

# YORK HUMAN RIGHTS CITY NETWORK

## SUGGESTED ACTIONS TO TAKE FORWARD IN YORK FOR THE COVID-19 RESPONSE

### Background

Evidence gathered from 28 local organisations and 16 individuals found that certain groups in York were disproportionately affected by the Government's response (older people, disabled people, unpaid carers, etc.), and identified seven broad themes concerning their experiences, namely: vulnerability as a dehumanising concept; inadequate communications; digital divide; privacy issues; reduced access to care and support; the importance of community; and local government and resilience.

Certain clear trends are emerging in relation to the effects of COVID-19, and of responses to the pandemic. First, blanket approaches have discriminatory effects. Looking at the groups disproportionately affected to date, there is a danger that inequality and discrimination will increase in the city. Second, while there were positive examples of partnership during the lockdown, such as the Community Hubs, work is needed to harness existing local structures and knowledge more effectively.

Our key message for dealing with the legacy of COVID-19, and future responses should there be further spikes in York, is that human rights need to be at the very heart of service delivery *and* of evaluation or critique of policies and practices. In this light, we suggest the following:

### • Improving Communication

- Make regular statements emphasising a positive commitment to **equity, diversity and inclusion** and institute measurable outcomes to stimulate and assess progress. Repetition of such statements will generate a feeling of belonging in the city, and lower the risk of scapegoating.
- Develop **inclusive communications strategies** that take account of those on the 'fringes of the mainstream', and all disabled people and those with literacy difficulties, including using British Sign Language, Easy Read and accessible formats. Strategies should not rely solely on digital delivery and results can be measured by levels of awareness about national or local guidance.
- Take care over the **language of communications**. Social model language should be used in relation to disability and disabled people, for example instead of saying 'If you are unable to use buses', the wording would be 'if changes to routes of buses make it difficult for you to use them'. Much positive work has been done on this by disability organisations over the years.
- **Stress agency rather than vulnerability**. Our survey showed that the use of 'vulnerability' has connotations of dependency and lack of agency (capacity to act independently, manage support, and make own free choices). The term was used too indiscriminately, and may have contributed to the deployment of blanket measures for certain groups. It also had a perverse effect on others not so labelled, but whose needs may have been as great (such as homeless people not on the streets). It is possible to use less stigmatising terms when considering who should be offered priority for particular protections and support (and why). Similarly, it is important to actively acknowledge positive capacities for self-determination and independence and the importance of creating an enabling environment e.g. reserved opening hours.
- The **York Digital Inclusion** strategy is an important initiative, focussed on increasing the ability of residents to connect digitally. The pandemic has highlighted the digital divide, giving the need for this strategy increased urgency. It will be important for there to be strategic oversight of any initiatives in this area as the complexity of achieving inclusion should not be underestimated: this includes not only skills training but also ongoing support, provision of equipment (adapted where needed) and financial support. Alongside such initiatives, there should also be a strategy to increase the number of local organisations / businesses whose digital communications, including websites, are accessible.

- **Strengthening Partnerships**

The creation of an Outbreak Management Advisory Board is a welcome development and may provide a mechanism to address some of the issues set out below.

- The **VCSE sector is in crisis**. A survey of 82 organisations conducted by York CVS found that 40% of charities face an uncertain future beyond October 2020. The Council urgently needs to make resources available to enhance the sector's sustainability in both the short and longer term. The impact of organisational closures would be massive, in terms of citizens' voices and services, and would further exacerbate existing inequalities and discriminations in our city.
- Update the **Volunteer Strategy** (including relevant infrastructures) in partnership *with* the voluntary, community and social enterprise (VCSE) sector by 1) reviewing the People Helping People strategy in the light of the COVID experience; and 2) fully involving local volunteer-involving organisations with expertise in traditional as well as newer volunteering approaches. The focus needs to be on sustainably and safely making better use of the existing pool of 'new' volunteers (including those not yet used, and potentially disillusioned) and bringing back those who ceased volunteering during the pandemic. Recruiting, training, matching, managing and supporting volunteers is a skilled enterprise and needs to be adequately resourced.
- **Co-production and co-working** require those with more power (often in the statutory sector and/or institutions) to 'let go'. If they are the ones to identify a solution and send it out for 'consultation' (or, worse, for implementation) then it is self-evidently not co-produced. One example is the insistence on CYC establishing stakeholder groups which then proved ineffective. CYC should identify the individuals and sectors where this top down approach has been evident during the pandemic and develop ways of encouraging co-production.
- Develop tailored **multi-agency and multi-disciplinary strategies** for mitigating the disproportionate effect on certain groups of residents. For example, some older and/or disabled people will need intensive support to regain previous levels of mobility. More needs to be understood and shared about what enabled some schools to support their students better than others so that all can achieve the higher standard. This includes attention to students with special educational needs, young carers, those from low income households, etc.

- **Supporting Human Rights**

- Given the poor understanding of human rights within CYC and the voluntary sector, there is an urgent need to improve **human rights awareness**, including: a **training** strategy that substantially increases understanding of human rights; and improving the human rights section of the CYC **Better Decision-Making Tool** and monitoring its use at each state of developing responses and policies.
- CYC to be bold in taking on its **human rights responsibilities**. For example, over half the COVID-19 related deaths in York, as elsewhere, have occurred in care homes. CYC needs to make statements to the council-run and private social care sector, especially residential care and independent living support, about what it expects from them. Then build this into its contractual arrangements where it can. For privately run social care, the Council retains the **obligation to protect**, meaning it should ensure (through legislation, administratively, judicially, etc.) that third parties do not interfere with the human rights enjoyment of individuals.
- The Council should consider conducting **human rights impact assessments (HRIAs)**, alongside equality impact assessments. The Scottish Human Rights Commission's human rights self-assessment toolkit is a useful first point of reference<sup>1</sup>. HRIAs could be ex-post, assessing the human rights impacts after the first wave of infections; or ex-ante, in advance of a possible second wave, to assess the potential human rights impacts of planned policy interventions. These HRIAs could inform a structured human rights-based approach in the city.

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<sup>1</sup> <https://www.scottishhumanrights.com/projects-and-programmes/human-rights-based-approach/>