, but are still excluded from many aid projects that do not target disabled people's needs; calls on the UK Government, ahead of this important summit, to triple the number of FCDO aid projects that have disability inclusion as their primary objective by 2023, prioritise grassroots disability aid projects, to ensure disabled people are not further excluded from global aid; calls on the UK Government to include disability in the eligibility criteria for applying for refugee status in the UK in recognition of the disproportionate disadvantage disabled people face globally; and further calls on the UK Government to call on more countries to ratify the UNCRPD and match the Scottish Government's commitment to enshrine the UNCRPD into law and champion disability rights on the global stage.

3.2 Statements

[UK's 2021 Follow-up Report to the 2016 Inquiry by the United Nations Committee on the Rights of Persons with Disabilities](#)

09 Dec 2021 | HCWS456

Chloe Smith Minister of State for Disabled People, Health and Work

Today I will place in the House Library a copy of the UK's 2021 follow-up report to the UN Committee on the Rights of Disabled People following the 2016 inquiry.

This Government is more committed than ever to eliminating barriers so that everyone can participate in society. This commitment aligns with the UN Convention on the Rights of Persons with Disabilities (the Convention), which protects and promotes the rights of disabled people. The follow-up report demonstrates how we are implementing the Convention and showcases the UK's progress over the past 2 years in creating more opportunities for disabled people to participate and thrive in society.

The report shows positive action taking place across the UK to support disabled people, through policies and programmes that tackle the barriers faced by disabled people.

As a key element of this, in July 2021 we published the National Disability Strategy, which sets out steps to improve disabled people's everyday lives. It offers both a positive vision for long term societal change and a wide-ranging, practical plan for action now. The strategy includes over 100 practical actions from right across government to improve the lives of disabled people, across education, employment, housing, transport, shopping, culture, justice, public services, and data and evidence.

In July 2021, we published *Shaping future support: the health and disability green paper*, which explores how the welfare system can better meet the needs of disabled people. We are committed to improving access to crucial support.

We also published our response to *Health is Everyone's Business (HiEB)* in July 2021, which sets out measures Government is taking to provide greater clarity around employer and employee rights and responsibilities; address the need for employers to have access to information and advice that is easy to understand, trustworthy and accessible, and encourage more employers to provide access to expert support services such as Occupational Health (OH).

Together these publications show the government's holistic approach to supporting disabled people and those with long-term health conditions to live full and independent lives.

The report shows that we are continuing to support disabled people in all aspects of everyday life. We are investing more than ever before in disability benefits and providing more personalised and tailored employment support to help more disabled people start, stay and succeed in work. As set out in the National Disability Strategy, we are committed to improving the accessibility of housing and are investing further in making public spaces accessible to all. We are prioritising funding for adult social care and personalised care reform to ensure everyone receives the right care they need; and we have increased grant funding across the UK for children and adults to support this. We are continuing to put the voices of disabled people first by engaging with disabled people and stakeholders through DPOs, networks and relevant organisations.

Everyone should be able to participate fully in society - whoever you are, wherever you live, and importantly, whether you have a disability or not. That is the vision we have set, accompanied not by rhetoric but with tangible action plans, to create a society that is safer and fairer for all.

3.3

Parliamentary Questions

Disability

21 Feb 2022 | 121818

Asked by: Marion Fellows

To ask the Secretary of State for Work and Pensions, with reference to the Government's response of December 2021 to further recommendations made by the UNCRPD in 2016 on the UK's implementation of that convention, what steps she is taking to protect the rights of disabled people.

Answering member: Chloe Smith | Department: Department for Work and Pensions

We are fully committed to the United Nations Convention on the Rights of Persons with Disabilities, which we ratified in 2009, and the progressive realisation of rights for disabled people that it sets out. The UK has some of the strongest equalities legislation in the world, including the Equality Act 2010, and we will continue to make sure that these rights are protected.

The UK has a proud record of furthering the rights of disabled people. The principles of the UN Convention are at the heart of our approach. We continue to reform and modernise our public services and welfare system to ensure that disabled people are able to participate in every aspect of society.

The UK's 2021 report demonstrates our ongoing commitment across England, Scotland, Wales and Northern Ireland to support disabled people, through legislation, policies and programmes that tackle the barriers faced by disabled people to realise their full participation and inclusion in society. The Government's response was submitted to the UNCRPD Committee in 2021, and published on GOV.UK with accessible formats in December 2021 and can be found [here](#).

The UK Government's recently published National Disability Strategy has been a milestone in this respect, with over 100 practical commitments which are being delivered to improve the everyday lives of disabled people.

Development Aid: Disability

21 Feb 2022 | 121815

Asked by: Marion Fellows

To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, what steps her Department is taking to implement the disability inclusion strategy across its programming and funding to different organisations and governments.

Answering member: Vicky Ford | Department: Foreign, Commonwealth and Development Office (FCDO)

The FCDO will launch a new Disability Inclusion and Rights Strategy next week to mark the second Global Disability Summit. Looking to 2030, the strategy will set out how the FCDO will embed disability inclusion across its diplomacy, policy and programming.

[Development Aid: Disability](#)

20 Jan 2022 | 103613

Asked by: Vicky Foxcroft

To ask the Secretary of State for Foreign, Commonwealth and Development Affairs, with reference to Part One of the National Disability Strategy, published on 28 July 2021, what recent progress her Department has made on the launch of the International Development Strategy; and what steps she is taking to ensure that disabled people's rights are enshrined within that strategy.

Answering member: Vicky Ford | Department: FCDO

The UK is committed to promoting and protecting universal rights for all, including people with disabilities. The UK is aiming to launch the new FCDO Disability Inclusion Strategy next month to mark the Global Disability Summit. The strategy continues to be guided by the Convention on the Rights of Persons with Disabilities. The International Development Strategy will be published in the Spring.

The first FCDO Disability Inclusion Board took place last month. The Board covered the forthcoming strategy, disability inclusive climate action and the Board Terms of Reference. The FCDO's work on Overseas Development Assistance disability mainstreaming across other departments will commence in the new financial year.

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