

Response to The Equality and Social Justice Committee inquiry into the disability employment and payment gap.

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Evidence submitted on behalf of: Influencing and informing: Engage to Change (Learning Disability Wales and the National Centre for Mental Health at Cardiff University).

Confirmation of whether you would prefer that your name is not published alongside your evidence: We are happy to be named in conjunction with this evidence.

Confirmation of whether you would like the Committee to treat any or all of your written evidence as confidential: The information contained in this response is in the public domain and is not confidential.

All responses below are in relation to people with learning disabilities,
For a definition please see: [About learning disability | Mencap Cymru ~ Wales](#)

Position statement on use of language from All Wales people First : [Position-Statement-on-language-December-2023.docx \(live.com\)](#)

People with learning disabilities remain the population most excluded from the labour market with only 4.8% in employment ([Employment Rates for People with Disabilities 2022-23 | British Association for Supported Employment \(base-uk.org\)](#)). This is a statistic based on the number of adults with a learning disability and autism known to adult social care in England. Wales does not currently record figures relating to the number of people with learning disabilities in employment. Although it is reasonable to assume a comparable figure to England, this represents a significant gap in our knowledge about the Welsh LD population and the challenges of employment within the Welsh economy and employment landscapes.

The “Locked Out” report did not go far enough in addressing the concerns affecting people with a learning disability in relation to employment. Recommendations failed to explore the importance of needs led and whole systems approaches, including the role of supported employment and job

coaching, for supporting people with learning disabilities to train for, gain and maintain employment.

Engage to Change was a seven-year, pan Wales project, funded through the National Lottery Community Fund and supported by the Welsh Government to help young people with a learning disability and/or autism to tackle employment barriers and transition into a paid job. Led by Learning Disability Wales, it brought together ELITE and Agoriad Cyf supported employment agencies to deliver job coaching, unpaid and paid placements and paid jobs in ordinary workplaces. The project was supported by self-advocates from All Wales People First and evaluated by the National Centre for Mental Health (NCMH) at Cardiff University.

The Engage to Change project successfully provided employment support through job coaching to 1075 young people and delivered 244 supported internships, gaining an overall paid employment rate of 41%. This is compared to an estimated employment rate of 4.8% for people with learning disabilities in England (BASE 2023). This project is no longer accepting referrals, however during its operation it provided an important pathway for addressing the transition and employment needs of young people with learning disabilities and reducing the employment gap.

In Wales there is a high proportion of working age people who are economically inactive (28.4%) because of long-term sickness and disabilities (Welsh Government, 2024), however young people with learning disabilities are also likely to be economically inactive due to the lack of transition and employment support. People are generally excluded from the labour market as they experience difficulties in getting, learning, and maintaining a job without the right support. We know Supported Employment frameworks, which adopt the social model of disability, are effective ways of supporting young people into real employment in the open labour market. However, the Supported Employment model is not widely available for everyone who may need it.

In addition, there are still common misconceptions from stakeholders that people with learning disabilities cannot work, do not want to work, or do not make good employees. These misconceptions need to be urgently addressed. This will require a whole systems approach between people with learning disabilities, education, parents/ carers, employers and policy makers to develop a clear and accessible strategy that promotes the fact that there are people with learning disabilities who can work, who want to work and who should be supported to work.

Wales has some excellent employment support programmes, but many programmes are still not accessible to people with learning disabilities, who require specialist, flexible and person-centred support.

It is also clear that there should be better cross-party working within Welsh Government to encourage discussions and improve knowledge around employment for people with learning disabilities and/or autism across Wales. Welsh Government divisions, directorates, and working groups, together with bodies funded by Welsh Government, should better communicate with each other to support people with learning disabilities and/or autism around employment. This includes: The National Neurodivergence Team/ ALN transformation programme/ Curriculum for Wales consortium/ Young Persons Guarantee Group/ Learning Disability Ministerial Advisory Group/ The Disabled People's Employment Working Group / Careers Wales/Working Wales/ Medr and others. Discussions should include, as mandatory, people with learning disabilities, parents and carers, employers and commissioners of services.

It is important to recognise the employment support and Supported Employment are not the same thing.

To enable equality of opportunity and support there is a call for transition support to be guided by the [**Supported Employment National Occupation Standards \(NOS\)**](#) which is an internationally agreed 5-stage model of Supported Employment. The 5 stages are: client engagement, vocational profiling, job finding, employer engagement, on and off job support. This is aimed at enabling support for people to find, access and stay in employment.

A National Job Coaching Strategy is needed to ensure equality of opportunity and support for young people by promoting job coaching as a trained and qualified role.

The network of Disability Employment Champions is a welcome addition to Wales, but it is still too new to make a statement on its impact on reducing barriers to employment and lessening the employment gap. However, it was disappointing to see the loss of a Disabled Peoples Employment Champion with lived experience of learning disability.

In relation to **Supported Internships** for people with Learning Disabilities:

The Supported Internship model has been extended to more sites in Wales under the Welsh Government funded post-16 Independent Living Curriculum, as Pathway 4. Delivered by FE colleges, in some sites the model has deviated from the DFN Project SEARCH model, introduced to Wales by Engage to Change and to some extent the Alternative Supported Internships model developed by the project. There is more flexibility on outcome, with paid employment not regarded as the singular goal of supported internships, with other routes of progression such as supported apprenticeships being valid.

A Supported Internship Quality Assurance Framework (SIQAF) has recently been introduced in the UK (BASE 2023b) and is primarily available to be used by all supported internship providers and their delivery partners as part of the Internships Work programme in England. The aim is to ensure supported

internship models operate to the strengths of the individual site whilst also offering high quality and robust experiences to interns (NDTi 2023). In Wales, Quality Standards and Guidance for delivery of supported internships was published in 2023 by Colleges Wales, a member led organisation that acts as the voice of further education in Wales. These are independent and different from the English SIQAF.

It will be important to see how these standards impact on quality in supported internship delivery. In particular, whether these standards continue to evolve to ensure high quality outcomes for young people, including higher numbers of interns progressing into paid employment.

There remains a gap in provision to both prepare learners for the start of their internship and for ongoing support needed by interns not able to find jobs following their internships, who still require support to get employment. Pathway 4 funding, can only be used for the intern during the academic year while they are a learner on the supported internship course at the college. It pays for tutors and job coaching either provided by college staff or a supported employment agency. This is often supplemented by Access to Work being claimed as an hourly rate for support provided to the intern while on placement in the host business. Access to Work cannot be claimed for internship/work preparation but can be claimed for follow on employment support in paid work. However, ongoing delays in decision making and payment of claims continues to be a huge issue for supported employment agencies that may not be able to take the financial risk. Permitting Access to Work funding for permanent salaried job coach staff within large host employers should be considered.

As a result of Engage to Change, job coach support is available for young people with learning disabilities and /or autism participating in **Jobs Growth Wales+**. However, this programme is aimed at 16–19-year-olds and is not aligned to the age range of the Young Persons Guarantee. Many young people with learning disabilities and/or autism remain in school until they are 19 meaning they do not access this programme. There is a need for this programme to be promoted as a pathway to employment for these young people, their parents/carers and others who support them. We would also like to see any training and employability programmes aimed at young people to have an age range that is at minimum in line with the Young Person Guarantee and preferably for those up to 30 years of age.

We worked with Welsh Government to ensure apprenticeships were more inclusive. People with learning disabilities can get job coach support to undertake a **supported or supported shared apprenticeship** but must be able to achieve a Level 2. This, together with the other programmes mentioned, is not suitable for everyone with a learning disability.

There are gaps that need to be filled in order to provide equity of opportunity.

Recommendations

Moving forward, we know what works, but we need better data to fully understand the employment situation of people with learning disabilities in Wales. We need a clear idea of the number of people with learning disabilities, whether unemployed or in employment, what types of support are provided and where the support is available.

Previously we have called for a National Job Coach Service to be developed and funded across Wales. We recognise that in the current climate this has not been possible to achieve. However, we remain committed to ensuring that Welsh Government and stakeholders in Wales are engaged in the employment of people with a learning disability and/ or autism. If we are to provide effective support in Wales for people with a learning disability, we need to be clear about the model fidelity and the resources needed to deliver an effective service. We are now calling for a National Job Coaching Strategy that would be fully consistent with this.

Job coach support should not be limited to people with a learning disability, autism diagnosis or ALN status. Some people might self-diagnose and still need support. Job coach support should be given to any person, of any age, who would be unable to gain and or/ maintain paid employment without it.

In addition, experience matters. Having previous work experience does improve young people's job chances, particularly if they have had more than one opportunity. Welsh Government should consider the role of job coaching in schools in conjunction with Careers Wales for the children and young people who require additional support or reasonable adjustments for work experience.

The Welsh Government should also consider a policy of developing standardised good practise examples of Easy Read employment forms. Including examples for advertising job roles, CV's, job application forms and reasonable adjustment forms for employers.

Employment is everyone's business. There are direct links between employment and wider life, for example, wellbeing, independence, health and social care provision, caring roles and the economy. Sadly, people with a learning disability and/or autism are not regarded generally as a priority for employment support. This needs to change.

Reports from Engage to Change:

[Engage to Change: From service to strategy A national job coaching strategy for Wales.pdf](#)

[The impact of Covid-19 pandemic on jobs for people with LD in Wales: Vigna](#)

[Job equality and inclusion in Supported Employment for people with LD in Wales](#)

[Supported Employment for neurodivergent young people](#)

[Supported Internships: Evaluating the outcomes of a nationwide project](#)

[Supported Internships: Evaluation EASY READ](#)

[Parent views on Supported Employment for young people with LD](#)

[A demographic and qualitative analysis of success in a national SE project](#)

[Engage to Change briefing: Jobs for people with LD The role of the NHS](#)

References:

Vigna, E., Beyer, S., & Meek, A. (2023). A demographic and qualitative analysis of the determinants of success in a National Supported Employment project. *Journal of Applied Research in Intellectual Disabilities*, 36(4), 787–795. <https://doi.org/10.1111/jar.13094>

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[Beyer, Stephen; Meek, Andrea; Davies, Amy \(2016\). Supported work experience and its impact on young people with intellectual disabilities, their families and employers. *Advances in mental health and intellectual disabilities*, Vol. 10, Issue 3, pages 207 - 220](#)

Written evidence submitted by:

Professor Melanie Jones, Cardiff University

Professor Victoria Wass, Cardiff University

We are two academic researchers who have a longstanding shared interest in disability inequality in the labour market and, as members of Disability@Work, a collaboration of four academics, we seek to make this research available to policymakers.¹ Our expertise is particularly in relation to applying quantitative data analysis to large-scale data to provide nationally representative evidence on disability-related gaps in labour market outcomes in the UK. We have previously submitted evidence to the Westminster Work and Pensions Committee Disability Employment Gap (DEG) Inquiries (2016, 2021 and 2024).² Building on these previous submissions, we are pleased to present evidence for Wales in this submission, which we set into the broader UK context. We make several recommendations based on this evidence to ensure disability gaps in the labour market are more accurately and widely monitored in the future. We believe that data on disability which is accurate and meaningful, and is measured consistently over time and between organisations, is fundamental to future understanding, the evaluation of changes in policy and practice, and monitoring national progress. It should therefore be a priority for government in supporting labour market equality for disabled people.

Executive Summary

Our submission makes the following key points:

1. Trends in the Disability Employment Gap (DEG)

- We argue there has been a narrowing trend in the DEG in the UK and Wales between 2014 and 2019 but less clear trends in the DEG since the pandemic.
- We provide evidence of rising prevalence of disability among the working-age population. This increases the importance of addressing disability-related gaps in the labour market. It also confounds a positive interpretation of the narrowing pre-pandemic trend in the DEG.

2. In-work disability gaps

- We argue that a more complete understanding of the DEG and disability-related inequality in the labour market is possible by considering disability gaps across a wider range of indicators, including hours, pay (the disability pay gap (DPG)) and the nature of work.
- We present evidence on disability gaps in pay, hours, and job satisfaction between workers in comparable jobs.

¹ Further information, including more detailed information in relation to the evidence presented here, is available at: www.disabilityatwork.co.uk.

² The reviews made a series of recommendations based on our oral and written evidence: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/work-and-pensions-committee/disability-employment-gap/written/32826.html>, <https://committees.parliament.uk/writtenevidence/16287/pdf/> and <https://committees.parliament.uk/writtenevidence/129317/pdf/>.

3. *A priority for government should be to improve data collection and monitoring of disability-related labour market inequality*

- We recommend a movement away from the exclusive focus on employment and the DEG to a more comprehensive set of measures as part of a national monitoring of disability labour market inequality. These include disability prevalence, the employment loss due to disability and disability gaps at work.
- We argue that to narrow the DEG, DPG and other disability-related gaps at work, measurement and monitoring of disability inequality at a national level needs to be complemented by a consistent framework of organisational (employer) monitoring. This will only be achieved by a government-led national disability measurement project.

Context

The gap in employment rates between disabled and non-disabled people of working-age, the disability employment gap (DEG), is large and enduring in the UK. This is the measure of disability-related employment inequality recommended in the Black Review (Black, 2008). In 2015, the Government pledged ‘to halve the disability employment gap [and] transform policy, practice and public attitudes so that hundreds of thousands more disabled people who can and want to be in work find employment’ (Conservative Party Manifesto, 2015). However, in light of the failure to make much progress on this target, it downgraded its ambition in 2017 to increase the number of disabled people in work by 1 million by 2027. We have been very critical of this change and the focus on an absolute measure, which depends on the economic cycle as well as the number of disabled people and, at the time, was likely to be met on the basis of prior trends alone.³ We argue that policymakers should focus on the DEG, a relative measure of disability inequality, the meaning of which is not distorted by macroeconomic trends.

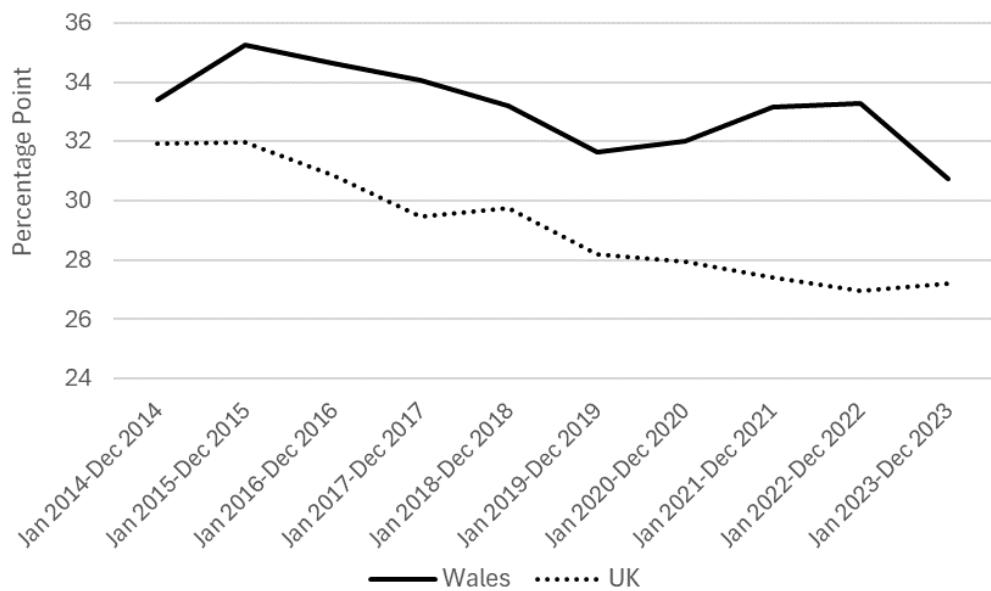
Employment rates by disability status are typically estimated from the Labour Force Survey (LFS), a nationally representative household survey undertaken by Government. This survey forms the basis of data for the Annual Population Survey (APS) which contains a sample boost for Wales, and supports more accurate regional comparisons in relation to disability.⁴ In Figure 1 we plot the trend in the DEG between 2014 and 2023 (the longest period over which we have consistent information on disability) in Wales and the UK.⁵ The DEG is consistently higher in Wales than in the UK, and whilst the trend in both cases has been downwards the narrowing has been stronger in the UK than in Wales. However, we argue that UK government claims of policy effectiveness in the period prior to the pandemic were overstated since the fall in the DEG was likely to be at least partially a result of increasing disability prevalence (see below). Analysis since 2019 suggests that the narrowing trend in the DEG has stalled.

³ For details see: <https://www.disabilityatwork.co.uk/wp-content/uploads/2017/12/changetargetsvwmj.pdf>

⁴ All the data analysed in this submission are obtained from Nomis: www.nomisweb.co.uk.

⁵ In terms of UK regions, the DEG in Wales is more similar to the North West, Scotland, North East and Northern Ireland. The DEG is lowest in the South East, South West, East and London. None of the qualitative patterns we identify and highlight in the submission are, however, driven by the inclusion of London, East and the South East in the UK average. Focusing instead on the ‘Outer UK’ (see Davies *et al.*, 2011) which excludes these regions given their relatively favourable economic conditions still results in a higher DEG in Wales of about 2.3 percentage points.

Figure 1: DEG UK and Wales 2014-2023, APS



Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. APS 2014-2023.

Despite widespread evidence of a sizeable and persistent DEG in the UK, our understanding of its drivers remains relatively limited. Evidence from existing surveys shows it is largely unexplained by the other personal characteristics that disabled people hold (Jones, 2006), including, for example, well-established differences in the average age or educational attainment between disabled and non-disabled people, leaving a potentially important role for factors unobserved in survey data, including employer discrimination.

In relation to the latter, recent UK analysis by Armenak *et al.* (2024) uses an experimental (correspondence study) approach whereby otherwise comparable hypothetical CVs are submitted by disabled and non-disabled applicants to real world job vacancies and employer responses monitored to test for evidence of employer discrimination. The evidence suggests that hiring discrimination against disabled wheelchair users in the post-pandemic labour market is occupation specific, being evident for financial accounts assistants but not certified accountants despite both occupations being selected for having minimal physical requirements. The research further finds no evidence that enhancing qualifications and skills among job seekers reduces disability discrimination in hiring.⁶ The extent of disability discrimination is however found to relate to the characteristics of jobs, being greater for roles involving teamwork and customer/client contact suggesting that actual or perceived coworker or customer discrimination contribute to disability-related hiring gaps. The research also finds no evidence that discrimination is lower among employers promoting themselves as equal opportunities employers and vacancies with the potential for remote work. These findings are consistent with previous criticism of the government Disability Confident accreditation scheme (Hoque and Bacon, 2024) and question recent government emphasis on remote work as an effective channel for reducing the DEG.

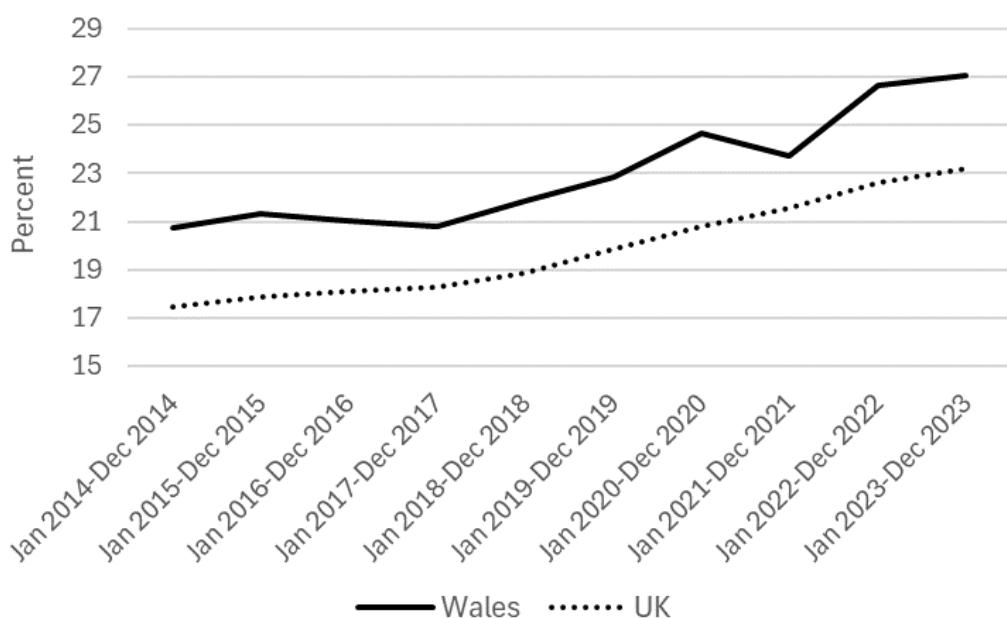
⁶ Further details of the project are available at: committees.parliament.uk/writtenevidence/129255/pdf/.

1. Disability measurement

Disability is typically measured using an activity-limiting definition of disability that is, the presence of a long-term health problem (defined as lasting 12 months or more) which affects day-to-day activities. It is designed to be consistent with 2010 Equality legislation. As a self-reported measure, it is sensitive to legal and social norms.

The definition and prevalence of disability in survey data underpins our understanding of disability gaps in labour market outcomes. A rising trend in disability among the UK working-age population was evident in the APS prior to COVID-19 but has become more pronounced since then. Figure 2 plots disability prevalence in the APS (as measured by the proportion of the working-age population classified as disabled according to the Equality Act definition) for Wales and the UK. It shows that disability prevalence is higher in Wales (27.1% in 2024) than the UK (23.2% in 2024).⁷ In both cases disability prevalence has been on an upward trend since 2014. The extent of increase is sizeable (30.4% in Wales and 32.9% in the UK).

Figure 2: Disability Prevalence 2014-2023, APS



Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. APS 2014-2023.

The most likely explanation for the rise in disability prevalence at least prior to COVID-19, is the broadened social interpretation of disability as awareness and acceptability of disability has grown. The increase in disability prevalence is unlikely to reflect changes in underlying health and functional impairment and/or their impacts on activity-limitation. Rather it is likely the result of changes in recognition, acceptance, law, policy and practice. This ‘cultural effect’ potentially confounds the ability of the DEG to measure progress on disability equality or the outcome of policy innovations. To measure and account for this, we recommend further data collection to measure disability using multiple definitions, including measures based on functional limitations which

⁷ The corresponding figure for ‘Outer UK’ is 24.9%.

capture more medical (objective) components of disability that can be used to understand why (Equality Act) disability prevalence has changed. This would fit best practice internationally. For example, the UK could use the questions recommended by the Washington Group on Disability Statistics.⁸

Changes in the composition of disability, such as in terms of the type and severity of disability will also affect trends in the DEG. Here we highlight two consistent findings:

- (1) The DEG is well-established to be larger for those whose main condition is a mental rather than physical health problem.⁹ This is true even after accounting for differences in other observable personal characteristics, for example age and education, consistent with differences in the probability of employment relating to the nature of disability *per se* (Jones, 2011; Jones 2022). This additional disadvantage associated with mental compared to physical health problems also extends to hourly pay.
- (2) The DEG also increases with the severity of disability, including measures of severity based on the presence of multiple health problems or self-reported limitation (limited 'a lot' versus 'a little'). Again, this is not simply a consequence of differences in other personal characteristics between those with different severities of disability, consistent with severity itself having an additional role (Jones, 2011; Jones 2022). The pattern further also extends to pay (Jones, 2022).

Given this, it is particularly important to note that the rising prevalence of disability has coincided with changes in its composition. This has included an increase in disabilities due to mental health problems.¹⁰ We therefore recommend that the monitoring of disability-related employment inequality needs to extend to include, and more carefully consider, disability prevalence and the heterogeneity of disability.

The total impact of disability on employment has not declined.

An alternative measure of the employment impact of disability is given by the combination of disability prevalence and the DEG and can be interpreted as the total employment loss in the labour market as a result of disability. Figure 3 presents a measure of the product of prevalence and the DEG (prevalence x DEG) which we advocate as a supplementary indicator. Even over the period of narrowing of the DEG until 2019, the combined measure, the (prevalence x DEG), does not show evidence of narrowing in either Wales or the UK.¹¹ Instead, pre-COVID-19, the total employment loss as a result of disability remained fairly constant at about 5.6 percentage points for the UK and 7.2 percentage points for Wales.¹² This suggests that the rise in disability prevalence and likely decline in average severity as more people report disability for cultural reasons might have contributed to the narrowing DEG in Figure 1 and questions the extent to which the relative employment prospects of the disabled population in 2014 would be superior in 2019 as is often inferred by the narrowing DEG. Post-COVID-19 the rise in disability prevalence is not matched by a

⁸ See http://www.cdc.gov/nchs/washington_group/wg_questions.htm.

⁹ Mental health problems are defined to include depression, bad nerves or anxiety; severe or specific learning difficulties; mental illness or suffer from phobias, panics or other nervous disorders.

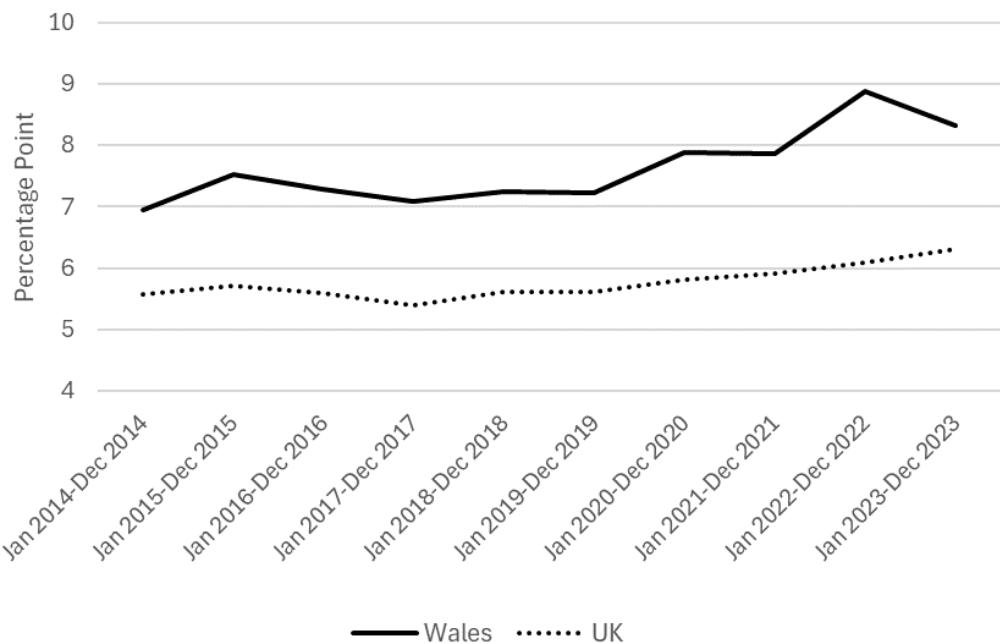
¹⁰ Recent work by the Health Foundation and the Resolution Foundation (2024) has highlighted the contribution of mental health problems (depression, anxiety or bipolar disorder) to rising disability prevalence among young people (particularly those aged 18-24).

¹¹ For a more detailed analysis see: <https://www.disabilityatwork.co.uk/wp-content/uploads/2020/08/Briefing-Note-disability-measurement-.pdf>.

¹² The corresponding figure for 'Outer UK' is 6.3 percentage points.

fall in the DEG, which results in the total employment loss due to disability rising in Figure 3.¹³ One potential explanation is that the rise in prevalence post-COVID-19 is driven by more severe functional restrictions such that average disability severity increases. The recent increase in the total impact of disability has prompted new focus and concern about the impact of disability on labour supply shortages and the performance of the macroeconomy (see Haskel and Martin, 2022, for example). This rising trend in the total employment impact is also more pronounced in Wales than in the UK. In this context it is useful to consider other likely implications including the consequences for the government budget of the associated rise in disability-related welfare recipients.

Figure 3: DEG x Prevalence 2014-2023, APS



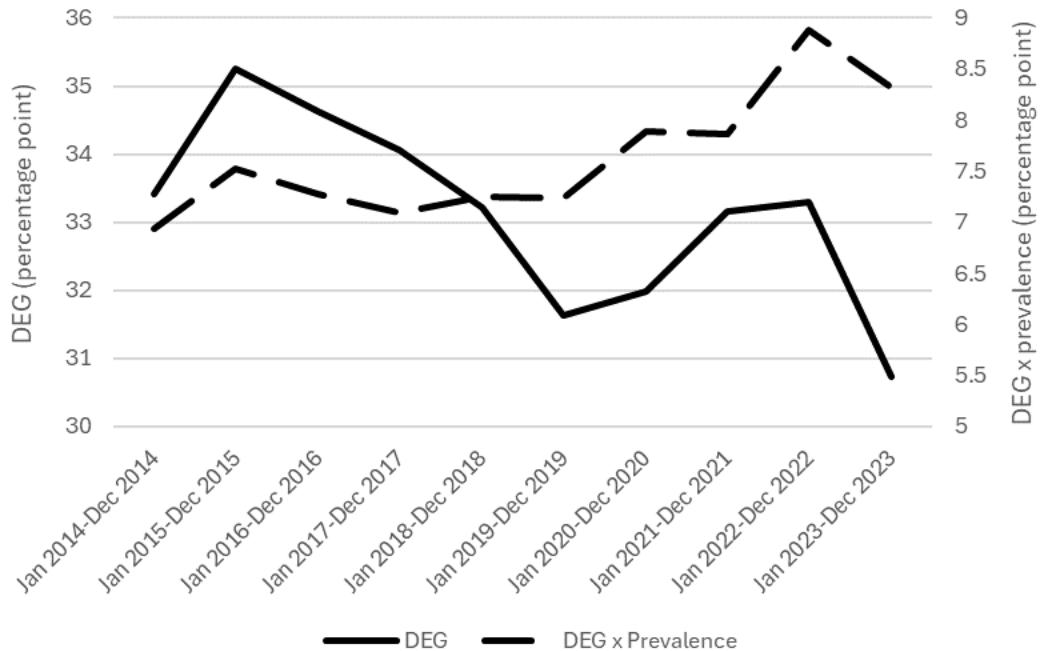
Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. APS 2014-2023.

In terms of assessing progress, including in relation to policy effectiveness, the contrast between inferences based on the DEG and the measure of total employment loss, which takes into account of rising disability prevalence can be most easily illustrated in Figure 4, which plots the two measures simultaneously for Wales. Over the period 2014-2023 the downward trend in the DEG (measured on the left-hand axis) can be contrasted to the rising trend in the DEG x prevalence measure (measured on the right-hand axis). The same pattern is also evident for the UK.¹⁴

¹³ This is consistent with recent attention on the rise in inactivity due to long-term sickness post COVID-19 (see for example: [A U-shaped legacy • Resolution Foundation](#))

¹⁴ See [Home - Disability at Work](#).

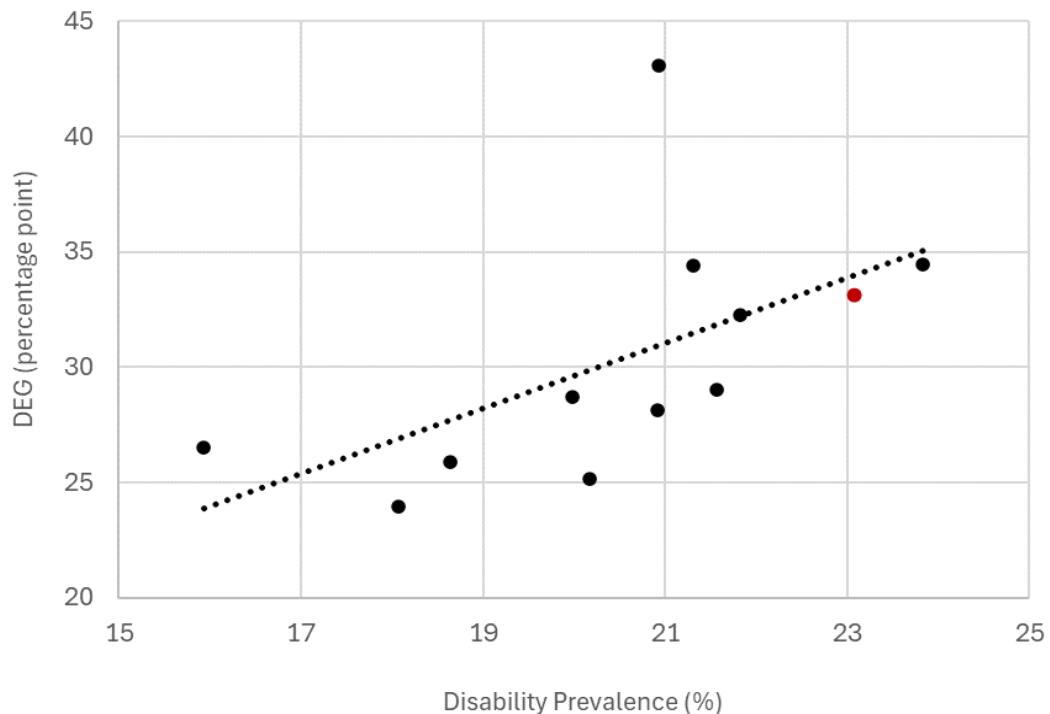
Figure 4: DEG and DEG x Prevalence in Wales 2014-2023, APS



Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. APS 2014-2023.

Since there is a positive correlation between the prevalence of disability and the DEG at the regional and local level, the two effects are reinforcing, leading to greater variation in the employment loss across areas than indicated by the DEG. By way of illustration, in comparison to the UK, Wales has a greater prevalence of disability which magnifies the impact of the higher DEG since it affects a greater proportion of the working-age population. Figure 5 presents a regional illustration by plotting disability prevalence by the DEG for the 12 standard regions of the UK. Wales is highlighted in red. The line of best fit, which is indicated by the dashed line clearly shows the positive relationship between regional disability prevalence and the DEG which leads to the reinforcing effect on total employment. Even if we exclude Northern Ireland, which is somewhat of an outlier with a particularly large DEG, the positive relationship remains.

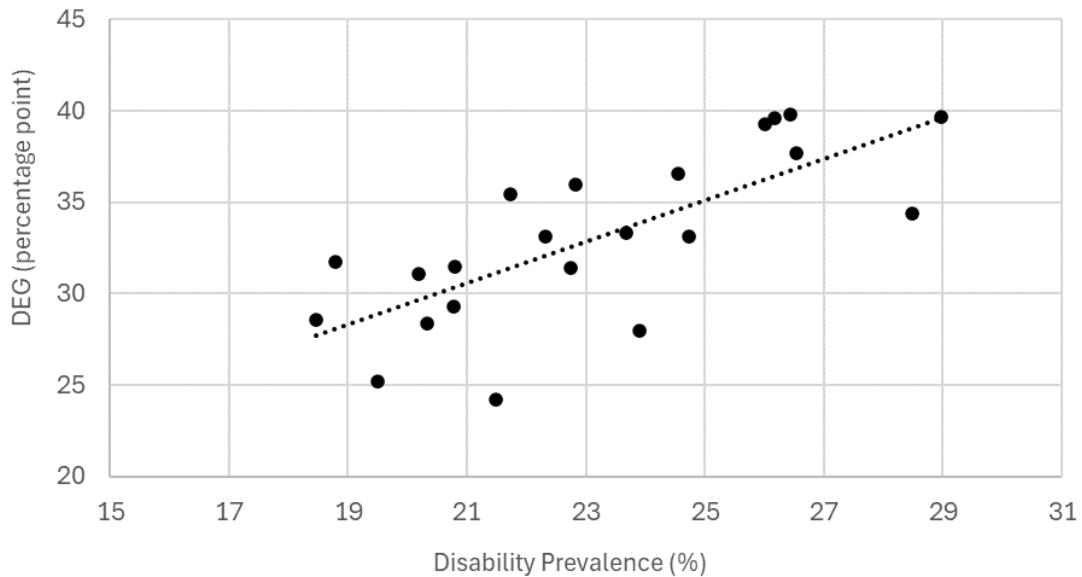
Figure 5: Scatterplot of Regional Disability Prevalence and the DEG in the UK, APS



Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. Figures reflect the average between 2014-2023. Each point denotes a region of the UK. Wales is highlighted in red. The dashed line is the line of best fit.

Importantly, the same pattern exists at a local level (see Figure 6). That is local areas in Wales with a high prevalence of disability also tend to have a high DEG. This results in the employment loss due to disability being much larger in some local areas including Blaenau Gwent, Merthyr Tydfil, Neath Port Talbot and Rhondda Cynon Taff where it has been 10 percentage points or more between 2014-2023. This contrasts with losses of less than 6 percentage points in the Vale of Glamorgan, Monmouthshire, Ceredigion, Cardiff and Gwynedd over the same period. Recognition of this spatial variation supports the case for differentiation in the intensity of policy interventions.

Figure 6: Scatterplot of Local Area Disability Prevalence and the DEG in Wales, APS



Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. Figures reflect the average between 2014-2023. Each point denotes a local authority in Wales. The dashed line is the line of best fit.

2. In-work disability gaps

We continue to argue that the intense focus on the probability of employment offers a partial and incomplete understanding of labour market inequality for disabled people. Our research over several decades has shown disability-related inequality extends to outcomes among those in employment. These are important in their own right but they are also key to understanding and addressing the DEG.

We illustrate our argument using a select group of in-work indicators.

(1) In addition to a DEG there is a disability gap in hours worked, with disabled workers on average more likely to work part-time (Jones, 2007). While part-time employment can form an important way of accommodating disability at work and thus facilitate employment for those who would otherwise not work, it means the disability gap in total employment hours is larger than the simple DEG (measured by the number of people). As such, the impact of disability on employment is under-estimated by focusing on employment levels alone.

(2) There is a sizeable disability gap in hourly earnings, with disabled employees in the UK earning on average between 10 and 15% less than non-disabled employees. About half of the pay gap can be explained by differences in personal and job characteristics between disabled and non-disabled workers, leaving a substantial unexplained gap (Jones *et al.*, 2006). Recent work suggests the hourly pay gap has, if anything, widened over the last decade, is most prominent higher up the earnings distribution, consistent with a ‘glass ceiling’, and is larger on average in the public compared to the private sector (Jones, 2023). The historical neglect of the disability pay gap (DPG) in the UK stands in particular contrast to public, academic and policy interest in the gender pay gap. In this respect we note the contrast in Wales, with the elimination of the DPG by 2050 a National Milestone. Nevertheless, the lack of more widespread attention severely limits our understanding of the drivers of the DPG.

(3) There is a disability gap in wellbeing at work as measured, for example, by job satisfaction and perceptions of fairness of managers (Jones 2016; Hoque *et al.*, 2017). These measures likely capture a wide range of job characteristics, including but also extending beyond pay. Again, the evidence suggests this is not fully explained by the nature of jobs held by disabled relative to non-disabled workers (Jones 2016; Hoque *et al.*, 2017). Such evidence is important not least because subjective measures like job satisfaction have previously been found to relate to workplace performance and worker quits.

(4) The economic cycle. Our previous evidence based on nationally representative data showed that disability gaps in in-work indicators widened in the UK during the Great Recession (Jones *et al.*, 2021).¹⁵ Disabled employees were significantly more likely than non-disabled employees to report outcomes such as increased workloads, work reorganisation, a wage freeze or cut, and restricted access to paid overtime and training as a result of the recession, even after controlling for personal, job and workplace characteristics.

(5) Remote work. As part of analysis of the impact of COVID-19 on disability labour market inequality, Jones (2022) showed that prior to COVID-19 disabled workers were slightly more likely than non-disabled workers to work at home even in the same job, consistent with this being a reasonable adjustment. However, she also shows that disabled workers were less likely to benefit from the rise in homeworking during COVID-19, consistent with earlier evidence from the US that disabled employees are less likely to work in the high skilled jobs which have the higher potential for remote working (Schur *et al.*, 2020).

(6) Self-employment.¹⁶ Rates of self-employment have traditionally been higher for disabled relative to non-disabled workers in the UK, particularly for solo self-employment (Jones and Latreille, 2011). This may be the outcome of both negative ‘push’ and, more positive, ‘pull’ factors. There is evidence of both factors, including that the flexibilities offered by self-employment are used by disabled people as a mechanism through which to accommodate their disability at work. In this respect, self-employment is potentially important in facilitating work for those who otherwise might not be able, thereby contributing to reduce the DEG. However, there is currently limited evidence on differences in the nature of, and success in, self-employment between disabled and non-disabled people. This is critical to establish the extent to which self-employment is a sustainable form of employment and a mechanism through which the quality of life and wellbeing of disabled people can be improved.

In what follows we make two core recommendations to strengthen evidence-based government policy in relation to labour market equality for disabled people. These focus on national monitoring by government, and government support of organisational monitoring, essential if employers are to improve disability equality policy and practice.

3. Future national monitoring

Collecting and reporting on disability and disability-related outcomes at the national level allows understanding and scrutiny of progress in relation to disability equality. It is essential that such

¹⁵ For more information see: <https://www.disabilityatwork.co.uk/research-areas/in-work-disability-gaps/all-in-it-together-the-impact-of-the-recession-on-disabled-people/>

¹⁶ This forms a brief summary of our evidence to the Work and Pensions Select Committee on self-employment and the gig economy inquiry [SGE0021 - Evidence on Self-employment and the gig economy \(parliament.uk\)](https://www.parliament.uk/parliamentary-committees/wpsc/committee-reports/SGE0021-Evidence-on-Self-employment-and-the-gig-economy/)

information is collected consistently and accurately, and that the statistics generated are interpreted meaningfully. In this respect disability measurement, prevalence and the DEG need to remain at the fore of attention and analysis by ONS needs to understand the consequences, and therefore minimise the impact of, discontinuities.¹⁷ There is a real risk that, as with prior changes to the LFS (in 1998, 2009 and 2013), the main source of data on disability in the UK will not be comparable pre- and post- its forthcoming transformation.

In addition to more robustly measuring disability and the disability-related employment impact (see Section 1) by undertaking comparisons of the DEG across surveys and measures, monitoring and adjusting for disability prevalence and new data collection in relation to functional measures of disability from which to benchmark and understand the rising prevalence, we recommend that the government extend its focus beyond employment levels (see Section 2). First, we recommend that the government monitor employment flows, that is, rates of entry and exit from employment to better understand the underlying dynamic patterns of recruitment and retention. These give rise to changes in the stock of employment but have distinct implications for policy. However, we also recommend the government extend its monitoring to in-work indicators consistent with a growing body of evidence on the range of dimensions of disability inequality in the labour market which are neglected by government policy. Not only are these measures important in their own right but they contribute to the recruitment and retention of disabled people and hence the DEG.

Given the availability of these measures in existing large and representative surveys, we recommend that a basket of indicators around disability and work are monitored, which cover disability prevalence and the experience of work, to provide a more comprehensive picture of disability inequality in the labour market and broader foundation for policy.¹⁸

4. Organisational monitoring and reporting¹⁹

We have long argued that employers play a critical role in determining labour market equality for disabled people, a role historically insufficiently recognised in government policy. The recent draft Equality (Race and Disability) Bill announced in the 2024 King's Speech at the State opening of Parliament suggests a major change in this regard, with the proposed extension of Gender Pay Gap Reporting to disability. However, in the majority of organisations disability is not currently measured or monitored. This means there will be significant practical challenges in the implementation of organisational disability reporting. Monitoring workforce disability is, however, essential if employers are to assess the need for, or impact of, their policies and practices on disability inequality, or meet their obligations under the Equality Act. The existing information deficit is not sufficiently appreciated. There is a clear need for a lead from government to address it, with potential for organisations to learn from national best practice in disability measurement and monitoring.

¹⁷ See Baumberg *et al.* (2015) for a discussion of the sensitivity of disability measures to definition and survey methods.

¹⁸ While in 2019 the ONS started to address the dearth of evidence on disability in the UK (see <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/improvingdisabilitydataintheuk/2019>), including providing evidence on the DPG, the absence of inclusion of broader measures in government policy limit the extent to which they will be addressed. The ONS analysis also rightly highlights the need for a programme of work to address issues in the measurement of disability.

¹⁹ Wass and Jones (2023) provide a more detailed and comprehensive discussion. See also [Disability@Work-submission-to-the-Disability-Workforce-Reporting-Consultationfinal.pdf \(disabilityatwork.co.uk\)](https://disabilityatwork.co.uk/Disability@Work-submission-to-the-Disability-Workforce-Reporting-Consultationfinal.pdf) for our evidence to the disability workforce reporting consultation.

The introduction of the *Voluntary Reporting on Disability, Mental Health and Wellbeing* framework, which recommends monitoring disability prevalence among the workforce provided a useful starting point, but requires significant amendment if it is to provide a platform for mandatory disability reporting.²⁰ The most important and immediate change that is required is the integration of organisational and national measurement by ensuring a consistent Equality Act definition of disability is applied by organisations.²¹ This not only ensures consistency between national and employer monitoring but in applying a common definition of disability it facilitates comparability *between* organisations. The latter is key if organisational reporting of the DPG is to be effective and, if the government is to use such information, for example, as part of strengthening Disability Confident to include objective outcomes or integrating disability equality into Public Procurement in line with the Social Value Act.²² Indeed, accurate and consistent measurement of disability is a prerequisite for the development of organisational measures of disability inequality e.g. in relation to recruitment and retention, or pay and job satisfaction gaps, from which employers can track progress and evaluate changes in practice.

Given the complexities in measurement, organisations need clear guidance and support from government to collect meaningful and comparable statistics on organisational disability inequality. In short, while co-produced with organisations, organisational measurement must be a government-led national project. The government can also act as a role model employer illustrating best practice in this regard. The benefits of such approach in terms of raising the profile of disability gaps within organisations and in providing useful data for understanding the role of organisations, currently not identified in any contemporary nationally representative UK survey on disability, should not be underestimated.²³ Indeed, such data would enable the government to explore how individual organisations contribute to the national employment of disabled people, and whether the DPG is predominately a within (that is, it exists for disabled and non-disabled employees with the same employer) or between (that is, it reflects that disabled employees typically work for different employers than non-disabled employees) employer phenomenon.

Such a nationally designed and implemented organisational measurement framework would also serve as a template to monitor disability in other contexts, including activities supporting employment, such as in terms of access to training or finance. Indeed, it is key in providing reliable data to answer questions raised in this inquiry, such as the uptake of apprenticeships. Indeed, more generally, used alongside qualitative evidence, a framework for measuring disability would provide a foundation for consistent nationally representative evidence on the social, political and economic experience of disability, support the evaluation of changes in policy and practice, and the monitoring of progress in relation to many of the broader recommendations set out in the ‘Locked Out’ report.

We therefore recommend the government provides clear guidance to employers on measuring and reporting disability among their workforce on the basis of the 2010 Equality Act, that they

²⁰ For a more detailed discussion of the changes we recommend to the voluntary reporting framework, see: <https://www.disabilityatwork.co.uk/wp-content/uploads/2020/04/Recommendations-for-revision-of-the-voluntary-reporting-framework.pdf>

²¹ We recommend that organisations use the harmonised definition and LFS questions to achieve this.

²² For recommendations in relation to Disability Confident see: <https://www.disabilityatwork.co.uk/wp-content/uploads/2019/11/disability@work-Disability-Confident-level-3-briefing-paper.pdf>

²³ The last nationally representative survey of employers containing information on employee disability, the Workplace Employment Relations Survey (WERS) was undertaken in 2011.

adopt best practice as an employer and embed these measures in government policy to encourage widespread monitoring and reporting of disability equality by employers.²⁴

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²⁴ Our recommendation is clearly aligned to *Criteria 1 (Gathering evidence systematically and comprehensively)* of the recent Independent report exploring the effectiveness of organisational equality and diversity practices [Report on the Inclusion at Work Panel's recommendations for improving diversity and inclusion \(D&I\) practice in the workplace - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/report-on-the-inclusion-at-work-panel-s-recommendations-for-improving-diversity-and-inclusion-d-i-practice-in-the-workplace).

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THE FINANCIAL WELLBEING OF DISABLED PEOPLE IN THE UK: BARRIERS TO EMPLOYMENT

Quick Read

The UK has a big disability employment gap: Almost all (95%) of the working age disabled people who took part in our survey said their impairment has negatively affected their ability to do paid work. Three-quarters (77%) said it had ‘very negative’ impacts, and this proportion was considerably higher (87%) among survey respondents who had acquired their disability suddenly.

There are systemic barriers to employment for disabled people: Three-in-ten (29%) working age disabled people said they had been discriminated against by employers or potential employers because of their impairment. A quarter (26%) said that employers had failed to make reasonable adjustments for them. Eight-in-ten (80%) disagreed that disabled people are given the employment opportunities they need to thrive in society. Seven-in-ten (69%) disagreed that disabled people are given the educational opportunities they need to thrive in society.

The government needs to do more: In March 2023, the government promised [£2 billion investment](#) over five years in employment support for disabled people and those with health conditions. Disabled People’s Organisations (DPOs), disability charities and others say that the government needs to do more, including further increasing employment support; reforming existing support programmes so they work better; improving workplace adjustments; and creating a ‘one stop shop’ portal to provide information, advice and guidance to employers on recruiting and retaining disabled people, and to disabled people on their employment rights.

The UK has a big disability employment gap

In early 2023, the employment rate for disabled people was 53.7% compared to 82.7% for people who are not disabled.



of working age disabled people in our survey said their impairment has negatively affected their ability to do paid work.



said their impairment had 'very negative impacts' - rising to 87% among respondents who acquired their disability suddenly.



Systemic barriers include employer discrimination and employers' failure to make reasonable adjustments



Over half of those not disabled from birth had not been able to work since acquiring their disability, while half of all disabled people said they had to leave their job at some point because of their impairment.

Three-in-ten of all disabled people felt they had been discriminated against by employers or potential employers due to their impairment.



A quarter of all disabled people said that employers had failed to make reasonable adjustments for them.

The government needs to do more

including further increasing employment support; reforming existing programmes so they work better; improving workplace adjustments; and creating a 'one stop shop' portal for information, advice and guidance to employers on recruiting and retaining disabled people, and to disabled people on their rights.

8 in 10

think that disabled people are not given the employment opportunities they need to thrive in society



7 in 10

think that disabled people are not given the educational opportunities they need to thrive in society

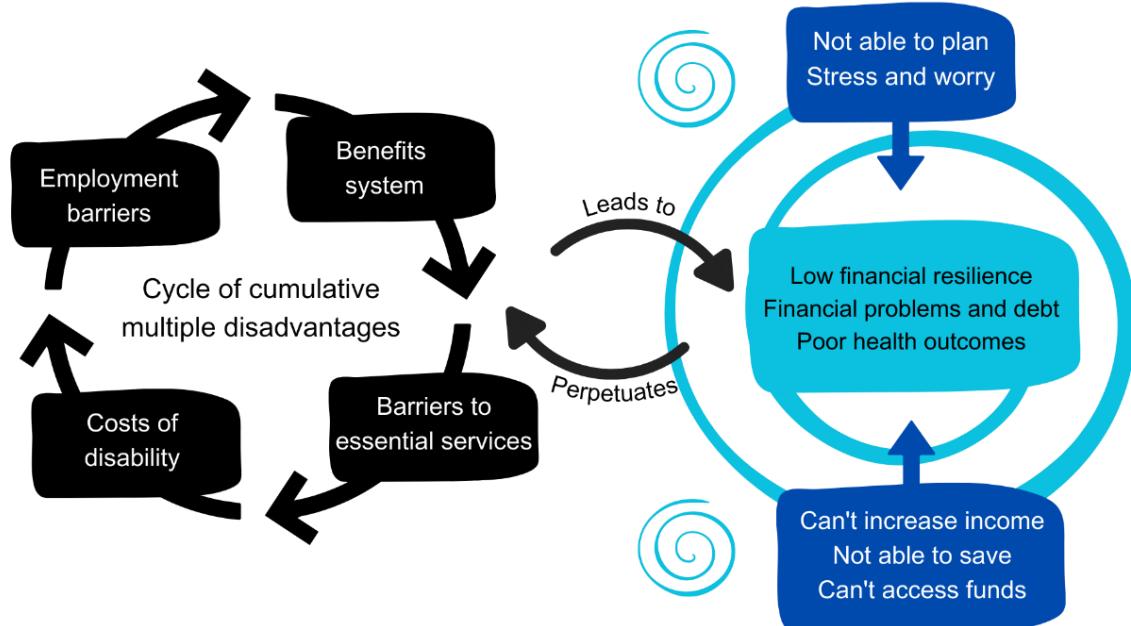
Introduction

The UK [Money and Pensions Service](#) says that "financial wellbeing is about feeling secure and in control. It's about making the most of your money from day to day, dealing with the unexpected, and being on track for a healthy financial future." Financial wellbeing is essential to delivering the [United Nation's](#) vision of "the equal right of all persons with disabilities to live in the community, with choices equal to others, and [...] full inclusion and participation in the community".

In September 2023, a research team from the University of Bristol and the Research Institute for Disabled Consumers published a report looking at the financial wellbeing of disabled people in the UK. The report is based on discussions with disabled people in the UK about what 'financial wellbeing' means to them and the difficulties they face in trying to improve their financial wellbeing. We used this information to help us measure the financial wellbeing of disabled people in a survey. The 815 disabled people who took part in the survey were members of a UK-wide research panel of approximately 3,500 people run by the Research Institute for Disabled Consumers (RiDC), which is broadly representative of the wider disabled population.

Our research shows that disabled people can face **multiple disadvantages** that impact on their individual resilience and financial wellbeing, including accessing work, benefits and essential services, in addition to the costs of disability. This can result in a 'disability trap' as shown in Figure 1, which risks negatively affecting disabled people's health and further disabling them in other areas of their lives.

Figure 1 – The 'disability trap'



We have produced four short briefings on the policy areas highlighted in the research. This briefing is on barriers to employment. The others look at the benefits system; the extra costs of disability; and access to essential services. [You can download the full research report and four briefing papers in PDF format from our website.](#)



The UK has a big disability employment gap

[Official statistics](#) show there were more working-age disabled people in employment in the first quarter of 2023 than a year before. However, there is still a significant 'disability employment gap' – the difference in the employment rate of disabled people and people who are not disabled. In January to March 2023, the employment rate for disabled people was 53.7%, compared to 82.7% for people who are not disabled, meaning the gap was 29 percentage points. The proportion of disabled people who are in employment also varies considerably depending on the type of disability and how many health conditions they have.

Almost all (95%) of the working age disabled people who took part in our survey said their impairment has negatively affected their ability to do paid work. Three-quarters (77%) of them said it had 'very negative' impacts, and this proportion was considerably higher (87%) among survey respondents who had acquired their disability suddenly.

Disabled people's ability to work varies greatly depending on impairment type

Looking at specific impairment types in a model controlling for age and gender, we find that disabled people with the following impairments were significantly more likely to feel that their disability had had very negative work impacts (in descending order from most likely):

- Physical mobility impairments
- Chronic fatigue
- Dexterity-related impairments
- Mental health conditions
- Memory-related impairments
- Communication-related impairments

Those who had sight-related impairments or were 'just getting older' were less likely to report such impacts on their opportunities for work.

Perceived barriers include employer discrimination and employers' failure to make reasonable adjustments

Figure 2 below shows the ways in which working age survey respondents' impairments had affected their ability to do paid work.¹ In particular:

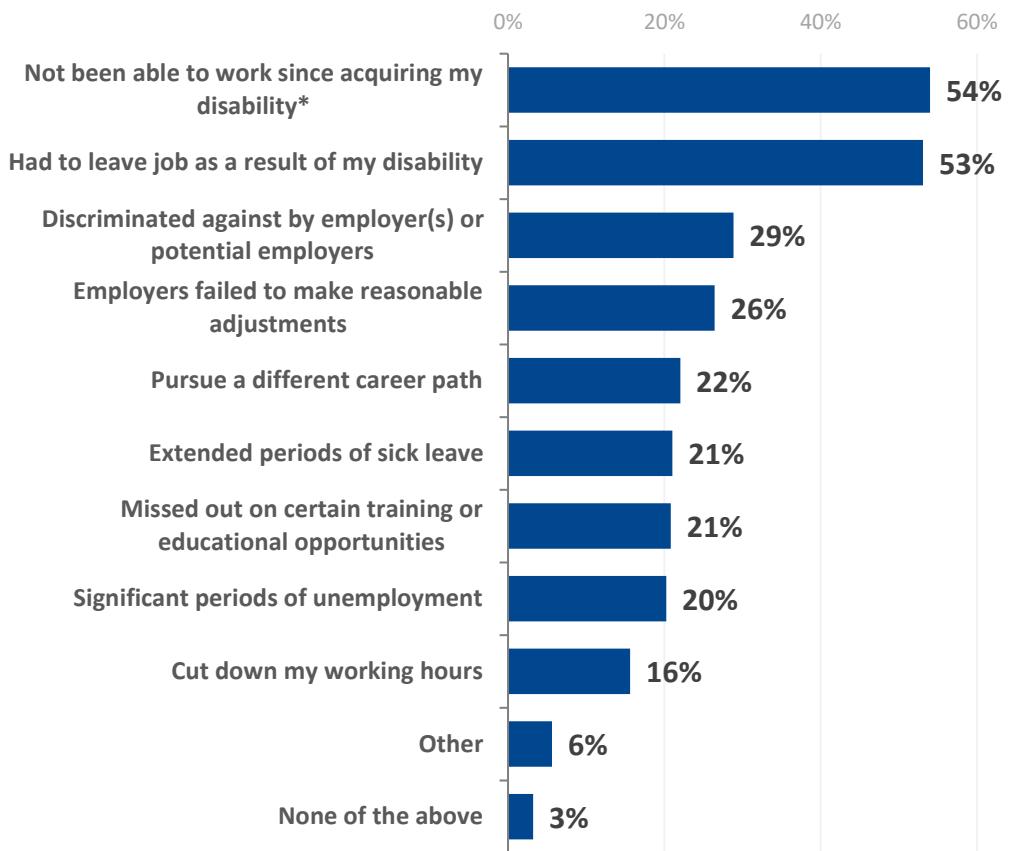
- Over half (54%) of those who were not disabled from birth had not been able to work since acquiring their disability, while half (53%) of all disabled respondents said they had to leave their job at some point because of their impairment.
- Three-in-ten (29%) felt they had been discriminated against by employers or potential employers because of their impairment.
- A quarter (26%) said that employers had failed to make reasonable adjustments for them.

While legislation exists in the UK to prevent employers from discriminating against disabled people, those who took part in our focus groups and discussion forum did not feel it was working. In the words of one participant:

“I know there’s the legislation and the laws that say you can’t discriminate against someone who’s disabled. But companies can find any other reason to be like ‘oh, no, you’re not a good fit’ (...) It’s rubbish. Companies will do whatever they can to avoid employing someone who’s disabled. Because they have to then be asked to make adaptions.”

¹ Respondents could choose multiple answers to this question, so the proportions add up to more than 100%.

Figure 2 – Impact of impairments on disabled people’s ability to work



Notes: Working age adults only (N=526). * ‘not been able to work since acquiring my disability’ is based only on those who had not been disabled since birth (N=402).

There is also a significant disability pay gap

Even if disabled people can get work, other research shows there is a significant pay gap between the average non-disabled and disabled workers of 17.2%, or £3,700 a year. The ‘disability pay gap’ is worse for disabled women, where the gap is 35% or over £7,000 a year. On top of this, the extra costs faced by disabled people can mean that work is even less likely to pay, even if it has other positive benefits. This is a good example of the ‘disability trap’, as one of our participants described when he took part in a focus group in winter 2022:

“I can work. I've been lucky in that. I don't earn very much, but I need to have that purpose for my psychological wellbeing. I earn too much to get benefits. However, because of my disabilities and impairments, I have to live somewhere, which is supported accommodation. So my rent is £450 a week.

So basically, all I earn goes on rent and I simply can't afford heating. It's just so cold... So, because of your disability needs, you can end up having to pay more."

The employment and pay gaps experienced by disabled people can have serious implications in later life as well. [Other research](#) shows that disabled people feel they are not preparing adequately for retirement and are pessimistic about running out of money in old age.

What needs to happen to improve disabled people's access to employment?

[The UK's progress](#) towards ensuring equal opportunity and reducing inequalities of outcome, including for disabled people, has been assessed as "very poor and deteriorating".² The disabled people in our study felt that the legislation designed to protect them from discrimination by employers was not working. Working age respondents to our survey also felt strongly that disabled people in the UK are still not given the necessary opportunities they need to thrive in society:

- Eight-in-ten (80%) disagreed that disabled people are given the employment opportunities they need to thrive in society.
- Seven-in-ten (69%) disagreed that disabled people are given the educational opportunities they need to thrive in society.

[Other research](#) shows that closing even half of the gap between the UK and those countries with the highest employment rates would lead to over a million more disabled and older people in work and an employment rate above 80%.

Since 2017, the UK government has published various proposals and plans to support disabled people and people with health conditions into work and support those who are in work. In March 2023, it promised [£2 billion investment](#) over five years in employment support for disabled people and those with health conditions. The government also launched [a consultation](#) on its proposed Disability Action Plan in July 2023, with the intention to publish a final plan by the end of 2023.

Disabled People's Organisations (DPOs), disability charities and others say that the government needs to do more. The [Disability Employment Charter](#) identifies areas of action that the government needs to tackle to

² Ensuring equal opportunity and reducing inequalities of outcome is one of the targets in the United Nations Reduced Inequalities Sustainable Development Goal. This includes eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action.

reduce the disadvantage that disabled people face in finding and staying in work. These include: further increasing employment support for disabled people; reforming existing support programmes so they work better; improving workplace adjustments; and creating a ‘one stop shop’ portal to provide information, advice and guidance to employers on recruiting and retaining disabled people, and to disabled people on their employment rights.

Just as important is the need to change the public conversation about disability and disabled people in the UK – who make up nearly one-in-four (24%) of our population – to challenge negative narratives and harmful stereotypes.

What's already happening: The Disability Confident scheme

The Disability Confident scheme is a government scheme that aims to help employers make the most of the opportunities provided by employing disabled people. It is voluntary and has been developed by employers and disabled people's representatives. Employers start by becoming Disability Committed (Level 1), they can then become a Disability Confident Employer (Level 2) and finally a Disability Confident Leader (Level 3).

As of August 2023, [government figures](#) show that 18,630 employers were signed up to the scheme³, most of which were signed up at Level 1, Disability Committed (75%). Disability Confident Employers (Level 2) made up 22% of signatories; and Disability Confident Leaders (Level 3) made up 3% of signatories.

In addition, the Business Disability Forum's [Great Big Workplace Adjustments Survey 2023](#) called on employers to:

- Simplify their workplace adjustments process.
- Provide more support for managers and the role they play in workplace inclusion.
- Develop a wider workplace approach to understanding the experience of having a disability and to removing disability-related barriers beyond focusing on workplace adjustments.

³ For context, there are around [1.5 million organisations in the private sector which employ staff](#) - of which, approximately 260,000 employ 10 or more employees.

About this research

This research was a collaboration between the University of Bristol's [Personal Finance Research Centre](#) (PFRC) and the [Research Institute for Disabled Consumers](#) (RiDC). It was funded by [abrdn Financial Fairness Trust](#).

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Evidence submitted to the Senedd Equality and Social Justice Committee inquiry into the Disability, Employment and Payment Gap

(2nd September 2024)

by

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About the Remote4All Research Project

This evidence is informed by our research exploring the impact of remote e-working for people with a disability and/or neurodivergence. The project highlights that more research and support is needed for this group of workers, 20% of the UK working population, to work in a way that best supports their needs and capabilities. This qualitative study found that remote working is largely a positive adjustment for many and can help to gain and sustain employment.

The project was funded by the Economic and Social Research Council through the Digital Futures at Work Research Centre (Digit), which is co-led by the University of Sussex and the University of Leeds Business Schools. The Centre investigates how digital technologies are changing work and the implications for employers, workers, job seekers and governments.

Our response to:

- What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.**

Key findings from our research:

- Our research found that remote working was largely considered as an essential reasonable adjustment for disabled and/or neurodivergent workers to sustain and gain employment. It also increased participation rates. For**

some employment would not be possible without the option to remote work either partially or fully.

- The Remote4All project found a substantial gap in academic knowledge on disabled and/or neurodivergent people's experience of remote e-working.
- The limited research has mostly focused on physical disabilities, overlooking other invisible disabilities and neurodivergence. Interviews with employees, employers, and stakeholders provided rich data to enhance the knowledge base in this area when related to remote working.
- There is 'no one size fits all' approach and it is essential to listen and understand the individual needs to make remote working accessible and optimal for everyone.
- Line Managers were identified as having a pivotal role in promoting inclusiveness, and therefore, need to be trained effectively.

Key Recommendations:

We encourage the Committee to include the following recommendations in its final report:

1. **Update guidance on remote working to include consideration of invisible disabilities.** The Welsh Government should work with key stakeholders to further develop and clarify guidance on access to remote working for disabled and/or neurodivergent workers. The current Welsh guidance on remote working (Supporting disabled employees, July 2024) does not cover advice for invisible disabilities including neurodivergent remote workers. The guidance could include best practice for employers. The People's Employment Champions on the skills gateway could be expanded to include information and guidance about the benefits of remote working.
2. **Encourage best practice as described in our Line Manager Toolkit for disabled and/or neurodiverse remote workers** (currently being developed by Dr Grant). Our research found a considerable and important gap in the skills, knowledge and attitudes of line managers and the best way in which they can develop understanding, empathy and support for disabled and/or neurodivergent remote workers.
3. **Combat remote working stigma.** Policymakers should be aware that stigmatising flexible or remote working arrangements can disproportionately affect this group who may be inhibited from requesting what they need. Our research found that attitudes towards flexible and remote working as an adjustment varied between organisations and line managers. Many disabled and/or neurodivergent employees felt they could not ask for the amount of remote working they truly required. Many suffered in silence, rather than risk of losing their job as a result of asking to increase time spent working remotely.
4. **The Welsh Government should work with the UK Government to commission research and track how well remote working is working in practice for marginalised groups.** Our research found that some disabled and/or neurodivergent remote workers found that obtaining remote working as an adjustment was challenging due to their line manager's lack of awareness about the benefits of remote working. By providing impact studies this would enable employers to understand better the benefits and to support this group when

requesting remote working as an adjustment in line with the Disability Confident Scheme that recommends supportive working practices. Based on our findings Government to issue a public/employer information campaign on the benefits of remote working for all population and for specific marginalised groups working with industry bodies to disseminate training/awareness.

5. **Encourage employers to provide training for line managers and competency development (digital resilience) in remote working for employees.** We found that managers often lacked expertise in managing remote working and developing key competencies for employees and line managers was found to be missing. Improving skills would support more effective implementation of remote working as a reasonable adjustment and ameliorate some of the less positive impacts of remote working such as helping to address the potential for social isolation, which can be amplified for disabled and/or neurodivergent workers.

Supporting Evidence: Remote4All Research Project

1. How can remote working make a difference to the employment of disabled people?

- Our research shows remote working can make a huge difference for many, enabling disabled and/or neurodivergent people to gain and sustain employment. **For some employment would not be possible without it.**
- ***"I was able to work, I just wasn't able to get to work"*** (referring to mobility problems and in some cases changes in medication). Reducing/eliminating the commute can help.
- Management support and a working environment in which they felt safe to disclose their needs was essential to make it work.
- Previous research shows that disabled people are less likely to be able to work remotely than non-disabled people due to low paid and less autonomous roles (e.g., management).

Pre-pandemic remote working was limited in the general population to those with autonomy in their roles and those that had sought home working as an accommodation for a disability. Requesting remote working as an accommodation was sometimes generated stigma for those requesting this arrangement. Post-pandemic remote working has become a more acceptable working arrangement for many organisations (depending on the role) and has reduced the stigma attached to this style of working, helping to level the playing field for all workers.

However, our review of the academic literature revealed that disabled employees were less likely to work from home. This is due to the fact that they hold more lower-paid and non-managerial jobs, compared to their non-disabled counterparts.

Remote working can enable disabled and/or neurodivergent people to better manage their resources (e.g., pacing for chronic illness and for neurodivergent people) including working time, work environment and self-efficacy. Organisations need to support disabled and/or neurodivergent remote workers by developing a culture of trust, openness and psychological safety (trust being vital to the remote working relationships between worker and line manager). Unfortunately, it can also deplete

psychological resources by increasing *over-working and presenteeism* (working when sick), as well as *social isolation* and *invisibility* with peers and managers. Recuperation from work is necessary to maintain wellbeing; in our study we found that some interviewees worked longer hours. While this occurs for all groups of remote workers it is amplified for this group of remote workers.

It is also important to note that remote working is not the solution for everyone in this group. Our study found that some people worked better in an office environment, where peer support was available to them and they could have more informal conversations.

Employers noted that retaining visibility was important and creating opportunities to check in and to join support groups was helpful, for all remote workers but in particular for those with a disability and/or were neurodivergent. Productivity in our study was found to relate to positive coping, regular line manager check-ins and visibility-supporting positive coping mechanisms.

Most of our interviewees felt that remote working enabled better management of their conditions and, for some, employment would not be possible without remote working. ***Some of our participants advised that not getting remote working as a reasonable adjustment would be a cause to leave the organisation.*** However, remote working was not a 'one size fits all' arrangement – it needed to be tailored to meet specific and individual requirements, not making assumptions but listening to needs.

Overall, our research found that providing flexibility around the ability to remote work enabled some (those that we interviewed) disabled and/or neurodivergent people to gain and sustain employment by agreeing and discussing their work arrangements with their line manager and feeling safe to disclose any requirements and accommodations needed.

Line managers are key to supporting remote working arrangements through checking in regularly for health/well-being, reviewing performance and measuring outputs rather than inputs to ensure sustainability.

2. How can remote working help to increase disability employment and job retention rates?

- We found evidence that remote working created a more sustainable working environment, increasing participation in work and retention.
- Good management support was highly valued but there is evidence that managers' understanding of the issues and how to provide support is still limited.
- Training for managers would help to maximise the benefits of remote working for this group with regards to job retention.
- For some disabled and/or neurodiverse people, remote working is essential.
- Our research found that providing a supportive environment for disabled and/or neurodivergent workers can create a more sustainable working environment and this increasing job retention. *"I found the office environment*

to be busy, distracting, physically tiring to navigate, and the constant social interaction difficult when I was struggling with fatigue due to my disability.”

- For some workers being able to control communication better, switching cameras off in virtual meetings, thus reducing eye contact and lessening the need to interpret body language can all help.
- Gaining appropriate supportive technology and gaining a home working set-up that is comfortable, including managing lighting and other aspects of the environment were important.

3. How important is the role of line managers in supporting disabled and/or remote workers?

- This is vital to successful remote working, feeling able to disclose (and/or request accommodations) to line managers and peers is very important – requiring an open and trusting culture in order to feel safe (psychological safety).
- In our literature review we found a reported lack of knowledge and awareness in line management, particularly for working with neurodivergent workers.
- Dr Grant currently has further funding to develop a line manager toolkit for remote disabled and/or neurodivergent workers.

Line manager support can make the difference between a good work experience or a poor one, thus affecting sustainable working and ultimately retention. It was very highly valued by our interviewees line managers took time to listen and understand their needs as individuals. For this group, a tailored approach to remote working is helpful, ensuring that the positive effects are realised and any negative aspects are minimised and managed well.

We also found relationships between openness and disclosure and sustainable working. It is clear that an open, safe and trusting culture provides the psychological safety required for this group of workers to gain the accommodations they need.

4. What are the main barriers to employers and employees agreeing remote working arrangements?

- A work environment in which there is sufficient trust and openness to enable disclosure by workers of the arrangements they need to do their best work.
- Stigmatising remote working is likely to undermine this, whether at organisational or policy level.
- Line manager training is required - they may not know remote working is a reasonable adjustment.
- There may be financial barriers for employers who are unable to fund equipment through the Access to Work scheme – this funding can also be very delayed in providing support to employees.

Disclosure and effective line manager support, knowledge and awareness of the benefits of remote working. Some roles may not be suitable for remote working and this needs to be discussed. Disclosure was important to many of our interviewees to be able to gain the support needed, not disclosing they felt could lead to detrimental

outcomes as employers may not be fully clear why the individual is not performing at their best.

A culture of psychological safety including openness, trust need to be in place for disclosure to take place and for appropriate accommodations to be discussed with a person-centred approach. Disclosure can be important as it relates to the protection under the Equality Act and if done sensitively then it can help to destigmatise.

5. How can guidance for employers be improved?

Improved support and guidance for employers could help to support expansion of opportunities for remote working for people with disabilities and/or neurodivergence. Guidance should address the following:

- Employers/line managers need to review the job description and role requirements carefully with the individual.
- Discuss how the role can work effectively with some or all remote working as an adjustment.
- Often hybrid working arrangement (% time agreed for working on site and from home) can be a solution to ameliorate some of the less positive aspects of remote working, such as social isolation, ability to network.
- Preparing line managers to have supportive conversations is vital to consider how the role can be adapted (if necessary) to remote working.
- Provide more knowledge about needs, adjustments and options to line managers to build employer confidence.
- Dr Grant is currently working on a Line Manager tool kit for disabled workers (with key stakeholders) that aims to help develop confidence.
- Access to work can help to support some of this community but is a complex process and could be further simplified. Many of our participants found this a lengthy process.
- Training in developing remote working competencies and digital resilience to support sustainability of remote working and therefore retaining the job was essential (we have developed these competencies in a previous study).
- In our study we found that developing digital resilience competencies including self-efficacy skills including self-care, managing technology and developing trusting relationships related to positive experiences of remote working.

6. How well does remote working function as an adjustment work for those with an invisible disability?

Our study found that neurodivergent people were less likely to disclose (request accommodations) and sometimes they did not do so until much later in their career—statistics reveal that some people do not wish to disclose (or feel they cannot) their neurodivergent needs, this can mean that they do not receive appropriate accommodations to support their work.

- In our study we found those that did disclose had some fruitful discussions and found that a mix of remote and hybrid working could help them to sustain their work.
- Agreeing communication preferences, using technology and mix of flexible working styles could provide a supportive work environment.
- Providing a supportive environment for disclosure to occur was found to help in our study and therefore, increase their chances of gaining appropriate support – including remote working if necessary.
- The literature review suggested that there has been a prevalent focus on remote working as a reasonable adjustment for persons with physical disabilities, with less focus on invisible disabilities.

Disability and Employment Consultation

- Candidates still appear to be reluctant to declare a disability at the pre-employment stage even though we are a disability confident employer
- New starters often do not disclose to us that they have a disability. All staff are assessed by our Occupational Health provider as part of the recruitment process but we can only support if we know.
- Neurodivergence is becoming increasingly prevalent in the workplace and again without insight we cannot make the reasonable adjustments necessary.
- I was unaware of the Disability Employment Champions network
- We offer flexible working and hybrid working and these can be particularly helpful to anyone with a disability
- We always look at what a person can do but as a small employer we do not always have the breadth and scope of roles to redeploy
- We have a high number of Volunteers and we are looking at extending volunteering opportunities to office based functions. We also advertise volunteering on all our job adverts and when working with schools and colleges discuss volunteering as an option with a view that they may then feel confident to apply for work
- We have yet to introduce apprenticeships but this is something that we are keen to do in 2025
- We have not been invited to meet with disabled people or organisations that support disabled people. We have been in touch with Disability Confident Employer Adviser and will now be reaching out to the DEA and Jobcentreplus staff.

The Inclusive Remote and Hybrid Working Study's response to the Welsh Parliament's Equality and Social Justice Committee Call for Evidence on the disability employment and payment gap

Introduction

1. This is a submission to the Committee from the research team of the Inclusive Remote and Hybrid Working Study, comprising of Dr Paula Holland and Dr Calum Carson of Lancaster University, Alice Martin and Rebecca Florisson of the Work Foundation, Dr Alison Collins of Manchester Metropolitan University and Jacqueline Winstanley, Founder and CEO of Universal Inclusion & The Inclusive Entrepreneur.
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3. The evidence presented below is drawn from the experiences of workers with disabilities across the UK collected and analysed by the Study's research team. This comprises an online survey with 1,300 responses, and 45 in-depth interviews. Both the survey and the interviews focused on individual's experiences of remote and/or hybrid working to date, as well as their thoughts and recommendations on how to make these models of work more inclusive to better meet the needs of people with disabilities and long-term health conditions. Data collection efforts took place from June 2023 to February 2024.

Q1. What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market.

4. Our research as part of this study builds on the evidence published in the Locked Out report which highlighted the benefits for disabled people in being able to work remotely during the peak of the pandemic, providing more evidence for the continued benefits for people with disabilities and long-term health conditions in the years since 2020/21.
5. Interviewees highlighted a number of key benefits of remote working for both their professional and personal lives, as well as enabling them to better manage their condition(s) and balance them with their day-to-day working responsibilities.
6. Below are a selection of quotes from interviewees about these benefits:

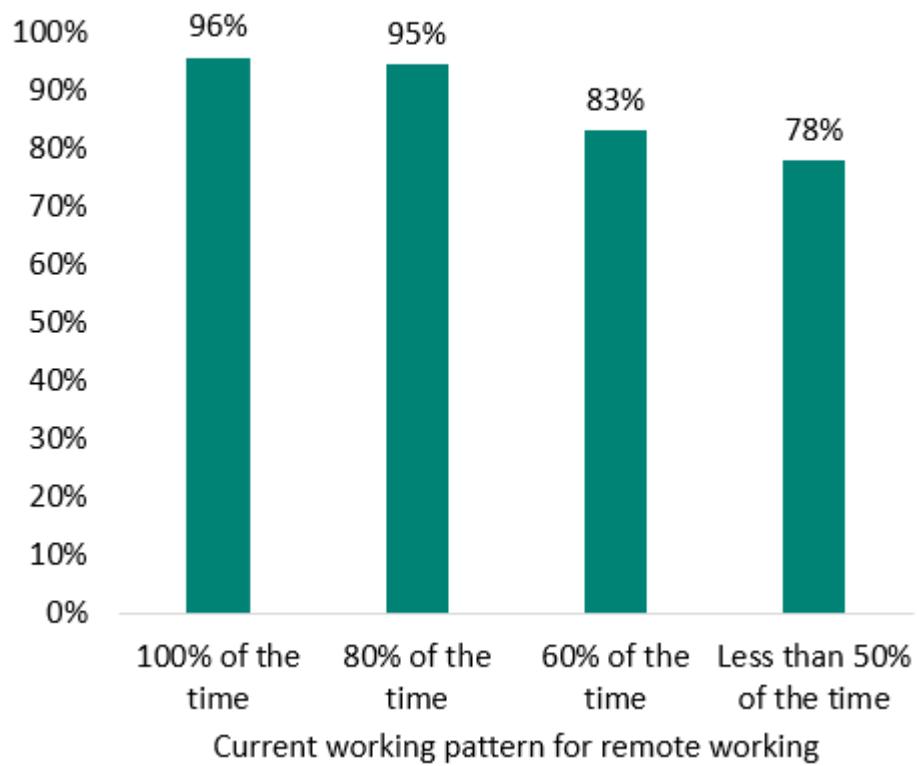
"I have a fair few sensory requirements that simply can't be accommodated in a shared office. I can set up my home working environment to accommodate all of them and this has huge benefits for my wellbeing but also my productivity and the quality of my work. Even one day in the office means that I will have a migraine that then affects the next working day."

“Not needing to commute has a huge impact on some many aspects - fatigue levels, income (long, expensive commute), work-life balance, environmental concerns etc.”

“It means that I can manage flare ups in privacy, rest and then come back to my desk when I’m able and still be productive, say for the afternoon, without adding a commute.”

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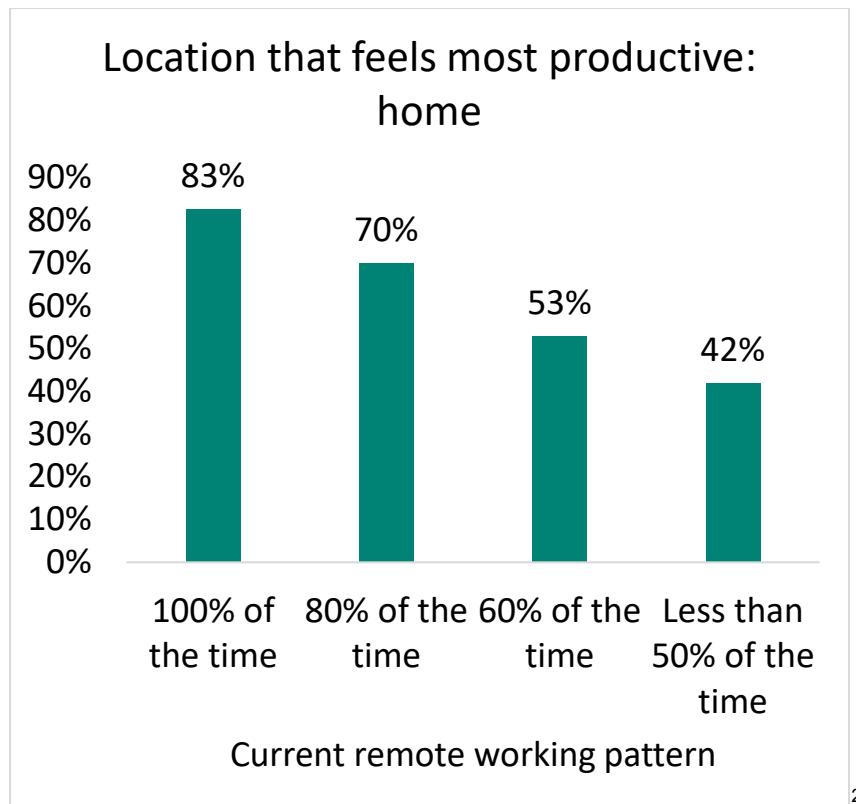
Location where people are best able to manage their condition: home



8. Working from home was also the location people with disabilities found that they were most productive. Survey respondents with chronic pain and fatigue conditions, as well as neurodiverse respondents and those with Long Covid or sensory processing disorders, were also more likely than others to say that they felt most productive working from home.

¹

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9. These findings highlight the benefits that remote working models can provide in creating an environment which can lead to disabled workers being better able to balance their working lives with management of their condition(s), and reinforce the declaration put forward by the Locked Out report that “arguably, the ‘business case’ for homeworking has been won.”³
10. Research participants working under a hybrid working model also highlighted clearly in both survey responses and interviews for the Study that they have experienced similar benefits to those discussed above for fully remote workers. For example:

“80% hybrid working allows me to manage my symptoms effectively and to choose my own work style based on my wellbeing that day, rather than “push through” in the office.”

“I am better able to manage my conditions when I have flexibility with my role to work remotely versus working in the office. I value the hybrid aspect of this as I enjoy coming into the office to see colleagues in person, but am able to continue my work at home as should I need to if my health is struggling.”

“The flexible, hybrid working arrangement at my workplace also means that I don’t stand out, I don’t need reasonable adjustments in this regard, which is nice.”

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11. These findings, and our ongoing research in this area, highlight the **critical importance of flexible working models being available to disabled people to support both their entry into employment and the continuation of their working lives**. This is particularly vital for those with fluctuating long-term chronic conditions that can strengthen and lessen in intensity at unexpected intervals, as well as those that find the office workplace especially challenging because of their disabilities and/or health conditions (for example blind and visually impaired people).
12. In order to enable further progress with supporting disability employment, employers should (where appropriate) ensure that the option to work fully remotely or within a hybrid model is available to disabled people at the point of recruitment, and that their right to this model is guaranteed throughout their time in that role.
13. The importance for disabled people of having access to remote or hybrid working roles to enter (and remain) within the labour market has been strongly underlined through this research: for example, **more than three in four (78%) individuals who are either blind or visually impaired indicated in our survey that they would not apply for a job where remote working was not available**.
14. Employers should also take efforts to ensure **that any required specialist equipment for disabled workers (for example screen readers) should be made available to them at the earliest possible opportunity**, and that this equipment should be provided in both the home and the office locations for those working within a hybrid model.
15. Employers should also ensure that the **reasonable adjustments required for disabled workers within their organisations are implemented quickly and in full**, and that their internal organisational culture enabled individuals to feel confident in requesting these adjustments.
16. **Clear and fixed organisational policies should be put in place setting out the employer's remote and hybrid working policies**, and these policies should be developed in consultation with internal and external disability groups where possible.
17. **Line managers should be sufficiently trained in how to manage any disabled workers effectively and compassionately** within their team(s), with extra training developed and undertaken where needed to understand how best to manage those individuals working remotely or within a hybrid role.
18. Our ongoing research has also highlighted issues with isolation and presenteeism for some disabled people working remotely or under a hybrid model, issues that employers can address by **putting in place measures that ensure disabled people working under these models feel suitably part of their team and wider organisation**.
19. By putting in place these measures and placing an emphasis on improving the daily working lives of disabled people, employers will also be taking action that helps to support them to remain within the labour market.

Q2. What barriers continue to exist throughout society that impact on access to work?

20. **Organisational barriers to employing disabled are largely due to employers' assumptions about disabled people and perceived difficulties in implementing reasonable adjustments.** Most organisations are likely to already employ disabled people, even if they are not aware they do: organisational culture can prevent employees from informing their employer they are disabled and can reduce the willingness of senior disabled staff from being 'open' role models.
21. **Employers should be made aware of the business case for employing disabled people:** workplaces and work practices that are designed in an inclusive way i) promote disabled people's employment, ii) prevent the need for disabled people to request reasonable adjustments, iii) promote the employment of carers, parents, older workers and other people who need flexible working.
22. **Mandating large employers to report their disability pay gap data, as they do for their gender pay gap data, would encourage more employers to employ disabled people.** In addition, they should be told to report: the number of disabled employees within the organisation (including as a proportion of their total workforce); the number of disabled and non-disabled employees who have left the organisation; and the number of disabled and non-disabled employees employed at senior levels within the organisation. This data would help identify organisations that are not supporting disabled workers with job retention and progression.
23. While there are specific schemes in place to support disabled workers, such as Access to Work, they do not achieve their aims due to a lack of funding and resources.
24. Low awareness of schemes like Access to Work (AtW), for instance, is a publicly funded employment support programme that aims to help more disabled people start or stay in work. However, awareness of the scheme is low and there are long wait times before AtW funding applications are processed. Moreover, long wait times before AtW funding applications make it more difficult for disabled people to stay in work or to start a new role.
25. In order to improve the uptake of AtW, we **recommend the Department of Work and Pensions (DWP) to intensify its outreach efforts to make sure employers and disabled people are aware of the scheme**, ensure that the scheme is properly resourced to reduce the current waitlist and expand the trials of the Access to Work Adjustment Passport to disabled people who are looking for work.
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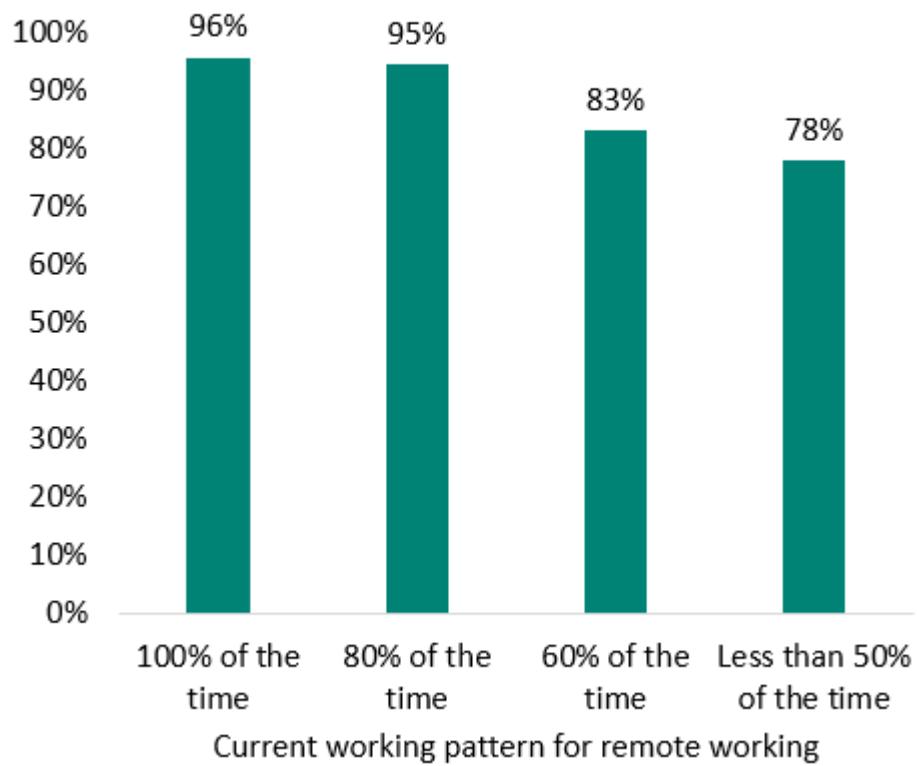
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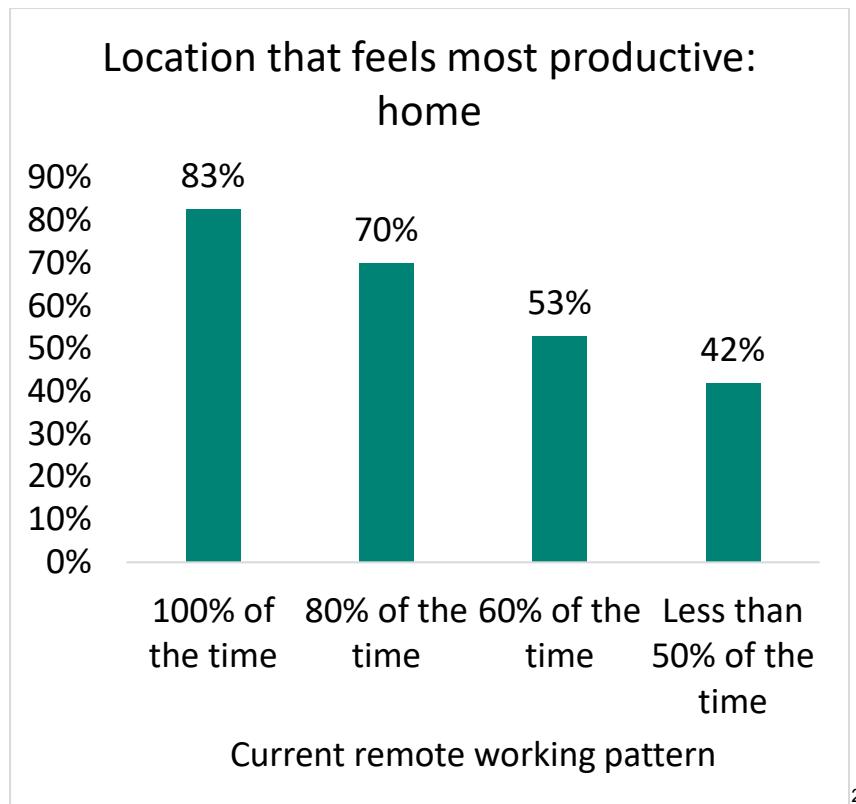
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Consultation response

Disability and Employment

Consultation details

Title of consultation: Disability and Employment

Source of consultation: Equality and Social Justice Senedd Committee

Date: 28 August 2024

For more information please contact

Ruth Coombs

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Cardiff
CF14 3U

wales@equalityhumanrights.com

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About us

The Equality and Human Rights Commission is the independent equality regulator for England, Scotland and Wales and is a UN-recognised 'A' status National Human Rights Institution. The Commission has a statutory mandate to advise Government and Parliament on matters relating to equality and human rights, and to promote and protect equality and human rights across Britain.

We welcome the opportunity to contribute to the Equality and Social Justice Committee's inquiry into Disability and Employment. We would be happy to discuss any aspect of our response with Committee members.

Questions

1. What progress has been made to deliver the recommendations set out in the ‘Locked Out’ report and to reduce and remove barriers faced by disabled people who want to access Wales’s labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

1.1 Locked out Report and barriers to the labour market faced by disabled people

1.1.1 The Locked Out Report published in 2021 explored 5 overarching themes with sub themes under each. As the focus of this inquiry is disability and employment we have limited our comments to the recommendations related to employment.

1.1.2 Some progress has been made in relation to some of the relevant recommendations in the report; others related to specific recommendations for the immediate aftermath of the COVID-19 pandemic are not necessarily still relevant today; and others have not progressed.

1.1.3 Much of the work done by the Welsh Government to date has been laying the foundations for future policy. There have been consistent delays in policy implementation in the area and the Welsh Government should take swift action to mitigate the inequalities and barriers to work faced by disabled people in Wales. It is important that the Welsh Government monitors outcomes from any actions taken.

1.1.4 A disability disparity evidence unit was established by the Welsh Government in January 2022 (along with a Race disparity evidence unit and an Equality evidence unit). The disability disparity evidence unit "...focus is improving the equality evidence for use in decision-making, delivery of policies/interventions, provision of services research and debate, both within the Welsh public sector and beyond".¹

1.1.5 In March 2022 the Welsh Government published 'Stronger, Fairer, Greener Wales – A Plan for Employability and Skills'² which placed a renewed focus on improving labour market outcomes for disabled people³.

1.1.6 The Welsh Government has developed and delivered a workers' rights and responsibilities campaign to raise awareness of workers' rights and avenues of information, advice, and guidance. The Workplace Rights and Responsibilities Forum has been created. This brings together employer representatives, trade unions, and workplace regulators like the HSE, the Gangmasters and Labour Abuse Authority and HMRC's minimum wage enforcement unit.

¹ <https://www.gov.wales/equality-race-and-disability-evidence-units-strategy-html>

² <https://www.gov.wales/sites/default/files/publications/2022-05/stronger-fairer-greener-wales-plan-employability-and-skills0.pdf>

³ <https://research.senedd.wales/research-articles/access-to-work-for-disabled-people-in-wales/>

1.1.7 A More Equal Wales: A practical guide for employers to employing disabled people⁴ was published by the Welsh Government to provide practical help and advice for employers on recruiting, developing and supporting disabled people in Wales. **We recommend the Welsh Government promote forthcoming EHRC hybrid working and reasonable adjustments guidance as a resource for employers.**

1.1.8 In 2019 the Right to Independent Living Framework and Action Plan⁵ established a network of Disabled People's Employment Champions (DPECs)⁶ to provide advice, information and support to employers across Wales. The objectives of the DPECs current workplan are aimed at addressing barriers to disabled people accessing the labour market.

1.1.9 The Disability Rights Taskforce⁷ was established by the Welsh Government as part of its response to the publication of the Locked Out report. The Taskforce had ten priority areas, including employment and income.

⁴

<https://businesswales.gov.wales/skillsgateway/sites/skillsgateway/files/documents/Employers%20Guide%20to%20Employing%20Disabled%20People%20-%20EN.pdf>

⁵ <https://www.gov.wales/sites/default/files/publications/2019-09/action-on-disability-the-right-to-independent-living-framework-and-action-plan.pdf>

⁶ <https://businesswales.gov.wales/skillsgateway/disabled-peoples-employment>

⁷ <https://www.gov.wales/disability-rights-taskforce#:~:text=What%20we%20do,beyond%20the%20COVID%2D19%20pandemic.>

1.1.10 We were pleased to sit as an observer on the Employment and Income sub-group. Several of the final recommendations of this group reflected our advice and if these are accepted by the Welsh Government, they should help address some of the recommendations put forward in the Locked Out report. **We recommend the Welsh Government accepts the sub-group recommendations.**

1.1.11 The reporting of the Taskforce and therefore the publication of the Disability Action Plan has been delayed, but we are expecting it to be published this year. **We recommend the Welsh Government publishes this action plan urgently and considers how this plan will align with other action plans in relation to gender, race and LGBTQ+ to deliver the Welsh Government's equality objectives 2024-28.**

1.1.12 The Locked Out report recommended that “the Welsh Government urgently prioritise the incorporation of the United Nations Convention on the rights of disabled people (UNCRPD) into Welsh law, to help ensure that disabled people’s human rights going forward are given greater protection”.⁸ We are observers on the Welsh Government’s Legislative Options Group which is exploring incorporation, but progress has been slow. **We recommend that the Welsh Government prioritises meeting its commitment to incorporate the UNCRPD into Welsh law.**

⁸ <https://www.gov.wales/locked-out-liberating-disabled-peoples-lives-and-rights-wales-beyond-covid-19-html>

1.2 Barriers to the labour market faced by disabled people

1.2.1 The UN Committee on the Rights of Persons with Disabilities has an ongoing inquiry into the UK Government because of concerns about the regression of the rights of disabled people. **We recommend the Welsh Government works with the new UK Government to address the Committee's concerns.**

1.2.2 Disabled people are consistently much less likely to be employed than non-disabled people. However, when comparing 2013/14 to 2019/20, the disability employment gap in Wales has narrowed from 39.6 percentage points to 36.2 percentage points.⁹

1.2.3 The gap closed further by 2022 (July) standing at 32.3 percentage points. This is higher than the gap in Scotland (31.6 percentage points) and the UK as a whole (29.8 percentage points).

1.2.4 Despite the narrowing of the disability employment gap it remains too high. The picture also varies depending on the location in Wales and the type of impairment. There are regional differences with the gap highest in Blaenau Gwent (46.8 percentage points) and Neath Port Talbot (44.5 percentage points).¹⁰ We suggest the Welsh Government undertakes a piece of work to explore these regional differences, which could be undertaken by the disability disparity unit (referenced above in point 1.1.4).

⁹ Is Wales Fairer 2023

¹⁰ <https://research.senedd.wales/research-articles/access-to-work-for-disabled-people-in-wales/>

1.2.5 Those with vision or learning difficulty impairments are the exception to the narrowing of the disability employment gap.¹¹ Research by Mencap indicates that grouping together all individuals with 'learning difficulties and learning disabilities' masks further labour market disparities which exist within this group.¹²

1.2.6 In 2020/21, following the onset of COVID-19, there were some short-term shifts in labour market differences between disabled and non-disabled workers, but most of these changes were not sustained into 2021/22. An increase in the insecure employment gap was the exception. Prior to the pandemic, in 2019/20, the proportions of disabled and non-disabled workers who were in insecure employment were similar. However, disabled workers' insecure employment rate showed a significant increase in 2021/22, creating a significant gap in insecure employment rates between disabled and non-disabled workers. A widening disability gap in insecure employment rates during the pandemic was unique to Wales; it was not seen in England or Scotland.

1.2.7 Disabled workers are also more likely to be working part time, with 41% of disabled workers and 29% of non-disabled workers working part-time.¹³ Evidence shows that the gender pay gap is higher for part time workers, and this is likely to be the case for other pay gaps.

¹¹ Is Wales Fairer 2023

¹² Is Wales Fairer 2023

¹³ <https://research.senedd.wales/research-articles/access-to-work-for-disabled-people-in-wales/>

1.2.8 While disability gaps in employment in Wales have been closing since 2013/14, the same cannot be said about earnings. Disabled workers' median hourly earnings have stagnated and non-disabled workers' earnings have grown.¹⁴ The disability earnings gap more than doubled between 2013/14 and 2019/20¹⁵.

1.2.9 The disability pay difference in Wales was 9.7% in 2022. The difference has continued to steadily decrease from a peak of 15.1% in 2019.¹⁶

1.2.10 The UK Government has indicated that it will extend pay reporting to disability and ethnicity and will make it mandatory for in-scope employers to publish action plans to address any pay and employment disparities. The stated purpose is to create a more equal society and support a growing economy. We view disability workforce monitoring and reporting as a useful transparency measure which can raise awareness, make employers publicly accountable for their disability employment and pay gaps, and incentivise them to analyse the drivers behind their gaps and take action to address them.¹⁷

¹⁴ Is Wales Fairer 2023

¹⁵ Is Wales Fairer 2023

¹⁶ [https://www.gov.wales/wellbeing-wales-2023-more-equal-wales-html#:~:text=The%20disability%20pay%20difference%20in%20Wales%20was%20%C2%A31.32%20\(9.7,peak%20of%2015.1%25%20in%202019.](https://www.gov.wales/wellbeing-wales-2023-more-equal-wales-html#:~:text=The%20disability%20pay%20difference%20in%20Wales%20was%20%C2%A31.32%20(9.7,peak%20of%2015.1%25%20in%202019.)

¹⁷ <https://www.equalityhumanrights.com/our-work/advising-parliament-and-governments/response-disability-workforce-reporting-1-april-2022>

1.2.11 The EHRC recognises that publication of workforce data can be a useful transparency measure. However disability reporting is complex, and for employment and/or pay gap reporting to be effective it will need to be based on comprehensive and meaningful data that is feasible and appropriate for employers to gather, use and act on, and be underpinned by advice and guidance for employers so that they are able to gather and report robust data.

1.2.12 As such we recommend the Welsh Government, in liaison with Scottish and UK Governments and other stakeholders, should produce resources to support employers increase self-reporting rates on disability.

1.2.13 However, we recognise that this is only a first step, and any reporting should be supplemented by target-driven and time-bound action on the part of employers to address pay and employment disparities.

1.2.14 We recommend any action the Welsh Government takes to address disability pay gaps also considers the recruitment, retention and progression rates of disabled people. This should be appropriately disaggregated by impairment type.

1.2.15 The Welsh Government has published plans to increase some disabled peoples access to the labour market. The Learning Disability Strategic Action Plan 2022 to 2026¹⁸ prioritises improving access to employment, training and support for people with learning disabilities. **We recommend the Welsh Government monitors and evaluates progress against the plan.**

¹⁸ <https://www.gov.wales/learning-disability-strategic-action-plan-2022-2026-html>

1.2.16 The Welsh Government’s programme for government set out a commitment to “explore legislation to address pay gaps based on gender, sexual orientation, ethnicity, disability and other forms of discrimination” The Welsh Government’s annual report 2023-24 states that it has completed this commitment and goes on to say that the Welsh Government has used its “...influence through the Workforce Partnership Council (WPC) to take action which does not require new legislation”.

1.2.17 Through the WPC, the Welsh Government published a Joint Statement which reinforced the importance of diversity monitoring and encouraged public bodies to review their data collection processes and follow best practice.

1.2.18 The Welsh Government committed to build on this work with further activity to promote more transparency and consistency in diversity pay gap reporting, recognising the importance of public bodies in Wales setting an example of best practice.¹⁹

1.2.19 We have a particular interest in the UK Government’s Plan to Make Work Pay and the commitment to strengthen and enhance workplace rights through the Employment Rights Bill and the Draft Equality (Race and Disability) Bill. We believe these Bills have the potential to benefit workers with protected characteristics who continue to be at a disadvantage in the labour market.

¹⁹ <https://www.gov.wales/sites/default/files/publications/2024-07/welsh-government-annual-report-2024-annex.pdf>

1.2.20 Given our remit and extensive experience in the application of equality law, we are intending to advise officials as they develop this new legislation, particularly on how section 149 of the Equality Act, the Public Sector Equality Duty (PSED), can be used to inform and strengthen future legislation, policy and wider departmental equality objectives.

1.2.21 We recommend the Welsh Government publishes a report detailing the findings of its work to explore legislation in this area and explore the feasibility of extending the gender pay differences duty to disability and ethnicity as part of the review of the PSED Specific Duties for Wales.

1.2.22 We recommend the Welsh Government takes action and restarts its review of the Specific Duties for Wales, so that options for addressing disability pay gaps including a focus on recruitment, retention and progression can be explored as part of this review.

1.2.23 We recommend the Welsh Government works with the UK Government on any Equality (Race and Disability) Bill and Employment Rights Bill to maximise opportunities for addressing employment and pay gaps in Wales.

2. How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

Not answered

3. How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.

Not answered

4. Whether disabled people are accessing apprenticeships and if any further support is needed to ensure all schemes are inclusive.

4.1 The Welsh Government's apprenticeship policy, Aligning the Apprenticeship Model to the Needs of the Welsh Economy²⁰, published in 2017, highlighted its commitment to improving access, equality and equity of opportunity. The plan complemented and supported delivery of Prosperity for All, and the Welsh Government Economic Action Plan for Wales²¹. The Employability Plan²² published in March 2018 sets out how the Welsh Government intends to support those furthest from the labour market, the economically inactive and those at risk of redundancy, into work.

²⁰ <https://www.gov.wales/sites/default/files/publications/2018-03/aligning-the-apprenticeship-model-to-the-needs-of-the-welsh-economy.pdf>

²¹ <https://www.gov.wales/sites/default/files/publications/2019-02/prosperity-for-all-economic-action-plan-executive-summary.pdf>

²² <https://www.gov.wales/employability-plan-2018>

4.2 Priorities in the Welsh Government's 2022 employability and skills plan include creating 125,000 apprenticeships by 2026. This target was reduced in December 2023 to 110,000²³. We note that there were no targets set for increasing the participation of underrepresented groups including disabled people in apprenticeships.

4.3 We recommend the Welsh Government and Medr consider setting targets to increase the participation of underrepresented groups in apprenticeships.

4.4 In 2018, the Welsh Government responded to evidence of the low number of disabled apprentices and a recommendation from the Senedd Economy and Infrastructure and Skills Committee with the Inclusive Apprenticeships: Disability Action Plan for Apprenticeships 2018–21²⁴. In its Equality Annual Report 2019 to 2021, the Welsh Government reported that the number of disabled apprentices had increased year on year, reaching 6.9% in 2019. There has however, been no evaluation of the Inclusive Apprenticeships: Disability Action Plan for Apprenticeships 2018–21.

4.5 The Welsh Government apprenticeship learning programmes started interactive dashboard shows that by quarter 2 of 2023/24 515 apprenticeship learning programmes were started by learners who self-identified as having a disability and/or learning difficulty. The dashboard shows that the number of disabled people starting apprenticeships increased to 11%.²⁵

²³ Is Wales Fairer 2023

²⁴ <https://www.gov.wales/sites/default/files/publications/2018-11/inclusive-apprenticeships-disability-action-plan-for-apprenticeships-2018-21-1.pdf>

²⁵ <https://www.gov.wales/apprenticeship-learning-programmes-started-interactive-dashboard>

4.6 Medr (the Commission for Tertiary Education and Research) is a new arm's length body responsible for funding and overseeing post-16 education and research. Medr became operational on 1st August 2024. This body has responsibility for apprenticeships²⁶.

4.7 We recommend the Welsh Government and Medr address the under-representation of disabled people participating in and completing apprenticeships, including by evaluating its apprenticeships programme and the Inclusive Apprenticeships: Disability Action Plan for Apprenticeships and holding apprenticeship providers to account for implementation through procurement and funding mechanisms²⁷.

4.8 In February 2024 the Welsh Government apprenticeships policy statement included a focus on 'inclusive apprenticeships improving people's life chances (objective 3).²⁸ The statement says that "We are acutely aware that barriers exist excluding groups from accessing and completing apprenticeships. Whilst we have increased the diversity of apprenticeships, specific barriers remain. Learners can face difficulties in finding suitable work placements, especially where employers believe there will be a need to provide additional support. They can face real or perceived discrimination with fewer apprenticeship role models from the Black Asian Minority Ethnic communities or from disabled groups. On occasion we see available support for learners not being accessed or fully utilised".

4.9 We recommend the Welsh Government takes action to understand why support for learners is not being accessed or fully utilised and takes steps to address this.

²⁶ <https://www.gov.wales/commission-tertiary-education-and-research/about-commission-tertiary-education-and-research-cter>

²⁷ Is Wales Fairer 2023

²⁸ <https://www.gov.wales/apprenticeships-policy-statement-html>

4.10 Actions listed under objective 3 include “ensure apprenticeships are accessible to individuals from all backgrounds and that our Welsh workforce is more representative of the communities we serve; and promote fair work for all: using our levers to improve the offer for workers, and encourage employers to make work better, fairer and more secure”.

4.11 Two strategic priority areas in the Learning Disability Strategic Action Plan 2022 to 2026, in relation to employment and skills are to support improved access to employment, training and support for people with learning disabilities to enter and remain in the workplace; and supported apprenticeships.²⁹

4.12 The Welsh Government 2020-2024 equality objectives (as required under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 Regulation 3³⁰) included a specific action under equality objective 3 to “... address the under representation of disabled people in apprenticeships”. In relation to how success will be measured the Welsh Government committed to “..monitor the participation of disabled people in apprenticeships and review the effectiveness of the actions we are taking”.³¹

4.13 To date the Welsh Government has no strategic equality plan or action plan accompanying the Welsh Government 2024-28 equality objectives. **We recommend the Welsh Government considers how it can use its equality objectives to address the persistent inequalities faced by disabled people in the labour market in Wales and increase participation of disabled people in apprenticeships.**

²⁹ <https://www.gov.wales/learning-disability-strategic-action-plan-2022-2026-html#98021>

³⁰ <https://www.legislation.gov.uk/wsi/2011/1064/regulation/3>

³¹ <https://www.gov.wales/sites/default/files/publications/2020-04/strategic-equality-plan-equality-aims-objectives-actions-2020-2024.pdf>

4.14 We also recommend that Medr consider under-representation in apprenticeships when setting and reviewing their equality objectives and strategic priorities.

5. What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

5.1 Public Sector Equality Duty (PSED)

5.1.1 The Welsh Government and listed public authorities in Wales are required to show due regard to the general equality duty (GED) and meet their obligations under the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011.

5.1.2 Section 149³² of the Equality Act 2010 imposes a duty on 'public authorities' and other bodies when exercising public functions to have due regard to the need to:

- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

³² <https://www.legislation.gov.uk/ukpga/2010/15/section/149>

5.1.3 We recommend the Welsh Government uses its obligations under the GED and the Specific Duties for Wales to address the disability employment gap and the disability pay gap.

5.2 Is Wales Fairer? 2023

5.2.1 We recommend the Welsh Government, employers including public bodies, employer bodies, umbrella groups; and their social partners and other relevant bodies should take action to address employment gaps, different treatment at work and insecure employment, inequalities in recruitment, retention and progression in the workplace and reduce gender, ethnicity and disability pay gaps, including through positive action, as permitted in the Equality Act³³.

5.3 Reasonable Adjustments

5.3.1 The Equality Act 2010 includes a duty on employers to make reasonable adjustments for disabled employees throughout the employment journey (including during the recruitment stage). This duty aims to make sure that, as far as is reasonable, a disabled worker has the same access to everything that is involved in doing and keeping a job as a non-disabled person.³⁴

5.3.2 We recommend the Welsh Government works with employers via Business Wales and other partners to increase the level of awareness amongst employers of the duty to make reasonable adjustments.

³³ Is Wales Fairer 2023

³⁴ [https://www.equalityhumanrights.com/guidance/business/employing-people-workplace-adjustments?return-
url=https%3A%2F%2Fwww.equalityhumanrights.com%2Fsearch%3Fkeys%3Dre-
asonable%2520adjustments%26page%3D1](https://www.equalityhumanrights.com/guidance/business/employing-people-workplace-adjustments?return-url=https%3A%2F%2Fwww.equalityhumanrights.com%2Fsearch%3Fkeys%3Dreasonable%2520adjustments%26page%3D1)

5.3.3 Not all reasonable adjustments are expensive and/or complex and it is not the case that disabled people will automatically have higher rates of sickness absence than non-disabled employees.

5.3.4 We note the Welsh Government operates flexible working from day one of employment and that the UK Government has committed in the King's Speech 2024 as part of the Employment Rights Bill to "making flexible working the default from day-one for all workers, with employers required to accommodate this as far as is reasonable, to reflect the modern workplace".³⁵

5.3.5 Flexible working can be used as an effective reasonable adjustment for some disabled people. However flexible working is a broad term and the Welsh and UK Governments should include job-sharing; hybrid and remote working as part of flexible working, rather than simply changing start and finish times.

5.3.6 We recommend the Welsh Government's long-term ambition of around 30% of Welsh workers working from or near home on a regular basis³⁶ is monitored and evaluated for inclusivity across protected characteristic (PC) groups and that a range of flexible options are included in the strategy.

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https://assets.publishing.service.gov.uk/media/6697f5c10808eaf43b50d18e/The_King_s_Speech_2024_background_briefing_notes.pdf

³⁶ <https://www.gov.wales/remote-working-policy#:~:text=We%20would%20like%20to%20have,working%20can%20work%20for%20them.>

5.3.7 We note that Transport for Wales' (TfW) monitoring of this as part of a framework for measuring progress against the Wales Transport Strategy showed that in 2022/23 the target was exceeded with 34% of the workforce usually working remotely.³⁷ **We recommend the Welsh Government works with TfW to see how this data can be disaggregated by PCs.**

5.3.8 Delivered by Job Centre Plus, Access to work was “..set up to provide a grant to help towards the additional costs associated with barriers faced by a disabled person in work”. Work needs to be done to ensure that there is increased awareness of the support that Access to Work can provide, both for disabled people looking to enter the labour market, and for employers; as well as the benefits of reasonable adjustment passports.

5.4 Transport

5.4.1 The Welsh Government programme for Government 2021–2026 included a commitment to make the public transport system more accessible to disabled people. This sits alongside actions in Llwybr Newydd: the Wales Transport Strategy.³⁸

³⁷ <https://www.gov.wales/sites/default/files/publications/2024-07/welsh-government-annual-report-2024-annex.pdf>

³⁸ IWF 2023

5.4.2 For public transport to become accessible and inclusive, public bodies must develop and deliver actions that respond to the needs of older and disabled people. Our Accessible Public Transport for older and disabled people in Wales research shows that better consideration and integration of equality into transport strategies and policies, using the Wales specific duties as a guide, will ensure that public bodies meet the aims of the PSED, and build an accessible and inclusive public transport system in Wales.³⁹

5.4.3 We recommend the Welsh Government and other public bodies implement the recommendations in our report.

5.5 Social Partnership Council (SPC)

5.5.1 The Social Partnership and Public Procurement (Wales) Act established a procurement sub-group of the Council to specifically advise the Welsh Government on procurement.

5.5.2 We have consistently recommended that an equalities sub-group be established to provide advice to the Welsh Government on equality and human rights.

5.5.3 We reiterate our recommendation that the SPC establishes an equalities sub-group to advise the Welsh Government on equality and human rights, covering all PC groups, including disability.

6. What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).

³⁹ <https://www.equalityhumanrights.com/sites/default/files/2022/our-work-accessible-public-transport-older-and-disabled-people-wales-december-2020.pdf>

Not answered

Disability and Employment Consultation

- **Name:** Jainaba Conteh
- **Evidence is submitted on behalf of:** EYST
- **Confirmation of whether you would prefer that your name is not published alongside your evidence:** Yes
- **Confirmation of whether you would like the Committee to treat any or all of your written evidence as confidential, with reasons for the request:** No

Information used in this consultation response was obtained through consultation meetings. The cases referenced are those of minority ethnic clients who have received or continue to receive support from EYST, as well as members of minority ethnic communities.

What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

- While home working has improved, there are instances where it was the best solution for a disabled individual, but due to the nature of their disability being invisible, their colleagues raised objections. In the interest of fairness and consistency, the line managers terminated the home working arrangement. Managers often lack the requisite knowledge about disability in the workplace and the adjustments that could be made. Unless you can self-advocate for yourself as an ethnic minority with a disability, it will be very difficult for adjustments to be made for you. The Access to Work scheme exists, but if you are unaware and have not done your own research, employers cannot supply you with the information. Employers can be very helpful when people apply for Access to Work as well.
- There are instances where disabled ethnic minority employees are highly skilled but are only able to work two days per week, which can lead to disputes with their employers. Their employers are attempting to persuade them to leave their positions because they are unwilling to make the necessary adjustments. This may be due to a lack of understanding among employers of the specific needs of ethnic minority people with disabilities, which may result in fewer adjustments being made for this group.

- The working from home recommendation as a reasonable adjustment, has not materialised for many clients.
- Some studies have demonstrated that certain ethnic minority communities tend to flourish when they become self-employed and establish their own businesses. If you are a disabled ethnic minority working in your own business or a family business, this could be a more favourable option. If you require adjustments, would you be able to access the necessary support?
- It is important to provide disabled ethnic minority individuals with the necessary support to set up the provided equipment. In some instances, assistance with the setup process was not provided. The individual, who worked in customer relations, experienced a temporary loss of income and required assistance from family members to complete the set-up process. Many employers are unaware of the extent of support their employees require, as well as the health and safety risks associated with remote working. In some cases, employers may not even have had contact with their employees.
- In terms of the pay gap, ethnic minority individuals already face significant challenges in progressing within the workplace. When additional adjustments are required due to disability, employers may perceive this as an onerous burden, further exacerbating the issue.
- It is notable that a significant proportion of ethnic minority individuals are employed in sectors or industries where the implementation of work adjustments may not be readily feasible. This is particularly evident in roles such as care work and taxi driving. In contrast to home working, are the necessary adjustments and equipment available for a disabled person in this sector? How can we verify the effectiveness of these adjustments?
- It is more challenging for ethnic minority individuals to speak up or request assistance at the appropriate time compared to other colleagues, unless it has been proven that they are unable to manage effectively without assistance. To avoid any potential discrimination, they avoid stating the obvious or provide a clear and concise explanation of the assistance required. For example, they would not even request a special seat when they find standing and sitting difficult. In terms of workforce data and support, ethnic minority individuals may be less likely to disclose their disability, which may be due a lower likelihood of diagnosis, particularly in cases of invisible disabilities. If they are not disclosing their disability, it may be challenging for them to contribute to the development of a workplace wellbeing policy. They may perceive that disclosing their disability could have a negative impact on their job.
- At one point, almost all members of a family were in receipt of PIP and/or carer's allowance. As a result, it was challenging for them to enter the employment market. One significant obstacle was the lack of internal resources within our organisation to liaise with external parties, such as the DWP or Maximus, on an individual basis to assist these individuals. Some local authorities

have an employment support person whose role is to work specifically with refugees. However, this is not a DWP-affiliated position. The employment support provided was not helpful as it was not tailored to the individual's needs. For example, one individual has a strong desire to work as a taxi driver but encounter obstacles such as the need to complete a knowledge test and submit various forms. The additional obstacle presented by his disability was compounded by the lack of available personnel to oversee the process on a one-to-one basis. This was left to EYST support workers to work with him on a one-to-one basis. His subsequent success as a taxi driver and off disability allowance is entirely attributable to the EYST support workers who spent considerable time with him to navigate the necessary procedures. In addition to language barriers, the lack of a partner organisation able to liaise with EYST to provide a specific individual service represents a significant obstacle.

- Another case in point is that of a client who has indicated that she engages in a significant amount of sewing for the purpose of creating garments for herself and her family. The college offered a course which she is unable to access due to a language barrier. Therefore, EYST support workers had to facilitate her registration with Business Support Wales, with a view to potentially registering her as a start-up business. This could assist the client in becoming self-sufficient and, for the first time in nearly five years, gainfully employed no longer needing disability allowance. However, this is only due to the EYST support workers' dedication in navigating the process with the contacts they have built up in Business Wales.
- The pandemic has led to increased social isolation among disabled individuals, both in the longer term and during the initial stages of the crisis. There was a significant reduction in transportation during the period of the pandemic. Consequently, access for disabled people was even more restricted than before the pandemic, and they are encountering significant challenges in re-entering the labour market.

How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

- Two visually impaired clients expressed interest in taking ESOL classes but were unable to do so deemed operationally difficult by the college. Thanks to the clients' perseverance and the assistance of the EYST support workers, they have successfully completed ESOL classes. It has been a challenging process for both clients, with one client having to travel for nearly two hours to reach the nearest class. We were informed that the client was unable to access the online

platform due to her visual impairment. However, there are alternative forms of technology that could have enabled her to participate, and this option was not made available. In regard to the ESOL classes for the visually impaired client, it was necessary for her to have access to a teaching assistant who also spoke Arabic. This was eventually put in place, but there was a long delay due to the organisation's lack of belief in the possibility of providing these classes.

- It has taken over two years for EYST support workers to receive approval for long cane training for one of their clients. The client will finally have her first training session, as the individual responsible for approving the training has been on secondment. The decision was then transferred to social workers, who, without conducting an assessment of the client, have determined that training is not a suitable option and that the client is unable to live independently. The client is highly capable and is able to forage stinging nettles in the forest for her chickens independently with support. One professional is the key holder for the services in question, which represents an institutional barrier. All the relevant societies, charities and organisations for the visually impaired confirmed that the decision was made by this one individual. The client is fully proficient in baking and catering and has a personal assistant in place, funded through the direct payment scheme. However, it should be noted that the service was not offered for a considerable period of time. The client now has seven hours a week to attend ESOL classes and go shopping. This has had a transformative impact on her life. However, we were awaiting the key holder to unlock the service.
- Due to concerns about potential job loss, they are unlikely to request further adjustments. As ethnic minority individuals, they face significant challenges in securing employment and may be reluctant to admit that they require support or are struggling to manage their role effectively. It is the responsibility of employers to ensure that they make it clear that they welcome applications from people with disabilities. It is important to ensure individuals that having a disability will not hinder an employee's progress.
- A lot of people in ethnic minority communities don't know their rights. Individuals with physical disabilities may be more inclined to assert their rights, whereas those with invisible disabilities may be less forthcoming due to a reluctance to disclose their condition to others.
- The language used in applications has an impact on people, regardless of whether they are disabled or not. This is particularly the case for those from ethnic minority communities. Language is an important aspect of the job description, criteria and application form. In particular, civil service roles often require specific behavioural or personal attributes, which may present a challenge for some ethnic minorities that have to translate the information. It is not detrimental to adapt the application form with information sections so that someone with visual impairment can hear the question read out or even rephrase

it in a more straightforward English language for clarity. For those new to the UK and the labour market, it can be challenging to understand certain language. For instance, the term 'problem solving' may be misinterpreted as a high level of complex problem solving, which could deter applicants.

- There is a social stigma attached to certain disabilities, with individuals often being discouraged from openly discussing their condition. This can particularly affect ethnic minority communities, where there may be a reluctance to acknowledge disabilities and a preference for keeping them hidden. Such an attitude can have a detrimental impact on an individual's confidence and ability to navigate the job market. When there is a discrepancy between societal acceptance and that of smaller communities, it can impede personal growth and development. If a person's parents or guardians are not encouraging them to engage in work or social activities, it can be challenging to enter the job market without parental support. EYST runs community engagement events for entire families to attend so that parents can support their children applying for jobs. From an early age, children are taught to refrain from disclosing their disability. For example, we are currently supporting a young woman. The mother has been encouraging her daughter to refrain from discussing her disability for over 25 years. The young woman in question recently visited our office and informed us that she is experiencing significant difficulties and she requested that we not disclose this information to her mother. This raises an important question: if individuals with disabilities are unable to identify and discuss their needs, how can they become independent adults capable of interacting with others, including potential employers, in a productive manner?
- A person with a disability noted that when others are aware of their disability, they are sometimes perceived as lacking capacity. She gave the example of a situation in which she had been quite insistent about her needs and the required course of action. In response, a colleague had approached and begun to speak in a manner that suggested she was unable to hear or understand.
- A person without a disability stated that they have had to explain to managers why their parent with learning disabilities keeps interrupting meetings when working from home and caring for their parent. It is also necessary to make adjustments for individuals who are caring for others with disabilities. In a customer-facing role, there was concern as to whether customers could hear the parent in the background, however, there are software solutions that can help mitigate background noise. It is also important to consider the impact of disability on non-disabled family members who are employed. Ethnic minority women often bear a disproportionate share of care responsibilities, and some families are reluctant to seek assistance from social care services due to stigma. This can have a negative impact on their employment prospects, as they may be hesitant to disclose their circumstances for fear of being perceived negatively by others.

- Non-disabled individuals from ethnic minorities communities do encounter situations where the use of simpler vocabulary and a slower speaking pace is used. However, when additional characteristics such as disability are present, these types of scenarios may become more prevalent. It would be beneficial to have a support group, such as those that meet bi-monthly or monthly. Similar to a designated fire marshal or safeguarding group, a group should be created with both disabled and non-disabled people. The group will provide support to colleagues who may require assistance with any issues that arise. Having colleagues who understand the specific challenges faced by colleagues with disabilities in the work environment can help to boost confidence. This group will provide a forum for sharing experiences and making suggestions to improve the workplace environment.
- If you are a recent migrant with an invisible disability, you may not be aware of the support available to you in the UK. Your country of origin may not have the diagnostic techniques to identify your disability, and you may not be aware of your disability and the opportunities to access work support that you could be eligible for.
- A further issue is that of cultural barriers. In this case, a client who had been employed was not granted the rights afforded to employees when she requested time off for the holy month of Ramadan. Instead, she was given just one day, which she was told to take in advance, even though the exact date of Eid was unknown. The employer was not accommodating of the employee's needs related to their religious practices. Some individuals with disabilities are unable to advocate for themselves, yet even when they are able to do so and seek their rights, the employer can continue to be unsupportive. The business is more concerned with protecting itself than improving its business practices.

How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.

- While the input has been beneficial, the challenge lies not in its source but in its ultimate destination. The Welsh Government formulates policies, which are then implemented by local authorities or third sector organisations. The challenge lies in how it has been implemented elsewhere and how it has been monitored. It is the responsibility of the relevant local authority or government department to

demonstrate accountability with regard to monitoring and implementation. For instance, policies aimed at diversifying the workforce. If they welcome applications from a diverse community but there are no diverse individuals residing in the area, it is likely that there will be no applications. They cannot be held accountable for that particular area, but for places like Swansea or Cardiff with larger populations, they need to be held accountable. To summarise a 20-page document into one page so that everyone knows, simplify documents so that they can be implemented more effectively.

- Many are unaware of the Network of Disability Employment Champions. Securing a suitable colleague at the Job Centre who is willing to provide assistance can greatly enhance the support available. However, in the absence of such a colleague, navigating the process without the desired level of assistance can be challenging.

Whether disabled people are accessing apprenticeships and if any further support is needed to ensure schemes are inclusive.

- It is frequently challenging to identify an employer willing to take on not just an apprentice, but a disabled apprentice, despite the potential for reasonable adjustments to be made to accommodate this. For instance, there was a candidate who suffered from severe epilepsy and seizures, which necessitated the presence of a support person throughout the workday. The client was applying for apprenticeships and was informed that it was not feasible to have a dedicated individual present in the room with her at all times. An EYST support worker was able to do this for 16 weeks, demonstrating that this is a viable option.
- It is evident that more needs to be done, particularly in the form of a stepping stone before an apprenticeship. This could take the form of a two- to six-week work placement or work experience, as it can be challenging for an individual to go straight into an apprenticeship. This allows individuals to gain experience before making a commitment, should they discover that it does not align with their preferences or that it is not a suitable role. This also prevents any potential waste of resources or time. An opportunity to gain experience without any associated guilt. For many, the prospect of undertaking a two-year apprenticeship without having a clear understanding of whether it is the right choice can be off-putting.
- It is not sufficient to make accessibility adjustments for ethnic minorities with disabilities. It is essential to ensure that the apprenticeship environment is also culturally inclusive.
- The apprenticeship programmes are available and people are currently being registered to them. However, we are experiencing a shortage of employers able

to employ any individual. This represents a systemic issue that presents a significant barrier for disabled individuals seeking employment. A further challenge is the difficulty in securing employment following the completion of an apprenticeship programme. Having a network of employers in place is an effective strategy for accessing apprenticeship programmes. It is a straightforward step that facilitates a seamless transition for individuals, regardless of their disability status, after completion of the apprenticeship. If you are neurodivergent and find it difficult to network, this could present a challenge unless someone is able to network for you on your behalf.

- It is not always easy to find apprenticeships in certain areas, such as automotive or mechanics. It is possible that the apprentice may be required to travel to a different town or city, therefore it is important to ensure that they have access to suitable transportation. If the apprenticeship programme does not provide support in other areas, it is challenging for clients to be registered in the area where they reside. This necessitates reallocation or travel. Consequently, the aforementioned factors contribute to the lack of accessibility and inclusivity of apprenticeship programmes for ethnic minority disabled individuals.
- It may be beneficial for disabled employees with medical routines in the morning to have time flexibility in the workplace. This could mean starting work later than 9 a.m. or having the option to finish work later than usual. It is important to create a safe and supportive environment for these employees to ensure they can complete their tasks without undue stress or pressure.
- One of the challenges we face is the rural location of our clients in Powys. For example, a funder in Powys invested significant effort in facilitating an apprenticeship opportunity for a specific client. The client was not disabled, but the underlying principle is the same. However, this entailed travelling to different towns, necessitating the acquisition of driving skills or the utilisation of multiple bus routes, which would considerably extend the journey time. It is possible that learning to drive may or may not present a problem for someone with a disability. The location of colleges in Powys presents a challenge for individuals seeking apprenticeship opportunities, as it requires travel to access the necessary education and to find suitable employment partners.

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

- The issue is not that local businesses are reluctant to take on an apprentice, but rather the financial commitment is significant, and there are other challenges to consider. Many employers and self-employed individuals are reluctant to take on a trade apprentice due to the additional insurance costs and expenses involved. The aforementioned obstacles to local employers offering apprenticeships result in individuals aspiring to become electricians being unable to do so, due to their inability to fulfil the practical placement requirements. What measures can be taken to create an environment in which taking on an apprentice is financially beneficial for employers? It is necessary to reconsider legislation and regulations that create barriers for employers. One potential solution is to implement a cap on insurance company charges. Additionally, the government should explore ways to support employers facing these challenges and consider providing subsidies.
- It should be noted that age limitations on certain schemes may present a barrier if an individual does not fall within the specified age bracket for the scheme in question.
- The Disability Friendly Employer Scheme, run by the DWP, does not offer an incentive for employers who believe they are already disability friendly or lack the capacity to participate. This may encourage people with disabilities to feel more confident about being part of the organisation, which could lead to an increase in participation. For these schemes to be adopted by employers, there needs to be more than just recognition, awards or financial incentives. It is essential that employers view reasonable adjustments as a valuable opportunity rather than a burden. For instance, a disabled individual stated that as a reasonable adjustment, they required additional assistance with administrative tasks to enable them to fulfil their role effectively. This resulted in the support worker also providing input to enhance the individual's outcomes. As a result, the employer was able to benefit from the input of two individuals, rather than just one. In another case, an individual with a disability was employed, resulting in the DWP providing funding for the organisation to install automatic doors. These adjustments benefit the employer, creating a mutually beneficial situation. It may be beneficial for employers to watch short videos showcasing successful strategies.
- In terms of increased participation rates, the previous Jobs Growth Wales initiative, which provided remuneration for young people through Welsh Government funding, proved beneficial for many clients. It was a logical next step for EYST clients who had secured employment through Jobs Growth Wales. The employer was aware that they were taking on a candidate from our programme and that a portion of the wages was being paid from elsewhere.

What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).

- In some instances, individuals who have been offered voluntary placements have been situated in less advantageous positions, with limited scope for undertaking tasks that could enhance their future employability. When EYST had funding and a volunteer was working at the front desk, they were also able to gain customer service skills through AGORE Cymru level one, as they did not have to write extensive reports. Video-based learning and observation enabled the acquisition of customer service skills. It is essential that disabled people who are accessing voluntary opportunities are assisted in pursuing future work opportunities by obtaining qualifications or credits towards qualifications, thus enabling them to develop their careers and perceive the voluntary opportunity as a valuable investment. At EYST, volunteers are afforded a high degree of autonomy, but this only proves effective when volunteer coordinators are present to oversee their experience and ensure a positive outcome. Consequently, some of our disabled clients who are currently not in employment may be discouraged from pursuing voluntary opportunities due to the lack of a dedicated volunteer coordinator to guide them.
- It would be beneficial for the Welsh Government to investigate why a significant number of employers are requesting paid experience from applicants and not considering voluntary experience. For instance, EYST has had accountants offering their services on a voluntary basis. However, employers have not recognised this as valid experience. This presents a barrier for those currently unable to work who are seeking volunteer opportunities.
- Furthermore, the recruitment process presents a significant challenge for ethnic minorities, particularly those with limited experience. Many people who are interested in volunteering are seeking paid roles, but require voluntary experience beforehand. Some of the clients are professionals from abroad, but the lack of recognition of their qualifications in the UK presents a barrier to them being able to work in this country. As a result, they pursue volunteering opportunities, despite their considerable skills and professional experience. However, even after having their certificates converted, they still face difficulties in securing employment. It may take clients some time to adjust to the UK system, and volunteering is an excellent way to gain a foothold in the country.
- In the health sector, there is a voluntary opportunity which could ultimately lead to employment. If their work experience is valued as a volunteer and they have applied internally, they will be considered for employment. Consequently, if voluntary experience is regarded as a valid qualification, this would have removed many barriers for all concerned, as we have a number of clients already

engaged in voluntary work across a range of sectors. However, this voluntary experience is not currently recognised as a valid qualification.

- For the EYST Employment Project, we advise our clients to expand their professional networks, as we have found this to be an effective strategy for navigating challenges in securing employment and advancing their career. For neurodivergent individuals, networking may prove challenging despite possessing the requisite skills and talent for the role.



About autism: Autism is a lifelong disability which affects how people communicate and interact with the world. There are over 700,000 autistic adults and children in the UK. Without the right support or understanding, autistic people can miss out on an education, struggle to find work and become extremely isolated.

About us: The National Autistic Society is here to transform lives, change attitudes and create a society that works for autistic people. We transform lives by providing support, information and practical advice for the 700,000 autistic adults and children in the UK, as well as three million family members and carers. Since 1962, autistic people have turned to us at key moments or challenging times in their lives, be it getting a diagnosis, going to school or finding work. We change attitudes by improving public understanding of autism and the difficulties many autistic people face. We also work closely with businesses, local authorities and government to help them provide more autism-friendly spaces, deliver better services and improve laws. We have come a long way but it is not good enough www.autism.org.uk

The National Autistic Society welcomes the opportunity to respond to the Equality and Social Justice Committee's consultation on disability and employment. Unemployment, and under-employment is a big issue that autistic people face. The National Autistic Society's Moonshot vision envisages a society where all autistic people who can and want to work have a job and are happy in it¹, and we are responding to this consultation with that objective in mind.

The Buckland Review² on autism and employment highlighted the extent of the problem across the UK (and there is no evidence that the situation is significantly different in Wales). It highlighted that only 3 in 10 (30%) of autistic adults are in work. This is the lowest of any disability³. Furthermore, even when in employment, autistic people face further discrimination and disadvantage, with the pay gap between autistic people and non-autistic people the largest of any disabled group, with autistic people receiving on average a third less than non-disabled people⁴.

It is clear that unemployment and under-employment is a significant issue for autistic people, and carries significant costs to the economy in terms of lost incomes and increased expenditure on social security. It represents a barrier to growth. But more importantly than the economic case for tackling this gap is the well-being of autistic people who experience significant harm due to the discrimination and barriers they face in seeking employment.

¹ National Autistic Society, The Moonshot Vision – what a society that works for autism really looks like, 2023, available from <https://www.autism.org.uk/what-we-do/who-we-are/the-moonshot-vision>

² The Buckland Review of Autism and Employment, 2024, available from <https://www.gov.uk/government/publications/the-buckland-review-of-autism-employment-report-and-recommendations/the-buckland-review-of-autism-employment-report-and-recommendations>

³ Department for Work & Pensions (2023) Employment of disabled people 2023, Available at: <https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2023/employment-of-disabled-people-2023>

⁴ Buckland review 2024 - <https://www.gov.uk/government/publications/the-buckland-review-of-autism-employment-report-and-recommendations/the-buckland-review-of-autism-employment-report-and-recommendations>

Discrimination

The Buckland Review highlighted that the biggest barrier to accessing employment for autistic people is a lack of understanding and negative stereotypes. Its findings demonstrate there remains significant work to do to tackle prejudice amongst employers. Amongst its findings include:

- 50% of managers expressed discomfort with the idea of hiring autistic people.
- Only 35% of autistic employees were fully open about being autistic across their organisation.
- 34% of employers said that they thought an autistic person would be unlikely to fit into their team.

These findings demonstrate that discrimination persists. We are concerned about the attitude of those 34% of employers who felt that autistic people wouldn't "fit" within their team. When employers are using criteria such as "fit" to determine hiring decisions then unconscious biases (and conscious biases) are likely to be playing a role in such decisions.

At the recent Senedd Cross-Party Group on Autism meeting of 14th June, the frustrations of one of the speakers over this issue was evident. Her presentation highlighted some of the reasons employers had given her for rejecting her from entry level jobs, such as not being passive, living too far away (when it wasn't true) and ridiculously that she was not a smoker.

We support efforts to strengthen legislation against discrimination in the workplace, noting the current Westminster government's view that one of the two factors behind the 'decline' in the UK's economic performance was "*an inability to accept that a strong economy can only be built on the contribution of every community and every person*⁵". In other words, the unemployment and under-employment of autistic people is not just a problem for the individual autistic person facing discrimination, but an economic problem that harms growth. We hope that governments across the UK are willing to make the "tough decisions" required to tackle institutional discrimination and prejudice.

Career progression, and workplace environment

It is not only in employment decisions that discrimination exists. The Buckland Review's findings also demonstrate that under-employment is an issue, with the pay gap highlighting this. Autistic graduates experience the worst outcomes of all disability groups. They are the most likely to be overqualified for the role they have, the most likely to be on zero hours contracts, and the least likely to be in a permanent role. By definition, graduates have already demonstrated academic ability and have the capability to perform the required tasks in many graduate roles. Logically, lack of qualifications cannot therefore explain these outcomes.

⁵ The Labour Party, Kickstart economic growth, available from <https://labour.org.uk/change/kickstart-economic-growth/>

The reasons are complex and can include the attitudes highlighted. But they also include the ways in which employers make decisions both on recruitment and career progression. It is often highlighted that there is a “hidden” job market in which a person’s ability to network and make social connections is important in accessing this hidden job market. This is especially the case in more senior roles where people who are seen at conferences and events are more likely to be remembered when such roles come up.

Autistic people can face difficulties with social interaction, or may adopt the strategy of “masking” during social events to fit in. Masking can cause physical and mental burnout, and an autistic person may struggle to maintain “masking” during a long networking event such as a conference. This can make it difficult or impossible for some people to find their way into this “hidden” job market.

Similarly, in a workplace that involves lots of social interaction and where an autistic person does not feel comfortable being themselves, the difficulties they may face because of masking or being misunderstood could lead to managers misinterpreting autistic burnout as “not fitting in” or “becoming withdrawn”. This in turn could lead to a downward spiral of the autistic person finding the workplace more stressful, making mistakes as a result, becoming more anxious around colleagues and managers, and receiving negative feedback that reinforces this negative cycle.

Furthermore, autistic people can find change and uncertainty more stressful than non-autistic people. During times of change, such as restructures, autistic employees may experience significant anxiety because of this, which can make it harder to engage fully and positively in the process.

These are just some of the issues that autistic people may face in both securing and obtaining employment. As the Buckland Review notes, “autistic people are coming to the recruitment process without confidence that they can secure and keep employment”. This is why the National Autistic Society wants a fundamental change to recruitment practices, so that these processes are fairer, do not exclude autistic people, and ultimately result in better recruitment decisions for all.

The National Autistic Society has been working with many employers for a number of years, and has launched (with Auto-trader) the creation of the Greater Manchester Neuro-diversity and Learning Disability employer network. It has around 140 businesses and organisations who are members of the network, a mix of support organisations and employers. It meets twice a year and has a sub-group which tries to encourage the creation of neuro-diversity staff networks and standards that come from that group. It is hoping that these standards will form part of the refresh of the Greater Manchester good employment charter.

Further examples of good recruitment and retention practices are highlighted in the appendix to this consultation response.

Support services

The Committee is also asking for views on the existing support services for disabled people to support them into work.

At the recent Cross-Party Group on Autism meeting of 14th June the issue of employment was discussed, with two autistic people presenting their own experiences. One of the speakers highlighted that she did not need help with her CV when the reasons given for constant rejection were irrelevant to the roles. However, many support services place the onus on finding employment to the individual with activities such as CV workshops.

Many of these services are not autistic-friendly, and do not have staff that are appropriately trained to understand autism. One of the other speakers at this Cross-Party Group noted how that the focus of such services was often on mental health not on the possibility their clients could be autistic, and it was only once she received specialist support (that considered autism as a possibility) that she was able to secure employment. This highlights the need for autistic people to have access to specialist job coaches (not available from generic scheme providers), as has been recommended by Hefin David MS in his report for the Welsh Government 'Transitions to Employment'.⁶

The National Autistic Society believes that existing services are clearly not supporting enough autistic people into work, and changes are required to them to offer autism-friendly services. Services that recognise that autistic people face additional barriers in accessing employment that cannot be simply resolved via upgrading a CV. We would like a fundamental shift to be made to the ethos of such services – where too often the onus is placed on the autistic person to be pro-active in finding a job (often accompanied by a threat of sanctions by the DWP for "non-compliance" even if the requirements demanded are unsuitable for an autistic person). Instead, we need to move to services that work with local employers to remove the barriers autistic (and other disabled) people face in accessing the jobs that are available.

The Buckland Review highlights here that such services, even where they exist, are not known about. The report highlights findings from the National Autistic Society that 60% of employers said that they did not know where to go for support or advice about employing an autistic person, and 60% of employers would worry about getting support for autistic people wrong⁷.

The Buckland Report also highlights that that training on autism run by employers and training providers is often poor, arguing that, "*Oversimplification, reliance on the medical model and a one-size-fits-all approach are not only outdated but are now doing more harm than good, reinforcing stereotypes and low expectations for autistic people.*"

⁶ Dr Hefin David MS, Transitions to employment, a report for the Welsh Government, 2023, available from <https://www.gov.wales/sites/default/files/publications/2023-06/230622-transitions-to-employment.pdf>

⁷ The National Autistic Society, The autism employment gap, 2016, available from <https://s3.chorus-mk.thirdlight.com/file/1573224908/63516243370/width=-1/height=-1/format=-1/fit=scale/t=444848/e=never/k=59f99727/TMI%20Employment%20Report%202024pp%20WEB.pdf>

Buckland also notes that there is also too often an absence of detailed training on how to provide the right support for autistic staff, such as what constitutes a workplace adjustment, how these can help, and how they can be implemented. This training is either unavailable or very basic, making inappropriate assumptions about what autistic people may need and failing to take account of individual differences.

Recommendations

The National Autistic Society believes that the employment and wage gap between non-autistic people and autistic people must be addressed in the interests of both social justice and boosting the economy. The existing approach of placing the onus on disabled people to secure employment with just a carrot of generic support services and an anxiety inducing stick of benefit withdrawal has not worked. It has also not worked in either tackling discriminatory attitudes amongst employers or offering suitable support to those employers who do value a diverse work.

We have submitted examples of good practice in making recruitment practices more accessible in the appendix, and we encourage the committee to consider how such practices should be more widespread. We also make the following recommendations to governments in both London and Cardiff:

- The creation of a taskforce to carry out the recommendations in the Buckland report and challenge poor employer behaviour.
- Work with autistic people and the National Autistic Society to create a national campaign aimed at employers. The campaign would build understanding of the needs of autistic people.
- Work with autism charities to produce “autism design guides” for a range of industries.
- Continue to develop Disability Confident employer scheme, increasing the rigour of developmental work needed to achieve higher Disability Confident levels.
- Promote the Autism Inclusive Employer Award⁸
- Ensure that commissioning practices for any Welsh style support for employment service, particularly in the event of administrative devolution of social security, specify that all service providers are autism aware and cognisant of the possibility of undiagnosed autism in the people they work with. Specialist job coaches for disabled people should also be part of this service.
- Employment protections for autistic people should also be better communicated to and understood by employers to ensure autistic people are protected against unfair dismissal, discrimination in recruitment processes, and failures to adjust workplaces to ensure they are autism-friendly.

We hope that governments across the UK will make the right decisions to tackle discrimination and poor employment practices, decisions that are necessary steps in

⁸ National Autistic Society, autism inclusive employer award, see <https://www.autism.org.uk/what-we-do/autism-training-and-best-practice/autism-accreditation/autism-inclusive-employer-award>

accepting that a strong economy can only be built on the contribution of every community and every person.

We are happy to discuss any of these issues further.

Contact: James Radcliffe, External Affairs Manager – Wales

Appendix – examples of good practices in making adjustments to recruitment and retention practices

1. John Lewis providing interview questions in advance⁹:

"The National Autistic Society recommends that employers provide questions a few days in advance for autistic people who can have more difficulty processing information quickly.

The charity says it means applicants have a chance of constructing more meaningful responses. Joey Nettleton Burrows, the charity's policy and public affairs manager, said it was a "brilliant" decision by the retailer.

He said: "Providing questions in advance is one important adjustment that employers can do to the interview process to make employment more accessible to all, particularly autistic people who can face huge barriers in finding and staying in work. Autistic people have a huge amount to offer employers, and more and more businesses are recognising the benefits of having a diverse workforce full of people who offer a variety of skills and different ways of thinking. It is vital that employers are open to reasonable adjustments."

2. AutoTrader – creating a welcoming environment for Autistic people¹⁰

Auto-trader have specific policies to make their workplaces inclusive and welcoming for autistic people, that includes use of regular staff networks to provide feedback on issues such as signage (eg: signs for toilets), reception spaces and using scripts to help receptionists create a welcoming environment.

The company also adjusts some office policies such as ensuring 'hot-desking' systems ensure that people can return to the same desk if that is a cause of stress, offering private workspaces within open plan offices, and having plants, sound absorbing materials, and open spaces to make offices more calming.

3. EY (Ernst and Young) creating and operating Neuro-diverse centres of excellence¹¹

EY operates 23 Neurodiverse Centers of Excellence (NCoE) across the world, designed to support workers with autism, dyslexia, ADHD and other cognitive differences. These neurodiverse employees – who do high-level work across AI, blockchain, data analytics and more – perform their roles in an accommodating environment with tailored professional development.

In developing these centres of excellence, EY paid close attention to gender parity and the fact that women are under-diagnosed with neuro-divergence. They ensured recruitment adverts were using gender inclusive language, and within the company there is a commitment to prove to its employees every day that they are valued. Their retention rate is 92%.

⁹ Waitrose and John Lewis publish questions they ask job applicants, available from

https://uk.news.yahoo.com/waitrose-john-lewis-publish-questions-152715502.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAA_LWSh-d_GdKZUEjalHq3ihGXMYcFfMXub9nzH0m7XqpYSs57yBYK7plwq4PGKwWNkV_Xe1ciAEY8L2BsDSUpIGu5XczuhBiUL5DH5wqcrZUDINsfZBKJ8DteEXRDMaXUWLhZIMVE581Jzs04alvapk81QanWJ9PjKiz18eDnOnr

¹⁰ Presentation From GM Neuro-diversity and Learning disability employment network presentation to the network

¹¹ How EY is focusing on neurodiverse talent – and why it benefits everyone, available from

<https://www.bbc.com/worklife/article/20240320-ey-karyn-twaronite-neurodiversity-bbc-executive-interview>

**The Equality and Social Justice Committee
Welsh Parliament
Cardiff Bay
CARDIFF**

30 August 2024

By email: SeneddEquality@senedd.wales

Institution of Civil Engineers
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Dear Committee Chair,

www.ice.org.uk/wales

Inquiry into disability and employment.

On behalf of the Institution of Civil Engineers Wales Cymru (ICE Wales Cymru), we are delighted to have the opportunity to give our comments into the inquiry into disability and employment. We have shown our general responses on behalf of ICE Wales Cymru together with some additional personal comments.

As a committee, our mission is to raise the profile and share best practice around Equality, Diversity and Inclusion (EDI) and support the embedment of EDI in all activities undertaken by our members across Wales and beyond. We educate and support our members by ensuring all aspects of diversity including age, race, gender, disability, religious belief, and sexual orientation are given due and appropriate regard and respect. We advise and assist our members to identify and remove discrimination and barriers (intended or unintended) and help companies value diversity that individuals with differing backgrounds and abilities bring to the industry.

Education around these topics is paramount for a growing industry but a great deal of time and effort needs to be given to educating line managers and leaders in a company to make their staff feel comfortable to disclose their disabilities or challenges to their wider teams. The number of employees in Wales to date who do not want to disclose conditions such hard of hearing, colour blindness, chronic fatigue, or neurodiversity is staggeringly high for 2024. This is often due to the concerns around capped progress or the impact this might have on how one's skills are measured. To make Wales as innovative and progressive as other neighbouring countries, we must consider the talent and skills individuals hold beyond their disabilities and this starts with righting historic preconceptions that our disabilities limit our greatness and the skills we bring to our workplace.

Yours sincerely



Tara Sirati BEng (Hons) MSc CEng MICE

**Chair ICE Wales Cymru Fairness, Inclusion
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**Eur Ing Keith Jones BSc DMS CEng CEnv
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Individual comments:

Tara Sirati

Since the beginning of the pandemic back in 2020, I have been part of a team working on intersectionality of the deaf and hearing communities with a not-for-profit organisation that has led a shift in this paradigm in South Wales. One of the key findings is that intersectionality is about understanding and educating communities about barriers to accessibility and providing adequate tools for meaningful engagement. As the chair of ICE Fairness, Inclusion and Respect committee (FIR), I have been applying my findings within my industry which has led to the realisation that intersectionality needs to happen a lot more in our place of work. Our industry focuses on major climate and inclusive engineering solutions however, our workforce does not truly represent our society and that is because companies are not always equipped to deal with disabilities, mental health matters and true inclusion. We have focused a great deal on unconscious bias and what inclusion means, but topics such as hidden disabilities, neurodiversity and mental health still need to be discussed openly. This mainly stems from openness to having “uncomfortable” conversations and challenging our preconceptions. We have a whole pool of talent we could be nurturing from a young age to help shape Wales’s future.

Keith Jones

I am passionate about Fairness Inclusion and Respect issues and the need to eliminate exclusion and maximise equality. The institution of Civil Engineers has long battled for equality. There is a poor gender imbalance in the sector, and we are seeking to have a better gender balance and greater representation from some sectors. I am a member of the ICE FIR Group, the ICE Wales Cymru FIR Committee and the UK Government APPG: Women and Work plus the Equity in STEM Industry Sub-group.

Notes:

Founded in 1818, the Institution of Civil Engineers (ICE) is a UK-based international organisation with over 93,000 members, ranging from students to professionally qualified civil engineers. As an educational and qualifying body, with charitable status under UK law, we support our members throughout their careers, and help society to have trust and confidence in infrastructure professionals. Under our Royal Charter, ICE has become recognised worldwide for its excellence as a centre of learning, a public voice for the profession and a leading source of expertise in infrastructure and engineering policy.

SENEDD EQUALITY AND SOCIAL JUSTICE COMMITTEE INQUIRY INTO THE DISABILITY EMPLOYMENT AND PAYMENT GAP

August 2024

Evidence submitted by:

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School of Economics, University of Sheffield

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Our evidence is primarily submitted in response to the following questions:

What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

We present evidence about the employment disability gap (DEG), not the pay disability gap. We summarise the results of two separate pieces of research:

- A comparison of the DEG in Wales with the other countries of the United Kingdom, followed by an analysis of how the DEG varies across local areas within Wales (and Great Britain more broadly) and what explains this variation. These results address the first and second questions above.
- An analysis of the role of education in the DEG. The analysis was conducted for the whole United Kingdom, but holds lessons for policy in Wales. It addresses the second and third questions above.

1. WHO ARE WE?

We are a team of health and labour economists who have many years of experience of research on the complex relationship between health and work. This evidence is part of a larger 3 year research project on '*Unpacking the Disability Employment Gap*' funded by the Nuffield Foundation. Full details of the data, methods and results can be found in the papers listed in the References.

2. WHERE DOES OUR EVIDENCE COME FROM?

Our main data source for this evidence is the Annual Population Survey (APS), a large-scale, nationally representative UK data set. It is derived from the Labour Force Survey (LFS). The LFS is the key source of labour market information for the Office for National Statistics (ONS), and is used by the DWP to monitor the DEG. The APS can be used for national-level analysis but also includes extra respondents (to the LFS), specifically to provide better local area estimates. The sample sizes are sufficient to generate meaningful results for most of the UK's 166 ITL3 areas.¹

The APS contains information on health and disability, labour market status and many other socio-demographic variables at individual and household level. It also contains geo-located identifiers to allow spatial analysis and the merging of area level data from other sources (see Bryan et al., 2024, for details).

The local area (ITL3 level) analysis uses combined data from 2014-19 in order to guarantee sufficient sample sizes within each local area. The analysis at country level uses data from 2019, in order to avoid the confounding effect of the pandemic and also concerns about its impact on the reliability of the LFS data (Francis-Devine, 2023). We look at more recent trends in forthcoming work (Bryan et al., forthcoming), although this is at UK level.

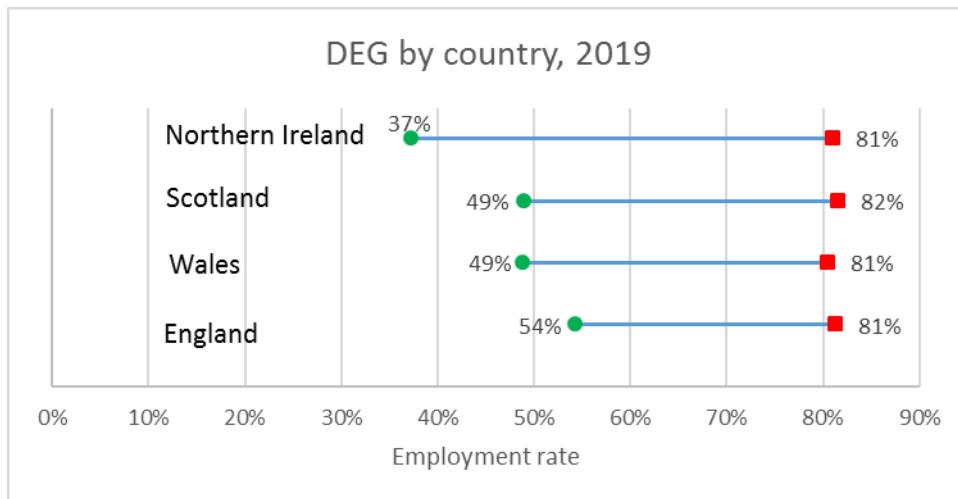
3. GEOGRAPHICAL VARIATION IN THE DEG

3.1. COMPARING WALES WITH THE OTHER UK COUNTRIES

In 2019 the employment rate among non-disabled people in Wales was 81%, compared with only 49% for disabled people, resulting in a DEG of 32 percentage points (pp). As shown in Figure 1 this DEG was significantly larger than that in England (27pp), about the same as the DEG in Scotland (33pp), and much smaller than that in Northern Ireland (44pp).

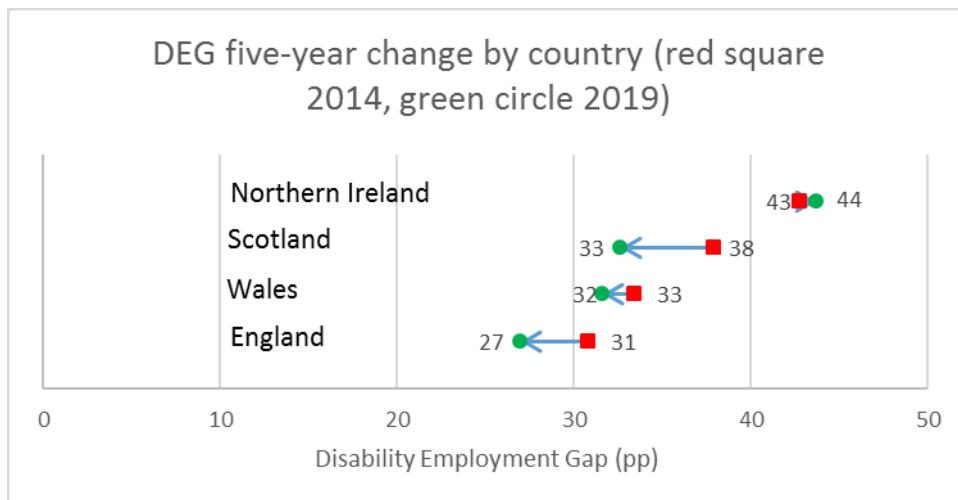
¹ ITL3 areas are administrative areas formerly known as NUTS3 areas. They are composed of one or more local authorities. Due to small sample sizes, Orkney and Shetland are excluded. We also exclude Northern Ireland due to inconsistencies with the rest of the UK in some other data sources used in our analysis.

Figure 1: DEG by country



However, unlike Scotland and England, Figure 2 shows that the DEG in Wales barely changed between 2014 and 2019. If it had shrunk by the same amount as in England (4pp), it would have been 29pp in 2019, not 32pp. It is clear from the chart that the reason for the higher DEG in Wales compared with England is that disabled people had a lower employment rate: 49% compared with 54%. This suggests that, at the country level, policy should focus on disabled people's employment prospects rather than overall employment (the employment rate of non-disabled people is very similar across the two countries). As we will see below, this does not necessarily apply when looking at differences in the DEG at a more local level.

Figure 2: Change in DEG by country

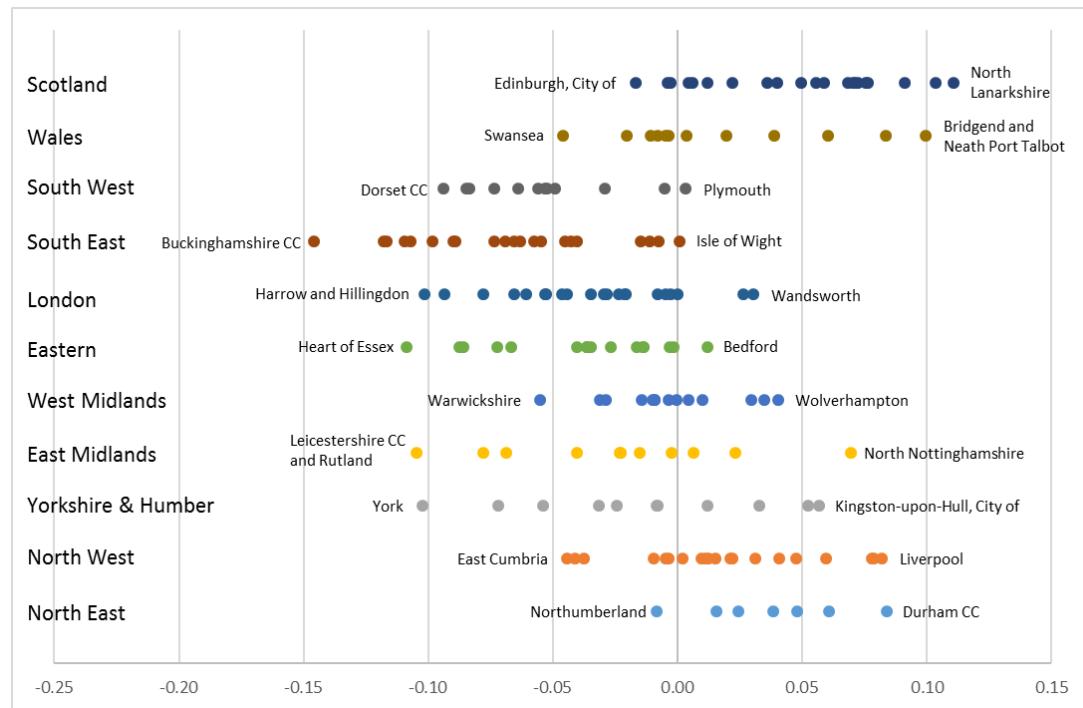


3.2. LOCAL VARIATION IN THE DEG

Figure 3 shows a more disaggregated picture, across the ITL3 areas of Great Britain (GB), using combined data from the years 2014-2019. Each point on the chart shows the DEG for an ITL3 area relative to the GB average (the vertical zero line). It is clear that there is wide variation

within countries and regions. For Wales the local DEGs range from nearly 5pp less than the GB average in Swansea to 10pp to more than the average in Bridgend and Neath Port Talbot. The latter DEG is almost the highest in GB (exceeded only by two areas in Scotland, East Ayrshire & North Ayrshire mainland and North Lanarkshire).

Figure 3 – Difference from national DEG (2014-19) by ITL3 area

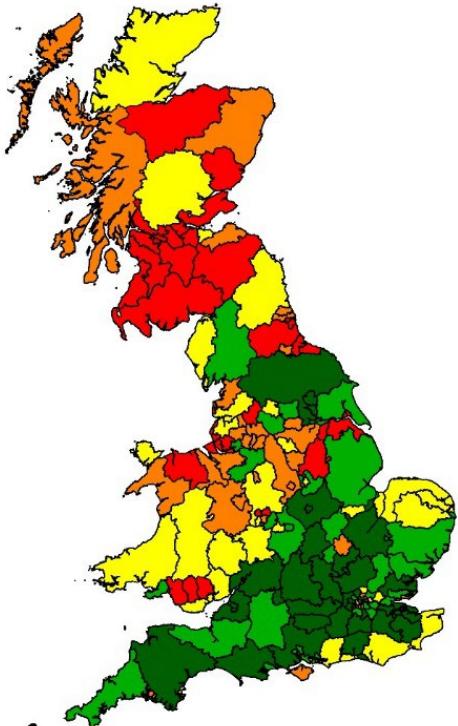


The map in Figure 4(a) also represents the local DEGs, which have been divided into 5 quintile groups according to their size, ranging from red (the largest DEGs), though orange, yellow, light green and dark green (the smallest). Four areas (Conwy & Denbighshire, Central Valleys, Gwent Valleys and Bridgend & Neath Port Talbot) stand out as being in the highest quintile group of the GB distribution.

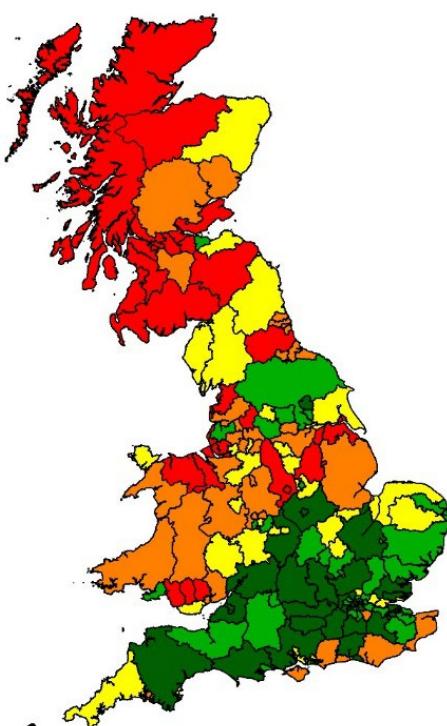
Using statistical decomposition techniques (Bryan et al, 2024), we analyse what lies behind the geographical variation in the DEGs. Some of the difference between each area's DEG and the national DEG can be explained by the profile of the working age population living in that area – characteristics such as age, education level and family type. This is called the people effect. Any remaining difference between each area's DEG and the national DEG is termed the place effect – reflected in features such as the state of the local economy and infrastructure.

Figure 4 – DEG quintiles by ITL3 data

(a) Total difference in DEG



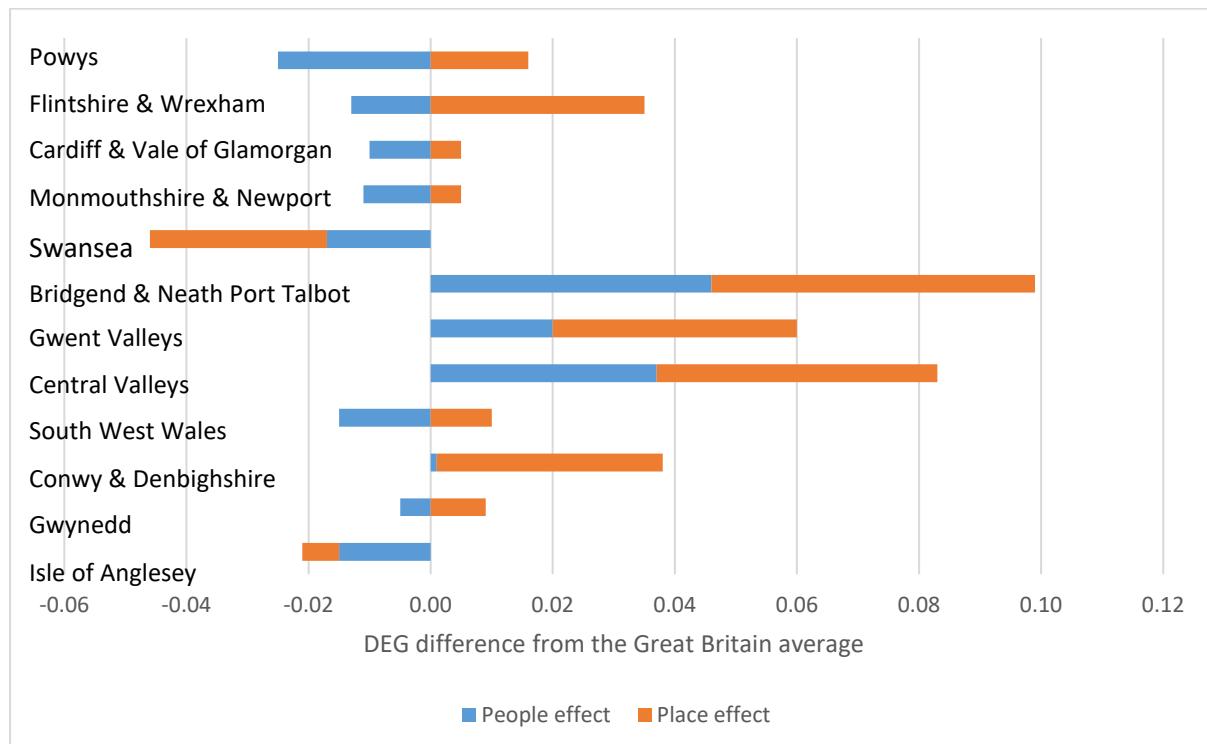
(b) Difference in DEG due to place effect



These place effects are shown in Figure 4(b). Comparing them to the total DEGs of Figure 4(a), we see that Conwy & Denbighshire, Central Valleys, Gwent Valleys, and Bridgend & Neath Port Talbot are still in the highest quintile group. But three other areas have moved up: the place effects of South West Wales, Powys, and Monmouthshire & Newport are now in the second highest quintile group (in orange) and Flintshire & Wrexham is now in the highest group (in red). The change in ranking for these areas is because they have population characteristics that lead to a lower DEG, and these characteristics were previously masking the effect of their unfavourable area characteristics.

The relative roles of people and place effects emerge more clearly in Figure 5, where we can identify the underperforming areas as those with large positive place effects (in orange). The two exceptions to the general picture are Anglesey and, most noticeably, Swansea. Swansea has a total DEG that is 4.6pp less than the GB average, and this can be attributed to favourable population characteristics and, in particular, favourable area characteristics. Despite the positive performance of Swansea, the place effects for all but three areas in Wales fall within the top two quintile groups of the GB distribution. This suggests there is considerable scope for place-based policies to reduce the DEG.

Figure 5: Breakdown of DEG in ITL3 areas in Wales (difference from GB average)



3.3. EXPLAINING THE PLACE EFFECTS

Based on a GB level analysis, we explore a set of area-level characteristics which contribute to the place effects. Industrial composition makes the largest contribution to explaining geographical variation in the DEG. Areas with a large proportion of people in 'knowledge services' have high employment of disabled people, after accounting for people effects. In comparison, there is no relationship between the employment rate of non-disabled people and industrial composition. Therefore, overall, a large knowledge sector is associated with a smaller DEG. Related to this, a higher concentration of jobs suitable for working from home is also associated with a lower DEG. This finding provides some support to the recommendation in the 'Locked Out' report (Welsh Government, 2022) to increase employer support for working from home.

Given an industrial composition that favours the knowledge sector, areas with a high proportion of people working in elementary occupations have a smaller DEG. This is not surprising as disabled people are often concentrated in lower skilled occupations. Moreover, local unemployment rates affect the employment prospects of disabled people to a larger degree than non-disabled people, suggesting that both the level of and composition of labour demand is important for the DEG.

In contrast, geographic variation in the provision of services that might be expected to help disabled people find employment (namely healthcare provision, strength of social institutions and public transport travel times) has minimal influence on the DEG. Similarly, very little of the geographic variation in the DEG can be explained by local differences in disability employment policies. Specifically, we find minimal geographic effects from employer engagement with Disability Confident or the strictness with which benefit sanctions are applied.

3.4. POLICY IMPLICATIONS

Strong local labour markets characterised by low unemployment and a thriving knowledge sector, coupled with good availability of elementary jobs, can disproportionately improve the employment prospects of disabled people and narrow the DEG. Attracting high value investment in the knowledge sector (IT, finance, professional services and education) to left behind areas in Wales (in particular the 5 areas with the largest DEG place effects) could help to boost the employment prospects of disabled people to a greater extent than their non-disabled counterparts (even if this employment is not concentrated in the most high-skilled occupations).

However, levelling up is not a magic bullet. Even if all areas had the same characteristics, there would still be considerable variation in the DEG. So there is also a need for bespoke local interventions to address the specific barriers to disabled people's ability to access employment. Recent UK government proposals to empower local leaders to develop work, health and skills plans appear to offer potential, although it is unclear at this point how they will apply to Wales.² However, they chime with the recommendations in the 'Locked Out' report (Welsh Government, 2022) about encouraging "meaningful co-production" on the part of local authorities and health boards.

4. THE ROLE OF EDUCATION IN THE DEG

In other research (Bryan et al., 2023), we explore the extent to which differences in education explain the DEG, using APS data from 2019 on a sample of 134,103 25-64 years olds (an age group that has generally completed full-time education). We break down how much of the DEG in 2019 is due to education, how much is due to other measured socio-demographic characteristics, and how much is due to other factors that limit the employment of disabled people after accounting for education and these other measured characteristics. We use the term 'structural barriers' to refer to the latter component, which can include lack of suitable

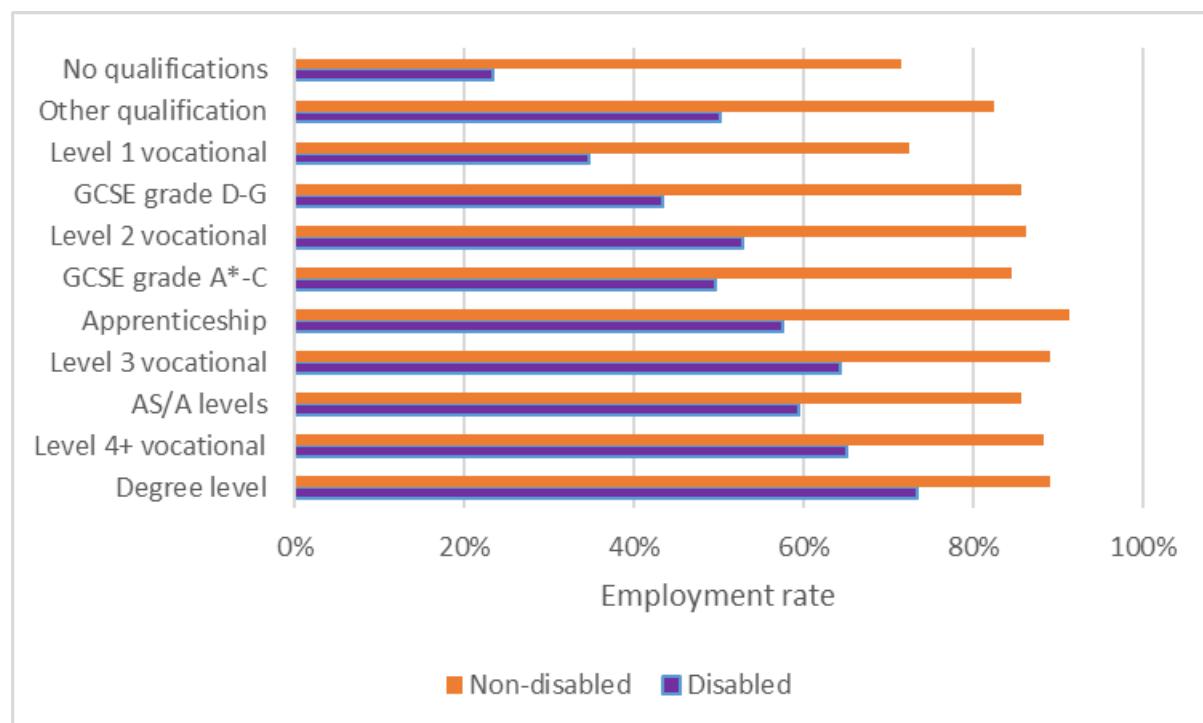
² See the UK government's announcement at: <https://www.gov.uk/government/news/kendall-launches-blueprint-for-fundamental-reform-to-change-the-dwp-from-a-department-of-welfare-to-a-department-for-work>

equipment in the workplace, inappropriate working arrangements, poor access to transport, as well as discrimination and negative attitudes.

4.1. EDUCATION LEVELS AND EMPLOYMENT RATES

Disabled people have lower levels of education, on average, than non-disabled people. In our sample, nearly two-fifths (39%) of non-disabled people are educated to degree level or higher compared to less than a quarter (24%) of disabled people; and disabled people are nearly three times as likely not to have any qualifications (17%, compared to 6% of non-disabled people). There are also stark differences in employment rates of disabled and non-disabled people across education levels (Figure 6). In particular, there is a steep education-employment gradient for disabled people, with this not evident for non-disabled people. This means that the DEG is much smaller at higher qualification levels, ranging from 16pp among those educated to degree level to 48pp among those with no qualifications.

Figure 6 – Employment rates of disabled and non-disabled people by highest qualification, 2019



4.2. UNPACKING THE ROLE OF EDUCATION IN THE DEG

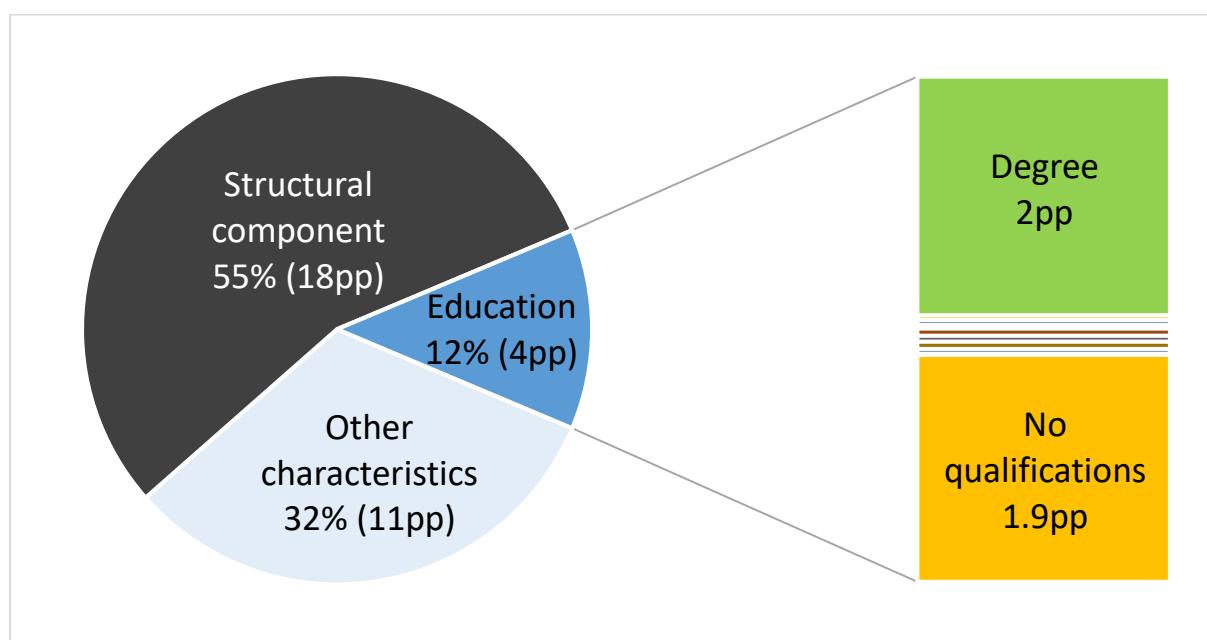
In light of these differences, we address two questions:

1. If the educational divide were to be eliminated entirely (by raising disabled people's qualifications), without changing anything else, by how much would the DEG be reduced?
2. How do the remaining structural gaps in employment vary across different qualification levels, and at what point in the qualifications hierarchy are the main effects seen? For example, does the main explanatory power come from contrasting people who do and do not have any formal educational qualifications; or is it more informative to consider the different prevalence of higher education among disabled and non-disabled people?

The DEG in 2019 for people aged between 25 and 64 was 33.2pp. As shown in Figure 7, differences in educational attainment explain 12% (4.1pp) of this DEG. Other observed characteristics that we control for in our model explain 33% (10.7pp). The remaining 55% of the DEG is attributed to structural barriers. This means that if the educational divide between disabled and non-disabled people were to be eliminated, the DEG would be reduced by 12% (holding all else constant).

We can further break down the education component to see how much of the DEG is explained by each of the education levels we consider. Out of the eleven education levels shown in Figure 6, two stand out as the main drivers behind the education component of the DEG, namely having a degree and having no qualifications (Figure 7). Together they account for a difference in employment rates of 3.9pp, which suggests that policies aimed at improving the employment outcomes of disabled people should focus primarily on increasing the number of disabled people with a degree and decreasing the number of disabled people with no qualifications.

Figure 7 – Breakdown of the overall DEG



The size of the structural component in Figure 7 suggests that eliminating structural barriers to employment would have a much greater impact on the DEG than on simply improving the education levels of disabled people. The factors that make up this structural component are complex and numerous and it is beyond the scope of our research to identify them in detail, however we can ascertain how much of the DEG could be eliminated if structural barriers were removed for each qualification level.

Wider structural gaps exist at lower levels of educational attainment: for people with no qualifications the structural gap is 32.2pp, compared with 12.3pp for people with degrees. This means that higher education mitigates some of the barriers to employment that disabled people face. It also suggests that eliminating structural barriers for a disabled person with no qualifications would have a larger impact than eliminating them for a disabled person with a degree. However, looking at the sample as a whole, the greatest impact on reducing the DEG would be achieved by focusing on disabled people with a degree because they are relatively numerous (24% hold a degree versus 17% with no qualifications). More specifically, the structural gap among people with a degree accounts for over a quarter (26%) of the overall structural gap of 18pp.

Since most education is acquired at a young age, and young people are one focus of this Inquiry, it is also relevant to look at the DEG among those who recently completed full time education. Repeating the analysis for the 25-34 year olds, we find that the DEG is 27.7pp. This is somewhat smaller than the overall DEG of 33.2pp, however the share explained by education is larger at 18% (compared with 12% for the overall DEG), emphasising the potential benefits to improving education among young people.

4.3. POLICY IMPLICATIONS

Whilst the above results apply to the UK rather than Wales specifically, they suggest that a significant proportion of the DEG can be explained by inequalities in educational attainment between disabled and non-disabled people. If disabled people could achieve qualification levels equal to those of non-disabled people, this may by itself reduce the gap by up to 12%, an effect that would be greater for younger people. This would be equivalent to 24% of a target to halve the DEG (which was briefly the goal of the UK government; Department for Work and Pensions & Department of Health, 2016).

In England since 2015, all young people must continue to participate in education until the age of 18 (HM Government, 2011). While this does not guarantee that everybody leaves full time education with a qualification, over time this should reduce the number of working age adults with no qualifications and limit the intersectional disadvantage of being disabled and having no qualifications. Preliminary findings from new work (Bryan et al., forthcoming) suggest that improved education can explain about a third of the fall in the UK DEG over 2014-22.

Currently, the school leaving age in Wales is 16, but there have been calls for a ‘skills participation age’ of 18 (Fawcett and Gunson, 2020), which could accelerate the fall in the DEG. However, the investment required to achieve educational equity should not be underestimated. Many disabled students at the margins will need additional support to achieve these qualifications, relative to the support required by existing student caseloads. Moreover, a bigger challenge is to address the structural barriers to employment that exist among people with the same education levels.

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Senedd Cymru's Equality and Social Justice Committee inquiry into the disability employment and payment gap

About this response

- **AGCAS** is the expert membership organisation for higher education (HE) student career development and graduate employment professionals. Through our members, we represent 165 HE institutions, including all 8 institutions based in Wales and the Open University in Wales, and we support the best possible career outcomes for individuals, institutions, society and the economy.
- This response was prepared by Claire Toogood, Research and Insights Manager at AGCAS, working with Claire Hudson and Jo Jenkins from the Student Futures team at Cardiff University.
 - Claire Toogood is Research and Insights Manager at AGCAS. Claire is the author of the 2024 *What Happens Next?* report which focused on the outcomes of disabled graduates during 2020 and 2021. Claire was also a co-author on *ENGAGE: Enhancing Neurodivergent Graduates' Access to Graduate Employment*. Claire's earlier research focused on workplace inclusivity, using qualitative research methodologies to support evidence-informed leadership, management and staff development practices.
 - Claire Hudson is a Careers Adviser at Cardiff University and holds the lead remit for disability.
 - Jo Jenkins is a Business Partner at Cardiff University and holds the lead remit for supporting students underrepresented in HE.
 - The response has been compiled using additional contributions from careers services across Welsh Higher Education Institutions (HEIs).
- University careers services have a vital role in supporting disabled students whilst at university and beyond, embedding employability into curriculum, and delivering information, advice and guidance activities that ensure disabled students and graduates have the tools they need to realise their potential and gain employment in roles that fit with their career plan. AGCAS member services across the UK are recognised in the sector as leaders in this field, offering innovative initiatives and support for disabled students and graduates. AGCAS actively supports sharing of best practice through its [Disability Task Group](#).
- For the past two decades AGCAS has reported on the first destinations of disabled graduates, through the regular [What Happens Next? \(WHN\) report](#), which provides valuable insights into the impact a disability can have on a graduate's prospects in the labour market. WHN is recognised and cited across the HE sector and beyond as the authoritative source on outcomes for disabled graduates. For example, recent WHN reports have been referenced in the [Buckland Review](#), the [Disabled Student Commitment](#), and by the [Office for Students](#). AGCAS have also qualitatively researched the experiences of disabled graduates, most recently in the [Enhancing Neurodivergent Graduates' Access to Graduate Employment \(ENGAGE\)](#) project. This participatory research was funded by Research England and delivered by the University of Southampton, Lancaster University, and AGCAS. Further work, funded by the Royal

Society of Chemistry, is currently underway to explore the career journeys of neurodivergent students in the chemical sciences.

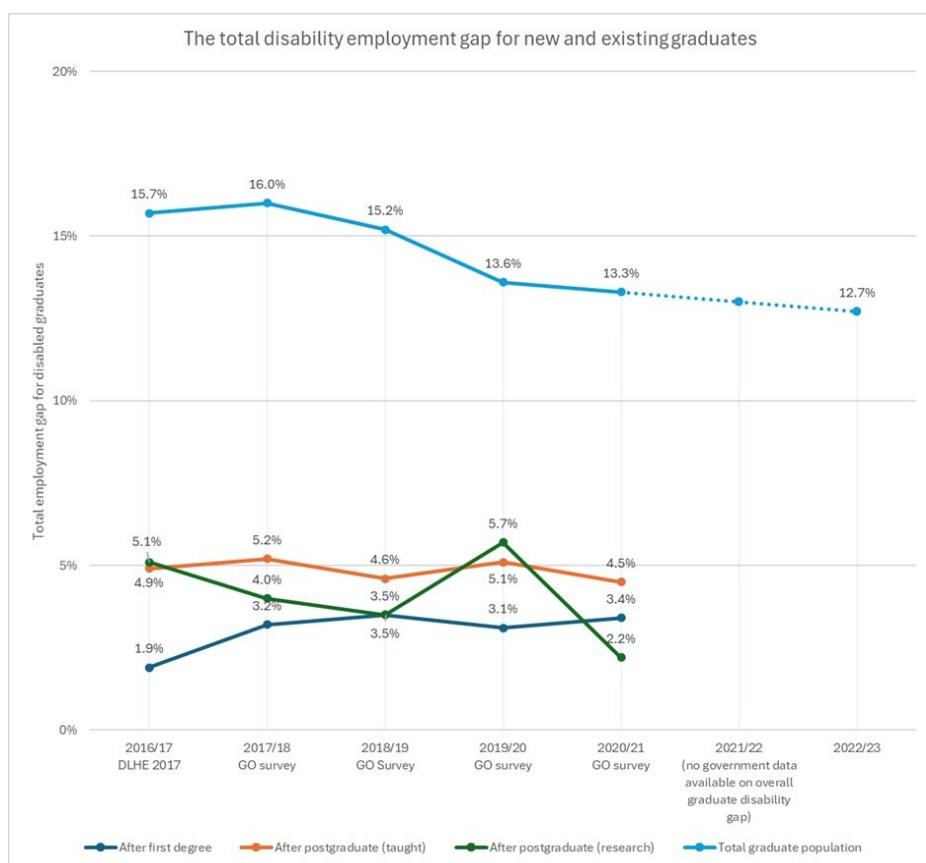
- In this response, the data from these AGCAS reports and projects is combined with practical experiences and examples from Welsh HEIs, to share what we know about the disability employment gap for graduates, what progress has been made, and what more could be done to reduce and remove barriers to employment faced by disabled student and graduates. Due to the nature of our work and membership our response focuses on students and graduates, and work within HE, but these findings are likely to be applicable to other groups and settings. Our response is divided into headed sections for four of the inquiry's terms of reference, where we have valuable data to share.

Executive summary

- HEIs across Wales work collaboratively with employers, government bodies, charities and other stakeholders to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people. This includes targeted interventions and activities for their own students and graduates, cross-institutional events and resources, and wider civic engagement and support for disabled people.
- The Targeted Employability Support Scheme (TESS) is particularly valuable in supporting institutional and HE sector level work by careers and employability experts. A key consideration raised by these experts is the need for consistency of support for students across Wales alongside flexibility that allows for personal support.
- Wider dissemination of the 'Locked Out' report would also help HE staff to implement the report's recommendations, along with mandated accessible recruitment practices across Wales and increased support and resources for employers.
- AGCAS research shows that the disability employment gap is consistent, with little change in recent years. AGCAS works with its members, the HE sector, charities and government stakeholders, to highlight and research the employment gap and share evidence-informed practice that can help to reduce and remove barriers experienced by disabled students and graduates.
- Further comprehensive research on the career outcomes of disabled students and graduates in Wales is needed to inform future policy decisions. We also call for funding and support for HEIs and employers to explore and develop practical interventions such as more specialist disability careers advisors, a national mentoring programme for disabled students and graduates, and work experience simulations.

What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

1. Welsh HEIs have noted that insufficient dissemination of key reports like "Locked Out" hinders the effective implementation of recommendations.
2. The Locked Out report noted a recorded employment rate among disabled people in Wales aged 16 to 64 of 48.5%. The equivalent figure for those not disabled was 80.6%. Data from WHN covers the UK and cannot currently be disaggregated by nation. However, this also shows a consistent disability employment gap for UK graduates, illustrated in the graph below:



3. [Data from the Department for Work & Pensions](#) shows that across the whole UK graduate population in 2023, non-disabled graduates are 12.7 percentage points more likely to be in work than disabled graduates. That can be seen in the light blue line at the top of this graph. Positively, this figure has been slowly dropping over recent years, but it is still a significant gap between the disabled and non-disabled graduate population.
4. The three lines at the bottom of the graph show the total disability employment gap for disabled graduates since 2017 by level of qualification. The green line has the most inconsistency, and this represents postgraduate research students, where smaller populations can mean more changeable outcomes. The darker blue line shows disabled graduates after their first degree, and the orange line above that shows outcomes for postgraduate taught degrees. Outcomes for both groups show little change over recent years, and a persistent disability employment gap.

5. We currently do not know why the total employment gap experienced by disabled graduates during their working life is greater than the gap that they initially experience as a new graduate. The data potentially indicates that the obstacles and challenges faced by disabled graduates worsen with time, leading them to leave the workforce. The Locked Out report also noted the multiple factors that affect disabled people accessing work and in work in Wales. Further systematic work to understand the collective impact of these factors will be vital for meaningful action and change.
6. The [open data available from HESA](#)¹ allows preliminary examination of the differences in outcomes for disabled graduates and graduates with no known disability for those originally domiciled in Wales, across all qualification levels in 2021/22. This gives an initial indication of the graduate disability employment gap for Welsh graduates.

Graduate Outcomes	Known disability	No known disability
Employment and further study	13%	11%
Full-time employment	50%	62%
Full-time further study	6%	5%
Other including travel, caring for someone or retired	9%	5%
Part-time employment	14%	11%
Part-time further study	1%	0%
Unemployed	5%	3%
Voluntary or unpaid work	2%	1%

7. The table shows that graduates with a disability are less likely to be in full-time employment, and more likely to be unemployed. AGCAS recognises that full-time employment may not be the goal for all graduates, as the reasons for HE participation are complex and individual. For those who do want to access employment, this gap is concerning, and shows the continuation of barriers for graduates from Wales.
8. The WHN report recommended that we must maintain focus on the total employment gap for disabled graduates, and that HE institutions should review their long-term employability support for recent graduates to help mitigate any additional barriers to successful graduate transition, prioritising support for disabled graduates to prevent the compounding of existing inequalities of outcome. This aligns to the recommendations of the Locked Out report around prioritisation of services for disabled people in Wales. AGCAS strongly support additional action and professional careers staff, resources and interventions to deliver this. We also note the need for data to be disaggregated by nation to support work in this area and will review how we can support this in future activities and publications.

¹ Open data sourced from [Table 5 in “Graduates' activities and characteristics”](#), selecting all graduates with known outcomes at all levels and modes of study for students in any country who were domiciled in Wales, including all “Interim study” statuses. Please note this table has been produced using rounded data and is therefore not directly comparable to the WHN report which is produced from the unrounded dataset. Rounded data may create small inaccuracies and uncertainties, further analysis would be needed for definitive data on the Welsh graduate disability employment gap.

9. HEIs in Wales have been working to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people. Some of this work is delivered through the Targeted Employability Support Scheme (TESS) which is funded by MEDR, the Commission for Tertiary Education and Research. The aim of the funding is to support the employability of students from groups under-represented in HE (including disabled students) or from lower socio-economic backgrounds who are least likely to have positive employment outcomes when they graduate. TESS aims to help students reach their potential and achieve their goals and aspirations through tailored support. The support may differ across institutions as HEIs have been given the flexibility to design support based on their own students' needs. Support can include:
 - Tailored work experience designed for students' specific circumstances and career goals.
 - Personalised career guidance to discuss career options and plan next steps.
 - Financial assistance for training costs and expenses such as travel, subsistence, clothing, and assistive software.
 - Access to mentoring, coaching, peer support and employability events to build students social capital.
10. A careful balance is required between consistency that ensures all students and graduates can access the same level of support across Wales, and flexibility that allows for personal support tailored by institution and individual, particularly when working online to ensure that students have access to suitable technology.
11. HEIs use the expertise and experience of staff within internal departments such as Career Services, Disability Services, Student Unions, and their curriculum employability leads, to offer bespoke support for their disabled students and graduates. They also collaborate externally, offering students networking opportunities with organisations such as Disability Wales, Welsh Government's Disability Champions, DWP, Change 100 and Scope.
12. Welsh HEIs work collaboratively and events are regularly offered to all students across Wales, not limited to students from their own HEI. HEIs in Wales have formed a national TESS group and regional sub-groups with at least one representative from each institution. This allows sharing of information across HEIs and supports collaborative work. The national TESS group worked to develop an online resource, [The Employability e-Hub - Your Career Navigator](#), which encourages students to consider the valuable skills they have because of their life experiences.

How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

13. The ENGAGE project found continued barriers for neurodivergent graduates, particularly in relation to how they perceived themselves or how they felt they would be perceived in the workplace. The majority of participants felt they would not be sufficiently accommodated and that employers would not understand their neurodivergence. Consequently, just over half indicated being happy to share information about neurodivergence with employers. In relation to recruitment, just over half of

neurodivergent graduates agreed that they were able to perform well at interview, and only a third felt they would perform well in assessment centres. Therefore, although the social model may underpin employment and recruitment practices, neurodivergent individuals may not feel comfortable to disclose their needs, and subsequently be unable to access reasonable adjustments and support. This may also apply to other disabled individuals. Support to understand and manage conversations around disclosure needs to be addressed in any policy and decision-making. This also aligns to the findings of the WHN report, where AGCAS noted the need for more qualitative data on disability disclosure during and after HE participation.

14. In addition to concern over disclosing needs, Welsh HEIs report that many students are unaware they can ask for adjustments and support in the recruitment process and workplace, and do not know what support would be helpful to them. In response to this, Welsh HEIs have organised events with disabled alumni and disability confident employers so that students can hear directly how graduates have approached discussions around disclosure, their rights under the Equality Act 2010, and the support available from disability confident employers.
15. Some HEIs have specific action groups guiding service delivery, for example, the Open University in Wales has a Mental Health Action Group which includes staff and student representatives. This group informs service delivery, with recent recommendations resulting in enhanced staff training and the development of a “Mental health and your career” webinar incorporating employer insights.
16. HEIs in Wales note the following ongoing barriers:
 - Transport remains a challenge, particularly for students in rural areas. Hybrid or virtual opportunities can be more effective in these cases.
 - Employers may lack the capacity or confidence to support disabled students. Work experience can be a key way for employers to understand the benefits of a diverse workforce, and the valuable skills, experience and capitals of disabled students and graduates.
 - High caseloads for careers advisers in HEIs can hinder the provision of tailored support, negatively affecting disabled students and graduates.

How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.

17. Welsh Government actions, such as TESS and apprenticeships, have made positive steps towards reducing employment barriers. However, progress is mixed. Uncertainty around future funding of initiatives and fixed term contracts for staff delivering support, can limit potential impacts and lead to high staff turnover. The employment gap of disabled students remains significant, highlighting the need for more integrated efforts and long-term financial commitment from Welsh Government.

18. Some HEIs invite Disability Employment Champions and DWP Disability Work Coaches to careers events to raise awareness of the support they provide after graduation to transition to employment. Feedback shows that these organisations welcome the opportunity to engage with disabled students and students themselves value the additional support, although engagement and attendance can be challenging. Inviting wider university staff e.g. disability staff networks and frontline student support staff to these events has also been positive, enhancing overall staff awareness of wider support.
19. In addition to supporting students and graduates, HEIs can provide supported internships. For example, Cardiff University provides supported internships in a range of roles across the university for young people with Special Educational Needs and Disabilities, in partnership with Cardiff and the Vale College and Elite, as part of the [What is Internships Work? project from NDTi](#). This highlights how HEIs work in conjunction with their communities in line with [the Civic Mission of Universities Wales](#), delivering civic engagement and impact and benefitting young disabled people.

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

20. It is important to highlight that the experiences and outcomes of disabled students vary widely. The [most recent WHN report](#) shows that graduates with specific learning difficulties, which can include dyslexia, dyspraxia and/or attention deficit hyperactivity disorder (ADHD), reported levels of full-time employment that were higher than those of graduates with no known disability. Autistic graduates experienced the lowest levels of full-time employment at all qualification levels. They also frequently experienced higher part-time employment and unemployment, and lower levels of highly skilled work and secure employment contracts.
21. One of the recommendations from the WHN report was the urgent need for collaborative research and data on the experiences and outcomes of autistic graduates, which centres the voices of autistic people. This further demonstrates the vital importance of policy underpinned by the social model of disability, which facilitates consideration of the barriers experienced by an individual or group, and how to recognise and remove those barriers.
22. An example of this focused approach can be seen in the ENGAGE project. Through qualitative work, we found that neurodivergent graduates across the UK experienced employment success through early career exploration and/or work experience during or after their degree programme, which helped them to develop a sense of confidence in the skills that they could bring to the workplace. Identifying the factors like this, that support success, should inform future policy measures. AGCAS therefore recommend evidence-based, focused careers support and resources for disabled people across Wales, delivered by qualified careers professionals, with the impact of this intervention measured and evaluated.

23. In the WHN report, AGCAS also recommended that all bodies collecting quantitative data on graduate outcomes should look to ensure parity of data between disabled graduates and graduates with no known disability, as well as providing a breakdown of data by disability type to highlight variance amongst the outcomes of disabled graduates. We therefore recommend that all policy measures in Wales seek to ensure this parity of data, and breakdown of data, for the disabled population.
24. TESS is working well to support disabled students, it is also enabling employers to see the benefits of employing a disabled student or graduate and the perspective and skills they offer. In addition to expanding TESS, further measures recommended by careers and employability experts in Welsh HEIs include:
 - Offer targeted programs incorporating both academic learning and practical skills in schools and vocational settings to prepare young disabled people for the workforce.
 - Mandate accessible recruitment practices for all employers, including adaptive technologies, flexible interview formats and offering questions in advance. This would remove the need for early disclosure and specific requests for reasonable adjustments for many individuals.
 - Establish national mentorship programs to guide disabled individuals through career paths.
 - Develop specific and flexible funding for both individuals and employers, to support internships, and encourage flexible work experience opportunities that do not negatively impact benefit entitlements.
 - Use virtual reality to provide experiences that build confidence and simulate workplace scenarios, addressing location and accessibility barriers.
 - Increase collaboration among agencies, including the HE sector, to collectively support disabled individuals.
 - Establish minimum expectations and standards across Welsh HEIs to ensure consistent support for disabled students.
 - Conduct comprehensive research on the career outcomes of disabled students and graduates in Wales to inform future policy decisions.
 - All HEIs should become Disability Confident Employers and lead the way for local businesses to follow suit.

For any further correspondence related to this response please contact:

Claire Toogood, AGCAS Research and Insights Manager

Senedd Consultation | Disability and Employment

Submitting: Dr Jonathan Vincent, submitted as an academic at Lancaster University

Terms of reference	Evidence offered
What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market.	<p>Vincent and Ralston (2024) demonstrate that autistic university graduates (including those from Wales) had consistently the poorest employment outcomes over a six year period compared to graduates with other disabilities or those who did not report a disability.</p> <p>For a highly qualified group within the UK population, only 34% of those who identified as autistic recorded working full time compared to 57% with an Other Disability and 68% of those who reported No Disability.</p> <p>This same study showed under-employment with autistic graduates less likely to earn over £25,001 and more likely to earn below £20,000 compared to graduates with Other Disabilities and those with No Disabilities.</p>
Why progress to reduce the employment and pay disability gap has been so difficult to achieve.	<p>Vincent, Harkry and Hamilton (2024) demonstrate that whilst some employers have adequate knowledge of autism, there is a lack of confidence about how to implement inclusive work environments.</p> <p>Vincent, Harkry and Hamilton (2024) report how some employers (especially from SMEs) perceive employing disabled / autistic people as an organisational risk – both reputationally and economically.</p> <p>Tomlinson, M, Vincent, J...Toogood, C. (2024) showed that the recruitment process was a barrier for neurodivergent graduates, who were often not able to convert their degree-related skills into desired graduate-level roles. This represents a degree of under-employment.</p> <p>Vincent (2020) also shows that many autistic graduates experience barriers in the recruitment processes including interpreting job descriptions, applying for roles, completing interviews, and on-boarding processes.</p>

<p>How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).</p>	<p>Vincent and Fabri (2021) outline how discrimination in the workplace has led to disabled / autistic people not accessing work or leaving employment prematurely.</p>
<p>What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.</p>	<p>Vincent and Fabri (2021) remind about the importance of seeing employment as part of a wider ecosystem where both proximal (personal characteristics and preferences) and distal factors (employer / social attitudes and government policy) all interact simultaneously. A re-framing focuses policy on the complexity and multifaceted nature of employment.</p>
<p>What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).</p>	<p>Vincent, Harkry and Hamilton (2024) report that the main perceived driver to employing disabled / autistic people was training. The study showed that training led by disabled/autistic people themselves tended to have a positive impact on hiring attitudes.</p> <p>Vincent (2020) indicates how making recruitment processes more transparent and offering reasonable adjustments would make these more inclusive for disabled and autistic people.</p> <p>Vincent and Fabri (2021) also show how training for employers can shift the culture in workplaces although they warn against the commodification of disabled / autistic people as having an 'economic advantage' without balancing this against putting reasonable adjustments in place.</p>

Welsh Parliament
Social and Justice Committee Inquiry
Disability Employment and Payment Gap

**Written evidence submitted by Prof
Daiga Kamerāde, Prof Andrew Clark, Dr
Christine Goodall, Christine Parker, Dr
Christina Vasilica and John Yuen**

University of Salford/University of
Greenwich/ HEAR Equality and Human
Rights Network

August 24

1. This written evidence is submitted by Prof. Daiga Kamerāde (University of Salford&ESRC Digital Futures Research Centre, University of Sussex) and Prof. Andrew Clark (University of Greenwich), Dr Christine Goodall (HEAR Equality and Human Rights Network), Christine Parker, Dr Christina Vasilica, and John Yuen (all from the University of Salford). We are a multi-disciplinary research team that includes experts in social sciences, disability research, vocational rehabilitation, and digital engagement.
2. Contact: Prof. Daiga Kamerāde, Professor in Work and Wellbeing, Director of the Centre for Research on Inclusive Society, School of Health and Society, University of Salford; Associate Fellow, ESRC Digital Futures Research Centre, University of Sussex; Associate Fellow, Centre for Business Research, University of Cambridge. E-mail: d.kamerade2@salford.ac.uk
3. In addition to our written response, we are happy to provide any supplementary information and offer oral evidence if needed.
4. The information provided in this submission is drawn from the research project 'Digitvol: Digital Inclusion of Disabled Adults in On- and Offline Voluntary Work' (funded by the Innovation Fund, part of the ESRC Digital Futures Research Centre) and from our subject expertise.
5. The project ran from November 2023 to October 2024 and involved analysing data from the UK Household Longitudinal Study (UKHLS) for 2018 to 2023, based on a nationally representative sample of nearly 30,000 adults, 32% of whom self-identified as disabled. We also analysed two Time Well Spent Surveys (2019 and 2023) provided by the National Council for Voluntary Organisations, with samples of around 10,000 and 7,000 disabled adults, respectively, 34% of whom reported a disability. Additionally, we interviewed 18 disabled adults residing primarily in northwest or southeast England. The interviews covered six topics: an overview of volunteering experiences; experiences with and access to digital tools related to volunteering; examples of positive and challenging experiences; advice for others; training needs; and the links between volunteering, employment, and wellbeing.
6. Our project was co-produced in collaboration with three experts by experience—disabled adults with volunteering experience—and with the National Council for Voluntary Organisations (NCVO), the British Association of Brain Injury and Complex Case Management (BABICM), the Vocational Rehabilitation Association (VRA), and the Case Management Society (CMSUK).

Call for Evidence:

This written submission addresses the following key question in the call for evidence:

'What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).

We recommend:

1. **Extend the Access to Work¹ scheme** to provide support for disabled individuals engaging in voluntary work, not just paid work. Currently, the scheme offers financial assistance for specialist equipment, assistive software, mental health support, and workplace adjustments but does not apply to voluntary work. This extension would enable a larger number of disabled people, especially those from lower-income households, to have equal opportunities to contribute to and benefit from voluntary activities, enhancing their chances of finding paid work.

Evidence: Our project found that the lack of Access to Work support for voluntary work creates a significant barrier for disabled adults. Many disabled people, particularly those from lower-income households, cannot afford the necessary adjustments to participate in volunteering. This issue was highlighted by both disabled adults and vocational rehabilitation experts who assist disabled individuals in returning to employment.

2. **Enhance digital access and inclusion of disabled people.** Implement government-funded programmes to provide subsidised laptops, tablets, and internet connections to disabled individuals seeking to volunteer or find paid work. Prioritise low-income households, those with low education levels, older adults and social benefit recipients. Develop tailored digital skills training covering essential tasks like internet browsing, email, and social media. It is essential that this support includes one-to-one personal ongoing assistance tailored to the specific needs of each disabled person. This will empower disabled adults to participate in volunteering and paid work.

Evidence. Widespread digitalisation of everyday life, including volunteering and employment, means that everyone needs access to the Internet and the ability to use it effectively. Voluntary sector organisations increasingly use digital technologies for recruitment, training, management, and communication with volunteers. While this offers new opportunities for disabled adults, such as reduced stress and fatigue through online volunteering, it also creates barriers. Our survey data analysis shows that in

¹ Access to Work: get support if you have a disability or health condition: What Access to Work is - GOV.UK (www.gov.uk)

the UK, nearly one million disabled adults do not have internet access at home, 1.4 million do not use the internet, and about two million do not own a smartphone or computer. This results in a significant digital disability gap compared to non-disabled adults. Disabled adults are less likely to use the internet for essential tasks like browsing, email, and online banking, which are crucial for volunteering and paid work. This digital divide is further exacerbated for disabled people who belong to already disadvantaged groups, such as older adults, those with low incomes, benefit recipients, renters, individuals with lower education levels, and those living alone, who face even greater challenges in accessing and using digital technologies. Our research also highlights the importance of personal ongoing support tailored to the specific needs of each disabled adult. The complexity of impairments often requires customised solutions, and disabled adults have emphasised the critical need for continuous support to address issues as they arise and adapt to changing circumstances.

3. **Foster collaborative partnerships** between government agencies, voluntary sector organisations, disability advocacy organisations, disabled adults, and tech companies to co-create solutions that bridge the digital divide for disabled adults. Collaborative efforts should focus on integrating digital inclusion with broader socioeconomic support services.

Evidence. Our survey data analysis and interviews indicate that digital inclusion in volunteering is closely linked to overall digital inclusion in other areas of life. The same devices, technologies, social support, and skills used in employment and other domains are often applied to volunteering.

4. **Work with disabled communities to develop public awareness raising campaigns** that highlight the digital divide, along with signposting to help and support to reduce disadvantage

Evidence: Our interviews with disabled adults revealed that their digital inclusion in volunteering is often hindered by a lack of understanding about the barriers they face. Many perceive that there is an assumption everyone, including disabled individuals, knows how to use technology, leading to insufficient support or training from voluntary sector organisations. This over-reliance on technology complicates volunteer experiences, especially when IT systems or support are inaccessible or inadequate for disabled people.

5. **Engage Disabled Communities in Policy Development:** Establish ongoing consultation mechanisms with disabled people to ensure that policies and programmes reflect their lived experiences and needs. This should include regular feedback loops to adapt and improve services.

Evidence: Inclusive policy development, which actively engages disabled adults, leads to more effective and relevant policies that accurately reflect their lived experiences and needs².

² Boyle, D., & Harris, M. (2009). The challenge of co-production. London: new.economics.foundation, 02(18).



Down's Syndrome Association

A Registered Charity No. 1061474

Disability and Employment Consultation – Wales

Response from the Down's Syndrome Association

September 2024

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Down's Syndrome Association

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About the Down's Syndrome Association

The Down's Syndrome Association is a national charity focusing on all aspects of living successfully with Down's syndrome. Established in 1970, we have over 20,000 members throughout England, Wales, and Northern Ireland, comprising of primarily family-carers of children and adults with Down's syndrome, with a growing membership of adults who have Down's syndrome aged 18+. We are the lead provider of information, advocacy, support, and training to anyone with an interest in Down's syndrome.

About Down's syndrome

Down's syndrome is a genetic condition, caused by the presence of an extra chromosome 21 in the body's cells. The number of people in England and Wales with the condition was estimated at just over 37,000.

Everyone with the condition will have some degree of learning disability. In addition, there are other associated medical conditions which affect some, but not all, people who have Down's syndrome, meaning the services that they access from the NHS (and social care settings) are of paramount importance to their wellbeing.

About the DSA's WorkFit Programme

WorkFit¹ is the Down's Syndrome Association's highly successful employment programme, which engages with a range of employers to support candidates who have Down's syndrome into a variety of suitable jobs. The WorkFit programme supports anyone who has Down's syndrome and who wants to work, to fulfil their career ambitions and potential. The WorkFit programme has an impressive track record in supporting people who have Down's syndrome gain meaningful employment. Since 2021:

- 92% of people in paid work developed by WorkFit have retained their jobs
- 87% of our candidates go into paid work from the start from the range of formats that we offer
- 79% of our candidates go into jobs in private sector organisations (12% public sector, 9% third sector)

This success is based on a person-centred approach for our candidates, and bespoke advice, resources and training for each employer. We use a workplace buddy system which removes the expense of a job coach, ensuring a more typical workplace experience for all, with reasonable adjustments being implemented with WorkFit support.

¹ [Workfit - Downs Syndrome Association \(downs-syndrome.org.uk\)](https://www.downs-syndrome.org.uk)

Response to Consultation Questions

1. What progress has been made to deliver the recommendations set out in the ‘Locked Out’ report and to reduce and remove barriers faced by disabled people who want to access Wales’s labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

The impact of COVID has exacerbated many of the existing challenges that face people with learning disabilities when trying to enter the workforce. For many issues there is no ‘quick fix,’ and the legacy of COVID will take some time, alongside dedicated resources and capacity, to remedy. We have found the following are all issues currently being faced by our candidates:

- Many families have become more reliant upon their own community and less keen to travel for support and services. Shielding has been a key factor.
- Aspirations will inevitably have been lowered for some individuals. Schools/colleges were closed at a crucial point for many in their academic career, and where, crucially, the next step was a transition to the workplace.
- There is a systematic lack of understanding about Learning Disability in the employment field – from both employers and services which aim to support people with disabilities find work. Without the understanding of how to best support people with Learning Disabilities, employment opportunities can often be unsuitable or will not be sustainable due to the lack of appropriate support.
- We know that better outcomes are experienced when actions to support people with disabilities find employment start early in the secondary education timeframe. We recommend that schools and colleges start talking to students about working towards career options as early as possible, and certainly no later than 14 years of age. They should also be expected to source high quality and well supported work experience placements and taster sessions ideally including, and where possible, beyond the traditional sectors of retail, catering and hospitality. Schools and colleges should be liaising with local employers to develop these placements and taster sessions in a variety of locations and settings incorporating a range of roles, with relevant and qualified support from job coaches and/or workplace buddies
- The impact on the Careers service meant that not everyone was able to benefit from accessible guidance. The use of technology for meetings and sharing information became more common in many systems, but for many people with learning disabilities this may have proved frustrating and a challenge to access effectively.
- Some young adults who have Down’s syndrome went from being in education to being classed as ‘out of work’ and claiming Employment Support Allowance (ESA)/Universal Credit (UC) in a matter of a few weeks due to COVID.

- Some support providers were unable to continue delivering support for individuals and families of disabled people due to their workers being furloughed. Providers had to adapt to accommodate operations across a vastly different operational landscape. Working from home became the norm for many practitioners, which was not always ideal for people with disabilities who found it challenging to engage in this online world.
- Much of Wales is rural and apart from the short stretch of motorway (M4) people rely on A and B roads. In addition, public transport is extremely limited. Both of these issues impact people who have disabilities more than typical residents of Wales. WorkFit candidates can get support from the DWP's Access to Work (A2W) scheme for the costs of travelling to and from work by taxi, some people with a disability are not eligible. It may then be difficult to find a reliable local taxi operator who is willing to enter into a regular agreement.
- Since Covid many more people work from home and can support a family member with a disability more readily alleviating some of the responsibilities of social services to provide support and day services. This can lead to more isolation for all members of the family.
- As mentioned above the rural nature of much of Wales means that the larger employers are not building their production locations, logistics hubs and other business infrastructure in areas outside the largest of the seven cities in the country, Cardiff and Swansea. Local authority/public sector is often the main employer in rural Wales and this small group of public sector employers has been subject to significant cuts in funding and subsequent provision of supported employment and opportunities.
- Summary of barriers that are often encountered by people who have disabilities:
 - Transport and mobility needs
 - Difficulties with spoken language and communication
 - Difficulties with short-term auditory memory making it harder to take in information through hearing
 - Lack of meaningful travel training
 - Confidence of employers in how best to recruit and support people with Down's syndrome in their workplace
 - Lack of understanding from some employers of inclusion and diversity along with making reasonable adjustments in the workplace

2. How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

The social model of disability is a way of viewing the world, developed by disabled people - the model says that people are disabled by barriers in society, not by their impairment or difference. Barriers can be physical, like buildings not having

accessible toilets. Or they can be caused by people's attitudes to difference, like assuming disabled people cannot do certain things. The social model helps us recognise barriers that make life harder for disabled people. Removing these barriers creates equality and offers disabled people more independence, choice and control. Not everyone uses the social model - how individuals choose to talk about their impairment is up to them.

Barriers outlined in section 1 around transport, rurality, lack of investment are all relevant in impacting an individual's ability to access work opportunities. At WorkFit we have found that attitudes can and are being changed and that employers are better able to understand that a diverse workforce is a strong workforce. Our focus on DEIB – diversity, equity, inclusion and belonging – is being amplified by every success story that we share.

Often recruitment is delivered via a technology driven format that can be challenging to navigate. Employers are looking for efficient and effective ways to secure talent for their organisation and that can mean that a person-centred approach is often left behind, however unintentionally.

In practical terms, we encourage employers to engage with supported employment programmes like WorkFit to access the free support, resources and training on offer. This means that we can support them to review and amend their traditional recruitment practices and implement the following:

- Remove the requirement for completing a lengthy online application.
- Avoid holding assessment workshops, as large groups of people in a competitive atmosphere as this is not a format that would be suitable for the majority of people who have learning disabilities.
- Support requests for the candidate to be accompanied to any interview or meeting and keep any meetings informal and ensure that reasonable adjustments are offered and implemented before the candidate attends.
- Be open to engaging with the candidate's support network if the candidate gives permission but ensuring that the candidate is involved in all discussions using the 'nothing about us without us' approach.
- Review the format of any discussions and written materials (ideally using Easy Read format if possible), considering language used and environmental factors that may not be helpful for the candidate.
- Allow video CVs and other materials to be used in support of an application.

Flexibility and a person-centred approach are two vital approaches to ensure success. At the DSA we work with employers who have a genuine appetite for a diverse and inclusive workforce, rather than those who wish to access a financial incentive. It is vital that government and organisations work together to explode the myths and misconceptions around reasonable adjustments being costly and difficult to implement, along with raising awareness of support available through Access to Work and other support mechanisms and programmes.

3. How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.

As a specialist, supported employment provider, WorkFit is not subject to Welsh or UK government policies, other than those statutory pieces of legislation that relate to employment law (Equality Act 2010 etc.), the benefits system and provision of support such as Access to Work. This makes WorkFit a highly effective, scalable and sustainable model operating with employers and jobseekers to bring them together in a suitable job-matching arrangement. The support is person-centred and highly individual, considering the career ambitions and personal support needs of the candidate and ensuring that the employer is willing and able to meet those needs with the help of our free advice, resources and training.

Access to Work is a valuable support mechanism that could be even more effective if the time needed for processing applications could be significantly reduced. Recent reforms have seen some improvements in this area, including an online portal, which are very welcome for those people who have access to technology and support to use it. An extension to Access to Work would also be beneficial as people who have Down's syndrome may not immediately be able to work for 16 hours or more per week, but this can be achieved for some with support over time. This extension would also be useful particularly in rural areas where transport is not easily accessible.

We were very pleased to see the appointment in recent years of a Welsh employment champion who has Down's syndrome – Sara Pickard². We would like to see further employment champions who have Down's syndrome identified and appointed, and we would welcome the opportunity to assist the Welsh Government in doing this.

4. Whether disabled people are accessing apprenticeships and if any further support is needed to ensure schemes are inclusive.

A small number of WorkFit candidates enter apprenticeship programmes with our support, however we find that they are often unsuitable for someone who has Down's syndrome for the following reasons:

- The requirement to work a fixed number of hours/days a week. Often working over 25 hours per week is not something that a person who has Down's syndrome is able to achieve due to several factors, such as general health challenges, stamina and fatigue issues, wishing to be able

² [Sara Pickard at the Women of the Year Awards - Downs Syndrome Association \(downs-syndrome.org.uk\)](http://downs-syndrome.org.uk)

to maintain social activities to support their sense of wellbeing and good mental health etc.

- The requirement for attaining specific levels of Maths and English has recently been relaxed to some extent however there is still a requirement to be able to meet a standard that some may find difficult to achieve.
- Exam formats are often unhelpful for people who have learning disabilities, where the formal exam setting with time constraints and a lack of reasonable adjustments can be overwhelming and lead to the person becoming very anxious and finding the experience negative, regardless of any positive outcomes. This can lead to a long-term aversion to future vocational learning opportunities.

5. What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

- Working closely with specialist providers such as WorkFit (from the Down's Syndrome Association) will ensure that specific needs of people who have Down's syndrome can be met, ensuring a much greater chance of success in the workplace and the creation of meaningful and sustainable roles. Our model was developed without significant external funding, and is a sustainable and long-term approach which supports both the practice of the employer and employee, and which does not require the involvement of external job coaches.
- Reviewing the application criteria for Access to Work (AtW) and allowing candidates to forego a full re-application after 3 years would be extremely helpful. Down's syndrome is a life-long condition that will not change and so adapting the AtW process so that the person is able to re-apply for job coach or travel support without the need for competing the full application and going through additional Work Capability Assessments would reduce the associated anxiety experienced by candidates and their families, many of whom may not feel proficient with online systems.
- A greater provision of meaningful vocational work opportunities in college would allow young people to gain a greater understanding of the variety of job roles and opportunities in the workplace. Currently work experience focuses on retail, catering or hospitality sectors and, while these are valuable, they do not provide a broader understanding of the wider jobs market.
- We strongly advocate for a presumption of employment to be part of all planning for people who have Down's syndrome, encompassing education, health and social care interactions.
- Independent Development Plans (IDPs) for students with ALN should include work opportunities and travel training for all and skills and abilities

in these areas should then be considered and developed as appropriate to support the individual to be as independent as possible. A specific and detailed offer of effective and practical travel training should be included in all IDPs as part of an early approach to Preparing for Adulthood for all children with disabilities.

- Often employers do not fully understand the rights of all employees in the workplace. Education and support with this could be supported by the Disability Confident Scheme and promoted by unitary authorities. Further good practice would include the points raised above and ensuring that information such as company policies is available in in Easy Read format.

6. What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).

- Unitary authorities could provide incentives to local organisations to offer voluntary work placements. They could also offer a volunteering programme themselves as part of their service provision via a CIC or other non-for-profit initiative.
- Unitary authorities could also support local organisations to offer volunteering opportunities and also paid, permanent jobs as part of a social value element for companies tendering for council contracts.
- Welsh government to identify and promote effective practice across a range of disability employment issues – travel, working with employers, identifying suitable jobs, long term support in the workplace etc.
- The Welsh Learning Disability Ministerial Advisory Group currently does not have a representative with knowledge and a focus on disability employment. We could help identify such a post, whose expertise would help inform this influential network.
- Welsh government to provide a funding commitment from 2025 to support organisations focusing on sustainable disability employment and individuals looking for employment.
- The Welsh government could undertake a formal review/inquiry into disability employment – looking at sustainable and cost-effective models of practice, and key systematic issues which need to be addressed. A series of key recommendations could set out a road map to greater outcomes in the long term.
- Models of employment for people who have learning disabilities should be focussed on being sustainable and meaningful for the employee and the employers.
- Early engagement is essential to successfully prepare people who have Down's syndrome for the requirements of the workplace. It is important to be able to share good practice and accessible case studies of other

people from their peer group making a successful transition and for them to feel that their needs will be met in terms of support to help them to achieve their career ambitions – we have many case studies and films promoting our sustainable model of employment support.

FTWW

FAIR TREATMENT FOR
THE WOMEN OF WALES
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TRINIAETH DEG
I FERCHED CYMRU



Senedd Equality and Social Justice Committee Inquiry into 'Disability and Employment'

1st September, 2024

Fair Treatment for the Women of Wales (FTWW) is a pan-Wales patient-led charity and disabled people's organisation focused on highlighting and addressing health inequities experienced by women and people registered female at birth who are disabled and / or living with long-term health issues.

Like the Welsh Government, FTWW utilises the social model of disability which, for our charity, means that whilst there is no disputing the impact health issues have on our members, or the need for healthcare and treatment, what tends to 'dis-able' the most is societal attitudes towards disabled people and the often 'invisible' health conditions with which many of our members are living, as well as places and spaces that don't understand, recognise, or accommodate their various needs.

For this inquiry, FTWW ran both a survey in our online community group and hosted a focus group with members currently in and out of work. Primarily, our aim was to address three key questions:

1. Why do you think progress to reduce the disability employment and pay gap has been so difficult to achieve?
2. What barriers exist across society that impact on your ability to work?
3. What further policy measures and actions are needed by governments to support disabled people, and young disabled people, into employment and / or volunteering, and any examples of good practice.

- The Social Model of Disability

We started by asking our survey respondents if they were familiar with the social model of disability: 100% of those who weren't currently in work were unfamiliar with the model, whilst the opposite applied to those who were in work, with 100% of them being familiar with it. This might suggest that those in employment have potentially learned about the social model in order to help them better access their workplace rights and entitlements. Of those who were aware of the model, there was a clear split between those who thought their employers understood and used it in their practices, and those who didn't.

Comments included:

›It.is.something.I.am.learning.myself.and.something.I.have.shared.with.our.Diversity.and.Inclusion.Manager.to.look.at.developing?not.just.for.myself.but.other.colleagues" and

›My.manager.has.not.received.training.on.this.model; My.current.workplace.doesn't have.accommodations.in.place.for.disabled.people".

Question One: Why do you think progress to reduce the disability employment and pay gap has been so difficult to achieve?

In response to the 'disability employment gap', all of our survey respondents and focus group participants, whether they were currently working or not, said that, in their experience, it is harder for disabled people or people with long-term health conditions to find employment.

Our focus group participants described how difficult it was to find job roles that offered genuinely flexible, accessible, and remote working. They described how many job adverts would start by saying they were 'flexible', offering 'hybrid' options, only to discover that there was still an expectation that employees would attend a physical office space several times a week. One of our survey respondents described how,

›During.Covid.there.were.a.lot.more.work_from_home.opportunities• Since.the.pandemic.has.eased?these.options?including.the.flexibility.surrounding.them?has.become.a.less.common occurrence; I've.found.it.really.hard.to.find.a.job.suitable.to.work.around.my.conditions.and.an.employer.who.is.understanding.of.my.chronic.illnesses; Most.jobs.are.now.hybrid?and.requiring.you.to.be.in.an.office.for.half.your.weekly.hours.or.more"'

Focus Group participants described how disabled people often rely on a local support network, including family, carers / personal assistants, or particular services, making it far more difficult for them to uproot and move to where the jobs are. This is particularly

problematic for those in highly skilled industries or professions where head offices will tend to be centred around large cities.

City-living is usually more expensive and therefore less affordable for disabled people who tend to have less disposable income, with Scope calculating that the extra costs faced by households with at least 1 disabled adult or child, known as the 'Disability Price Tag', currently stands at £975 per month¹. We describe later in this response why living outside of urban centres and commuting to work can be equally problematic for disabled people but, in short, the result is that disabled people, especially those in more rural areas, can find themselves excluded from the jobs in which they have expertise, solely due to logistics. Both our focus group participants and survey respondents reported a lack of consideration given to accommodations which could help them better access the job market, including allowing roles to be fully remote and flexible, where appropriate.

Our participants then went on to describe the problematic nature of equality and diversity monitoring and the use of 'tick box' exercises when employers are looking to establish whether or not a potential employee is disabled. More than half of our focus group participants stated that they avoided ticking the 'yes' box because of real and perceived risk of discrimination. They felt that declaring disability status ahead of interviews meant that they were perceived as less reliable, less competent, and likely to make 'un'reasonable demands of employers, negatively impacting their chances of success.

Both focus group participants and survey respondents told us that they only started getting interviews and job offers when they made a deliberate choice not to declare their disability status ahead of time. One of our survey respondents said, 'I.didn't declare.my.conditions.in.the.initial.application.or.at.interview.for.fear.of.being.thought.of.as.someone.who.is.unreliable.or.would.have.a.lot.of.time.on.the.sick'• If.anything?if.I.do.have.time.off.work?it.is.usually.because.I.have.over_compensated.whilst.there?like.I.have.to.prove.I.am.worthy.of.the.role'; One of our focus group participants summed it up thus, 'The.perception.is.often.that.disabled.people.have.nothing.to.offer.employers?but.then.people.moan.when.disabled.people.do.not.work'*

Other participants told us that they feared intrusive questions being asked on the basis of their declaration, and felt they didn't want to be forced to disclose the precise nature of their impairment/s or symptoms. However, at the same time, they were concerned that failure to describe their health issues to employers might lead to them a) not being believed, b) not being able to make the case for the reasonable adjustments they needed, c) not getting the job. The dilemma around whether or not to disclose health conditions and the extent of them meant that members felt anxious about taking up work, staying in work, and progressing in their careers. There was very much a sense that conversations like these can negatively impact working relationships, especially in

¹ <https://www.scope.org.uk/campaigns/extra-costs/disability-price-tag>

workplaces that aren't informed or proactive in their support for disabled and chronically unwell people.

For those members who were comfortable disclosing their health conditions / needs to employers, there was still an overwhelming sense that most workplaces were uncomfortable with the whole concept of employing a person with an impairment or medical disorder. One of our survey respondents told us, *'I have applied for jobs that I have been more than qualified for? but have been turned down for due to asking for simple reasonable adjustments? such as starting slightly later due to needing to get public transport to from work? as my conditions prevent me from driving'*.

Our focus group participants also described employers being reluctant or afraid to ask the person what their needs might be. They recounted how the support provided in many workplaces was extremely bureaucratic and process-driven with, for example, formal referrals and regular meetings with HR required, so much so that it actually contributed to feelings of anxiety and ill health. One of our focus group participants told us, *'I ended up feeling like I wished I'd never bothered asking for support at all'*.

For those living with chronic, fluctuating, often 'invisible' health conditions, who make up the majority of FTWW's membership, there were also concerns about the misconceptions and stereotypes around 'disability' and what it 'looks like', which can leave those living with 'invisible' impairments feeling excluded or unsure if they're really 'disabled' or not. One of our focus group participants commented, *'Ticking the box is still an issue for many people in my organisation; Some don't feel disabled as they have conditions that are managed well but technically still fit the definition; We've tried with staff surveys to use different ways rather than just saying are you disabled which is working a little better; I think that's the historic attitude to the word disabled and maybe not feeling they are as bad as someone else; It took me years to tick the box I must admit'*.

Several participants described how common depictions of disability impacted both on their own perception of themselves as not being 'properly disabled', and their confidence in asking for reasonable adjustments (and, indeed, knowing what those adjustments might be). One focus group participant explained how fluctuating health issues aren't predictable and that this causes problems for employers who don't fully understand what flexible working constitutes or how to manage it, *'I can't tell employers what the definition of flexibility is... I cannot give them that predictability or tell them I need to work from home on these specific days'*. whilst one of our survey respondents commented, *'It's difficult to find an understanding employer, especially when you need regular time for hospital... GP appointments... surgeries... tests etc'*

Our participants felt that a deliberate and widespread change of mindset was needed on the part of employers, in order to recognise the value of disabled employees, reduce erroneous assumptions, and remove fear of taking on people with long-term health conditions. One of our focus group participants described how some employers, whilst allowing their staff to work from home, installed their devices with tracking software to

monitor productivity, even though staff were still meeting the targets set. As it is more likely to be disabled people requesting remote working, our participants felt that this degree of mistrust and intrusion was discriminatory and anxiety-inducing, to the point where it would both impact their health and deter them from remaining in that role. One participant said, *'If.you.don't.trust.the.person.you're.employing?you.shouldn't.be.employing.them.in.the.first.place'*

Some of our participants felt that, whilst more inclusive thinking may have been achieved at Board level, middle / line management needed more persuasion, both in terms of changes in attitudes and operational activity, systems, and processes. As middle managers would often be the people recruiting and appointing staff, our participants felt that Boards needed to be more directive in this regard, and stipulate the need to appoint and support disabled people. Our members also felt that Boards and Executive teams needed to lead by example, and ensure that workplace culture was welcoming, supportive, and 'enabling', where disabled employees could comfortably discuss their needs with managers, human resources (HR), occupational health, and so on, and not be judged unfavourably for doing so. As one of our survey respondents said, *'The.fear.around.sickness.triggers.(where number of absences can trigger disciplinary action).and.HR.is.sometimes.used.to.push.people.back.into.work.but.HR.should.be.approachable.and.there.to.help?not.*catch.you.out*Instead*, as one of our focus group participants commented, managers should try to remember, *'We're.just.normal.people.who.need.a.little.bit.more.help'*.

To that end, focus group participants felt that there was very much a need for all employers and disabled staff to have ready access to 'Access to Work' schemes and disability advisers. It was felt that provision of this nature could assist with exploring the types of reasonable adjustments that might be needed for individuals, and advise employers on how to accommodate those adjustments within their business.

In fact, difficulties accessing 'Access to Work Schemes' was highlighted as a key concern for our focus group participants. Firstly, it wasn't clear if the scheme was widely known or signposted to prospective or existing employees in need and, where it was known, the long waiting lists for assessments, often extending into months after people's start dates, was cited as a huge barrier. For some of our members, not being able to secure the assistance or devices they needed ahead of time meant that they simply weren't able to accept offers of employment or, where they did, they struggled to manage tasks and workload, which risked increasing stress, anxiety, ill health, and their ability to remain in the role.

We also asked our survey respondents whether they felt any progress had been made in their workplaces or the employment market more generally to better support disabled people. All of those not currently in work felt that that no progress had been made; however half of those in employment felt that progress had been made and, interestingly, almost half of those worked for the third (charity) sector with one saying, *'I.work.for.a.charity.that.is.very.positive.and.generally.very.accommodating.for.people.with.disabilities; However>this.has.not.been.the.case.everywhere.I've.worked'*. Another

employee in the third sector said, ›I.work.for.a.very.progressive.third.sector.employer-. whilst.my.statutory.role.paid.more?it.was.filled.with.bureaucratic.nonsense.which.was. prohibitive?a statement reinforced by a third respondent who said, ›I.work.for.the.NHS. and.it.is.not.very.accommodating.whilst.you.are.in.work.towards.long.term.health. conditions'}

A fourth respondent summarised the situation regarding progress in the workplace for disabled people as follows, ›there.is.still.so.much.to.be.done,_including.making.offices. accessible.and.wheelchair.friendly|.Plus.more.of.an.understanding.by.management.to. find.out.about.conditions.and.support.available.rather.than.the.onus.always.having.to.be. on.the.person.with.health.conditions.or.a.disability.to.explain.everything.and.push.to.get. things.done; It.should.be.inclusion.by.design.not.inclusion.by.afterthought"

In terms of the disability pay gap, nearly all of our survey respondents said that, in their experience, disabled people and people with long-term health conditions generally earned less than non-disabled people.

Our focus group participants described how, whilst there might not be a conscious or deliberate decision to pay disabled employees less, it was often lack of reasonable adjustments in preferred roles that resulted in disabled people having to take on jobs with lower pay. One of our survey respondents said, ›A.great.deal.of.disabled.people.are. not.accommodated.well.in.many.jobs?so.they.leave.work.completely?reduce.their. hours.or.take.on.lower.paid.work"?whilst another said, ›There.are.(fewer).remote-flexible. job.opportunities.and.therefore.those.who.would.find.these.positions.suitable.can.find. they're.taking.a.reduction.in.pay.to.take.on.a.job.that.is.more.suitable.for.their.needs; It. also.means.there.are.a.lot.of.people.vying.for.one.position" A third told us?Prior.to. becoming.ill?I.was.earning.more.than./ **1**ok.a.year.than.I.am.now?and.that's.going.back.**2** years; I.can.no.longer.physically.do.that.role|.This.current.role.enables.me.to.keep.on. working"

The focus group went on to discuss how, often, the way jobs are evaluated (such as Key Performance Indicators which focus on attendance rather than performance) meant that they had lost out on target-related pay increases. One participant spoke about how, even though they were hitting performance-related targets, their absences meant they were overlooked for continuing professional development and training, which meant they didn't have the opportunity to acquire the skills needed for promotion. Another commented, 'With.the.banding.in.the.NHS.you.are.paid.the.same.as.others.at.that.band. so.I.don't.feel.there's.a.pay.gap.there; However.development.and.progressing.to.higher. bands.can.be.more.tricky; It's.taken.me.a.while.to.progress?people.who.work.with.me. state.I.should.be.higher.as.I.have.the.knowledge.and.experience.but.interviews.are.just. so.difficult" .

Focus group participants also described how managers sometimes make 'assumptions' about the disabled person's capacity to undertake a more senior, better paid role, so they were automatically excluded from the process, a theme reinforced by survey

respondents, one of whom commented, »I.believe.(disabled.people).earn.less.because. they.are.not.given.the.same.opportunities;.It.is.usually.a.non_disabled.person.deciding. what.is.right.for.the.person.with.a.disability;.Or.assuming.they.can't.do.something.rather. than.having.open.conversations.with.the.person.concerned;.I.had.to.fight.for.a.pay. increase.in.line.with.the.work.I.have.taken.on?much.to.my.manager's.displeasure».In contrast, another of our survey respondents felt that, »(lack.of).confidence.stops. disabled.people.thinking.they.are.capable.of.higher.paid.roles»

The focus group then went on to discuss how, much like maternity-related employment and pay gaps, disabled people who need to take periods of time out of the workplace due to symptom-escalation or treatment can similarly find themselves penalised in terms of progression and pay. Periods of sickness absence meant that they started to fall behind in terms of skills development and missed out on training opportunities. As a result, they became 'less employable' and had to settle for lower-paid roles.

One of our focus group members described how, in some workplaces, there was an expectation that those seeking to 'get ahead' would take on more tasks and responsibilities outside of normal working hours, essentially working for free in return for increased chances of promotion. For disabled people, already having to very carefully balance workload and wellbeing, this kind of approach is often impossible to manage without risk of causing their health to deteriorate, resulting in them losing out on opportunities to progress and achieve higher rewards. One of our focus group participants put it very succinctly, »I.can't.give.any.more.than.I'm.giving.already.but.my. 766».is.not.seen.as.equal.to.a.non_disabled.person's.766».because.it.looks.different»

The group also discussed how networking outside of the workplace, which could see some candidates preferred for promotion over others, meant that they weren't considered because they weren't able to join in or access such events. Even disabled people who had opted for freelance work or were self-employed felt that they encountered a disability pay gap, largely because their health meant they weren't able to take on the number of projects they would like to do. Being self-employed is often posited as the 'solution' for disabled people who have had to leave external employment due to their health. However, this can lead to another form of 'disability pay gap', because of lack of sick pay. One of our survey respondents commented, '• disabled.people.earn.less.due.to.no.sick.pay;.It's.complicated.and.difficult.to.claim. benefits?which.do.not.cover.basic.living.costs»

Question Two: What barriers exist across society that impact on your ability to work?

Our focus group felt it was very important to consider the disability employment gap through an intersectional lens, and look at how various experiences and circumstances can add to the barriers causing and perpetuating it. Examples given by our participants included:

- Lack of accessible and affordable public transport which has further reduced since the pandemic, partially as a result of more hybrid working patterns. As fewer people are travelling, less profitable bus routes have been cancelled or ticket prices increased, leading to disabled people in more rural areas becoming even more excluded and less able to access employment.

Limited wheelchair-friendly bus and train spaces heightens stress and anxiety about trying to get to work. Participants spoke about how the possibility of conflict between pram / buggy-users and themselves increased their reluctance to travel, whilst accessible taxis at peak times are few and far between and those that do exist are often pre-booked for school transport.

- Lack of disabled parking spaces, and needing to justify using them, was another barrier to employment cited by our focus group members. The prospect of intrusive questions troubled participants; one of them described how a former estates manager had decided against providing disabled parking bays at the front of the office building because it would be seen as 'unfair' to non-disabled employees.

Another participant commented, ›Sometimes.a.work.place.doesn't.have.onsite. parking.so.you.have.to.use.a.public.car.park• the.price.of.parking.has.hugely. increased.(including.parking.permits).where.I.am?so?if.you're.working.part_time. and.have.to.factor.in.that.cost.too.it.can.be.another.barrier"›.

- Long NHS waiting lists which delay diagnoses and treatment, resulting in people either losing their jobs or being unable to seek employment in the first place. Both survey respondents and focus group participants indicated that they'd become more unwell whilst waiting for appropriate healthcare interventions, impacting on their ability to work, continue in employment, or look for a job. One of our survey respondents told us, ›I.experience.chronic.pain.and. chronic.fatigue;I.have.issues.with.memory.and.most.days?struggle.to.meet.my. own.needs;I.wouldn't.be.able.to.function.in.any.employment.in.my.current. situation;The.NHS.has.long.waiting.lists.to.access.treatment?in.the.meantime? long.term.health.conditions.are.getting.worse"›..

Despite a formal diagnosis not being a legal requirement for accessing support in either employment or education, according to our focus group participants, many workplaces and academic institutions still insist on medical confirmation of diagnosis before providing support or considering reasonable adjustments. One of our focus group participants described how delayed diagnosis for autism was a significant barrier to their receiving support at university, ›They.wouldn't. support.around.my.autism.because.I.didn't.have.a.diagnosis?which.presented. huge.issues"›

- The link between poverty, ill health, and reduced life chances. Young people growing up in households where there is a disabled family member are more likely to experience poverty. This has been shown to negatively affect educational attainment, job prospects, and health, all of which can impact on people's confidence and chances of future employability. If a person is poor, they are at higher risk of developing long-term health conditions, which further reduces their ability to secure employment and improve their circumstances, resulting in a multi-generational cycle of deprivation
- Homelessness (including 'sofa-surfing' and those in emergency accommodation, as well as street homelessness). People without safe and secure housing are at increased risk of ill health, whilst lack of a formal address also makes it more difficult to access the job market or open a bank account to receive payment. Without an address, a person is more likely to become unwell and disabled, and less able to take the steps needed to improve their prospects
- The need to make places and spaces accessible by default, with all new-builds, renovations, and town planning being subjected to access audits run by disabled people's organisations ahead of work commencing, to ensure that people's diverse impairments and needs are fully considered and accommodated.
- Societal expectations about what constitutes 'good' working practices and acceptable conduct can sometimes be disabling, as one of our focus group participants described, *>not.being.allowed.to.work.in.pyjamas?:having.to.have.cameras.on.in.meetings.if.you.work.remotely;.Things.like.the.~~6.1~~being.the.norm.when.some.people.might.work.way.better.in.the.night.(they're.just.seen.as.disorganised.or.weird);.I.work.from.my.bed.and.often.with.pyjamas.on.now?:and.I.might.not.start>til.the.afternoon?because.it's.that.or.I.may.not.be.able.to.work.at.all.that.day;.For.many.workplaces.that.would.be.seen.as.unacceptable"*

Our focus group participants agreed that a cross-government approach is needed to address these barriers, with the social model of disability front and centre of all decision-making.

Question Three: What further policy measures and actions are needed by governments to support disabled people, and young disabled people, into employment and / or volunteering, and any examples of good practice.

Above all, our focus group participants felt that a change of attitude towards disabled people was needed. They argued that it was no longer good enough to issue guidance or recommendations to employers, but that more needed to be mandated in terms of

employing, supporting, training, and promoting disabled people. Participants recognised the challenges in collating accurate data on disability, but felt that if workplaces were more open and supportive in the first place, people would be less reluctant to disclose their status and needs, resulting in more learning and better practice across the board.

- Disability Standards or Quality Marks

Participants were particularly concerned at the superficial ‘tick box’ approach to Disability Employment Standards, with organisations holding gold awards for being ‘disability friendly or confident’ whilst at the same time being inaccessible and unsupportive of employees living with long-term health conditions and impairments. They felt that both standard marks and policies / practices needed to be coproduced, regularly revisited, and assessed by disabled employees themselves so that they were more likely to be realistic and reflect people’s needs.

Equally, participants felt that there needed to be more scrutiny of employment practices regarding disabled people and reasonable adjustments, starting with job adverts and recruitment packs. All should make clear that reasonable adjustments are considered, including as part of the interview process, and that the workplace in question is a welcoming and non-judgmental space.

- The Education Sector

One particular policy area participants felt was in need of attention was education and training, a key driver of future employment prospects. They reported pockets of good practice for disabled and neurodivergent students, with some enabled to undertake assessment in ways other than formal examinations, and some schools / colleges offering bespoke support, vocational courses, training, and work experience placements that met disabled students’ needs. One member described how a local Special Education Needs school had set up both a café and shop on its grounds to give students practical skills in a familiar, safe, and supportive space. However, it seemed that other local authorities didn’t offer these same adjustments or support, so members were concerned about postcode lotteries and how these could disadvantage disabled students in some parts of Wales, especially once they left formal education to enter the world of work.

Whilst on the topic of education, participants also expressed grave concern about higher education and degree courses where academic institutions stipulated students undertake an industry placement in order to pass the course. More than one of our members spoke about how they, or fellow disabled students of whom they were aware, hadn’t been able to find placements that were accessible or able to accommodate their needs. Some had selected their degree course whilst in good health, only to experience a deterioration or new impairment farther down the line and a subsequent lack of support or offer of alternative ways forward from their universities. One member told how her university had advised her, ‘it's.a.requirement.you'll.fail.if.you.don't.do.it?’ despite her having a note from her GP saying she wasn’t fit for work. Undoubtedly, for

some disabled students, this could put both their education and chosen career path in jeopardy, whilst also incurring considerable financial debts.

- Practical support and advice for employees and employers

Participants felt that there was a lot of support available to employers to help them take on disabled people but that maybe they weren't aware of what was out there, or that they lacked the time (or possibly the interest) to explore the landscape. It was felt that there needed to be a more proactive offer to new and existing businesses, especially start-ups, small businesses, and disabled people's organisations, so that their likely more limited capacity wasn't spent trying to search for support or navigate complex systems. Instead, dedicated agencies in Wales should directly approach them and offer assistance.

Whilst on the topic of more accessible support for disabled people in work, participants also raised the issue of access to advice and justice when experiencing disability discrimination in the workplace. Employment tribunals are just one example of how environments and processes of this nature can very often cause difficulties for disabled and unwell people, with the stress, anxiety, and preparation needed potentially resulting in worsening health. This in itself can deter people from seeking justice and compensation.

It was felt that more Legal Advice Centres and Disability Advice Centres were needed across Wales, working collaboratively to provide disabled employees with practical support, advice, and advocacy. Centres of this type could also help employers better understand how to comply with legislation, create inclusive and accessible workplaces, and offer mediation services where needed.

- Universal Basic Income

At a political level, focus group participants also mentioned their desire to see social security and welfare devolved to Wales, not least as the Welsh Government has committed itself to the social model of disability and has undertaken a long-standing programme of work on 'Disability Rights'. One participant mentioned the opportunities that a Universal Basic Income would provide to disabled people, enabling them to train and work at a pace and in ways that suit their health needs and capacity, making them more productive and more, not less, likely to undertake employment or volunteering.

- Volunteering

Whilst on the topic of volunteering, our focus group participants very much recognised the value and importance of these activities, describing them as 'amazing and empowering'. However, they also felt that there was a risk that volunteering (or 'unpaid work') could be marketed to disabled people as all they should expect in life.

One participant described a local charity's recruitment drive for volunteers comprising adverts asking, 'Are you disabled and looking for something to do?' inadvertently implying that all disabled people are unemployed, with no family responsibilities, and

with low aspirations. Our focus group felt very strongly that, where disabled people wanted and were able to undertake paid employment in a supportive and welcoming space, volunteering should not be posited as an alternative. One of our participants said, ›If.disabled.people.are.only.ever.seen.as›unpaid?it.feeds.into.the.societal.perception.that.they.don't.have.as.much.›worth‹ ‐.

For those wishing to undertake volunteering, one of our focus group participants emphasised the importance of volunteer placements offering flexible approaches which accommodate disabled and unwell people's needs. Too often, volunteers were expected to sign contracts and commit to certain days and hours, which posed the same challenges to those with chronic and unpredictable health conditions as formal employment. One of our survey respondents suggested there be a centralised database of volunteering opportunities which made clear how far organisers had considered and accommodated accessibility requirements.

Another described the importance of programmes like, 'Equal Power, Equal Voice', which could help to empower and give disabled people more confidence. However, another survey respondent gave a note of caution regarding over-reliance on volunteers without adequate funding or infrastructure to support them, ›There.is.limited.capacity.in.the.health.and.social.care.workforce.to.work.with.volunteers.why.does.the.Welsh.Government.always.think.volunteering.is.the.answer.without.factoring.in.the.costs.to.the.organisations"?

- Government Employment Policy and Programmes

At a government and policy level, both focus group participants and survey respondents agreed that much more needed to be done to address the narrow perception that all disabled people should and could be in work if only more adjustments, programmes, or incentives (or sanctions) were put in place. All were clear that there needed to be public recognition and acceptance that some disabled people would never be able to work, no matter what, and that this should not mean they be treated with any less respect and dignity or be denied support.

All of our survey respondents currently in employment felt that governments did not understand that some disabled people cannot work, regardless of schemes or policies put in place, with one of them telling us that, ›The.stigma.is.ridiculously.upsetting;My.partner.for.example.is.a.wheelchair.user.following.an.IED.explosion.during.his.time.in.the.military.(70.years.and.multiple.tours).yet.he.was.classed.as.unemployed.and.not.willing.to.work.when.all.he.does.is.want.to.work.but.is.not.physically.able.owing.to.his.disabilities.and.pain.levels"'. One survey respondent currently not in work said, ›They.think.if.they.put.schemes.in.it.›motivate.us; We.aren't.unmotivated; Many.of.us.have.chronic.pain; Chronic.pain.is.not.conducive.with.a.working.environment; There's.a.lot.of.pressure.and.shame.put.upon.us.by.these.schemes"'

Another focus group participant mentioned how the 'getting disabled people into work' narrative missed the fact that many disabled people are, indeed, working, despite the various challenges they encounter. Participants agreed that the unwavering focus on

those who were not in employment fed into unpleasant and inaccurate perceptions of disabled people, as well as resulting in a lack of attention paid to the need for employers to be more flexible and supportive of disabled people's needs.

In terms of actions that had already been taken by the Welsh Government to improve disability employment and pay gaps, none of our survey respondents currently not in work were aware of schemes like Disability Employment Champions or Apprenticeships for Disabled People, and only half of those in employment had heard about them. One who knew of the Champion roles said, *'I.believe.my.workplace.and.others.could.really.learn.a.lot.from.them; It.is.not.about.them.saying.how.bad.everything.is.but.sharing.an.inclusive.viewpoint.to.help.a.business.improve.and.be.more.welcoming.to.those.with.disabilities.and.health.conditions'*

Regarding apprenticeships, one survey respondent commented that, *'More.support.is.needed.to.give.apprenticeship.opportunities.to.those.with.disabilities; Whether.it.be.adding.in.the.application.how.accessible.the.building.is.—or.what.kind.of.support.is.available.and.encouraging.(people).to.share.their.concerns.—health.conditions.without.fear.of.prejudice'*

As far as any additional schemes or policy measures were concerned, our survey respondents suggested:

- Compassionate Human Resources training to recruiters and HR departments, encouraging them to be proactive in their offer of support to disabled people and those living with medical disorders, thereby giving them the confidence to be open about their requirements ahead of applying. Active offers might include application processes through a variety of mediums, such as video CV, video calls, and tips on applying.
- Guidance to employers and recruiters to encourage them to focus on skills and life experience rather than solely focus on educational qualifications or previous employment, both of which may not be as comprehensive for disabled applicants.
- Training for employers, designed and delivered by people with lived experience, to ensure better understanding of chronic health conditions, people's requirements and needs, and how they might be accommodated in the workplace
- Mandating the offer of reasonable adjustments in the workplace for disabled people and increased scrutiny to assess how far these are being accommodated.
- A requirement to properly consider and accommodate flexible working, where it is appropriate to do so.

In terms of what governments, public bodies, and grant-makers might do to improve the support available to disabled people's organisations, FTWW would particularly welcome a commitment to offering multi-year grants. Employees who are disabled and / or living with long-term health conditions really flourish when they have job security;

being able to offer this would ameliorate the prospect of having to find new employment and the various barriers encountered in doing so. In turn, this would improve organisations' offer to their beneficiaries.

We would also urge the Welsh Government and public bodies in Wales to make the provision of Equality Impact Assessments, meaningfully coproduced with disabled people / people living with long-term ill health and disadvantage, a requirement in their procurement exercises. All of those tendering for projects should be expected to evidence their engagement, consideration, and support for disabled people in both their employment practices and the services or goods they may be supplying.

- Examples of good practice:

One of our focus group participants described how some larger employers held online 'lived experience' information sessions for staff living or wanting to know more about various health conditions and impairments, where people could be part of an informal community and learn from each other. They described how, 'if.you.saw.your.manager.in.there?you.felt.more.confident.that.they'd.be.a.bit.more.interested?informed?and.supportive'. One of our survey respondents commented similarly, writing that, 'Employing.disabled.people.in.managerial.positions.could.help; Also?having.a.disability.HR.champion.who.is.disabled.and.understands.the.barriers.we.have"

Another participant described how, at their workplace and in other larger organisations, disabled staff networks were being created. Not only did these provide peer support, help, and advice, they also enabled them to, 'connect.with.other.organisations'. 'disability.networks.which.is.really.good.to.share.what.we.do.and.see.how.other.companies.are.doing.things'

The most commonly reported examples of good employment practice cited by our survey respondents involved giving disabled employees the opportunity to work flexibly and from home. They told us, 'Working.from.home.has.saved.my.career; A.positive.thing.to.come.from.the.pandemic.was.the.openness.of.businesses.to.allow.workers.the.opportunity.to.work.from.home; It.means.I.can.work.from.bed?the.sofa.or.my.little.desk.and.take.breaks.as.needed"?and?The.ability.to.work.from.home.becoming.more.acceptable.has.given.me.8.hours.back.per.day.which.has.allowed.more.rest.time.between.work.hours"

Finally, one survey respondent mentioned other countries legislating menstrual leave that may help those employees living with menstrual health conditions.

Summary:

Many of FTWW members want to work or are in work, despite living with various impairments or health conditions. Barriers to doing so are usually not of their own making but because there is a widespread lack of understanding of their needs or, indeed, the value that they can bring to the workplace. There needs to be a positive -re-

framing' of what being disabled is, and what it might look (or not 'look') like, so that more people feel confident to describe themselves as disabled and expect respect, dignity, support, opportunities, and a decent quality of life. This is important for wider society as well as workplaces.

More training for employers, service-providers, and policy-makers, designed and delivered by disabled people, is essential to improve experiences. Whilst investment in new programmes, schemes, and services is welcomed, these too should be coproduced, so that they meet people's needs, and they should be widely communicated and proactively offered, so that neither disabled people themselves or smaller employers are disadvantaged by not knowing about them.

This concludes FTWW's response to the Senedd Equality and Social Justice Committee's consultation on Disability and Employment; thank you for reading.

Response to Consultation: Disability and Employment

Professor Brian Garrod, Swansea University

Dr Marcus Hansen, Liverpool John Moores University

Notes: Our evidence is being submitted as individuals and we are both over 18 years old. We are happy for our names and institutional affiliations to be published. None of our evidence needs to be treated as confidential.

Our work in neurodiversity and employment

Our research is into disability and employment, with a particular focus on people with neurodivergent conditions, especially young people with autism. Our enquiry is driven by statistics such as those published by the DWP, and quoted in the Buckland Report earlier this year, that only 3 in 10 autistic people of working age is in employment in the UK. This compares with 5 in 10 for disabled people and around 8 in 10 for the working population generally. Neurodivergent people are, it would seem, structurally prevented from full participation in the workplace.

We have undertaken work with undergraduate and postgraduate university students, looking at their career aspirations and their experiences of finding, securing, starting, remaining in and leaving work. We have also undertaken work with managers and business owners who currently employ neurodivergent people in their workforce. The aim has been to gain a better understanding of their attitudes towards employing neurodivergent people, barriers they face in employing neurodivergent people, how neurodivergent persons fare in their recruitment processes, and the means at their disposal of supporting them.

By undertaking work both with prospective employees and employers, we have been able to gain an understanding of both sides of the coin. This is important since one of the things we are clear about is that the intersection of employment and neurodiversity is highly complex, with many actors, interactions and effects, many of which are unknowing and unintended.

How is the social model of disability being used to underpin employment and recruitment practices?

Our research suggests that the social model is not widely used to underpin employment and recruitment practices. Disability continues to be framed and addressed in medical terms. This implies that disability is seen as a personal weakness that raises costly problems for the organisation that need to be solved.

If the social model was to be employed, however, it would lead to positive systemic changes throughout the recruitment and employment process. The social model is predicated on the belief that it is society that effectively disables people, with particular focus on physical, attitudinal and informational constraints. Moreover, whilst our research indicates that physical (infrastructural) constraints to employment for disabled applicants do exist, the key areas of concern remain around attitudinal and informational constraints.

What barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes)?

Some studies have divided the barriers to participation by disabled people in specific activities into three groups: physical, informational and attitudinal. Our work suggests that the barriers to access to employment for neurodivergent people tend to be primarily attitudinal rather than informational or physical. This is not to dismiss physical and information barriers entirely: merely to suggest that attitudinal barriers dominate.

Much of the existing research base suggests that it is employers' attitudes that are the problem. Our research, however, suggests that there are two sides to the coin. Neurodivergent people may also have unhelpful attitudes to finding and being in work. It is known, for example, that many neurodivergent people have a strong emotional response to perceived failure (rejection sensitive dysphoria). If they fare badly in a job interview, it can make them less likely to persist in applying for jobs.

Our research has also shown that attitudes on the part of employers are of the utmost importance. Many employers seem reluctant to consider neurodivergent job applicants. Often it is because they do not know many neurodivergent people and therefore have stereotypical, often highly negative impressions of their mannerisms, skills and abilities.

Many employers consider employing neurodivergent people to be too risky. They may, for example, hold stereotypical views that the neurodivergent person will be difficult to manage, take too much sick leave, or insist upon costly workplace adjustments.

Our research shows that such attitudes can and must change, and the key to this is outreach and education. Accordingly, we are in the process of developing educational materials that are intended to assist both neurodivergent people and employers in better understanding one another.

Neurodiversity: A Guide and Resource Directory for University Careers Advisers:
<https://www.swansea.ac.uk/som/research/researchimpact/neurodiversity-research/>

Neurodiversity: A Guide for Small Business Employers: Under development (with the cooperation of the Small Business Federation).

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates?

The key to supporting disabled people is to remove the barriers to employment. This can be through education, improved awareness and access to information both for prospective employees and employers. The stereotypical views of disability held by many employers are due to a lack of awareness and understanding. Training and education for employers is therefore essential. Policies that offer resources and training for employers, educating them on the benefits of an inclusive workforce and how to effectively integrate disabled employers is therefore essential.

Awareness campaigns supporting the employment of disabled people and highlighting the benefits of doing so are required. Research indicates that employers are more likely to support policies if they believe there are benefits specific to them and their organisation as well. Our research indicates that employers tend not to see the benefits associated with employing disabled people.

In view of the current skills shortage across various industries in the UK, hiring disabled people should be encouraged. Disabled people represent a largely undervalued and therefore largely untapped demographic. Incentives should be provided and highlighted to encourage the hiring of disabled people. This could be in the form of tax breaks or grants, as is currently available. More importantly, perhaps, resources and consultancy services are needed as part of a wider awareness campaign.

Current recruitment processes are also discriminating by their very nature and represent critical barriers to employment for disabled people. Our research indicates that neurodivergent people struggle throughout the recruitment process, but especially during the interview process. Traditional interview practices tend to privilege neurotypical applicants. This may be due to neurodivergent applicants being weaker in inter-personal communication skills, such as non-verbal communication and social communication skills. Likewise, many neurodivergent people find abstract questions difficult and tend to be more literal in their way of thinking, yet these are the types of questions that are asked in interviews. Policies promoting the use of practical assessments in job interviews would be more appropriate, providing the neurodivergent person the opportunity to showcase their strengths to the potential employer. This would also be true of many people who have other forms of disability.

The provision of temporary placement/internship opportunities could be particularly beneficial for both prospective employees and the employers. These should be funded (either fully or partly) to encourage employers to create the positions, whilst also advertised widely for disabled people. These should function as opportunities for disabled people to join the workforce and gain crucial work experience, whilst employers would experience the benefits of hiring disabled people.

What can be learned from elsewhere?

Other countries have managed to successfully encourage the employment of disabled people. In Spain, organisations with a disabled workforce of 70-90% are exempt from VAT, whilst those at 90% or above receive financial bonuses. Within the public sector, 5% of all jobs are reserved for disabled people.

Post-Covid, Portugal has successfully launched the ATIVAR.PT program which encourages the hiring of disabled people through incentives and training/education. This was in response to a considerable skills shortage and high unemployment rate in the aftermath of the Covid pandemic. Under this program, organisations employ disabled people for a period of 6 months and in return receive financial benefits. Organisations that convert the 6-month job role into a permanent contract are further financially rewarded through a “conversion award” of up to €10k.

In Sweden, the government offers financial subsidies for organisations employing disabled people, training and education of employers to encourage the employment of disabled people and grants for employers to adjust the workplace.



Submission to the Equality and Social Justice Committee's Inquiry into the disability and employment gap

The Wales Centre for Public Policy

1. The Wales Centre for Public Policy (WCPP) seeks to improve policy making and outcomes by enabling public bodies, the Welsh Government and other decision makers to access authoritative independent evidence to help them address the key economic, social and environmental challenges facing Wales.
2. WCPP is funded by the Welsh Government, the Economic and Social Research Council, and Cardiff University. It is a member of the What Works Network and is the Welsh partner in the International Public Policy Observatory.
3. This submission summarises research we have undertaken that bears on the topic of the Committee's inquiry. This research includes evidence reviews based on academic and 'grey' literature, as well as data collected through a roundtable held in April 2024 that brought together the Welsh Government, public services, and wider organisations to identify and share good practice relating to diversifying the workforce (Park et al., 2020, Taylor-Collins et al., 2020, Morgan et al., forthcoming).

Evidence

What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

4. A key recommendation from the 'Locked Out' report to ensure that disabled people apply for jobs, senior level promotions and advisory roles, is to take a proactive approach to reasonable adjustments whilst advertising such roles. The accessibility of interviews can be a significant barrier for disabled people, particularly when the responsibility for requesting adjustments falls on the candidate (Park et al., 2020). In a roundtable we held in April 2024 that brought together the Welsh Government with public services and organisations based in Wales, participants suggested sending out a video developed by existing staff alongside the candidate pack to encourage candidates to request reasonable adjustments. The video would provide practical examples that explain what reasonable adjustments are available. Another organisation shared their previous practice of leaving adjustment approvals to the hiring manager, but they were

finding that there was an inconsistency as to which candidates received adjustments. In response, they have implemented a system where, if a hiring manager wants to refuse an adjustment request, it goes to a separate team within the organisation who review the application and request and can grant the adjustment. As a result of this and other inclusive recruitment policies, the organisation reported doubling the rate of disabled people who were successful at interview. These adjustments could be offered throughout the recruitment process by default. As candidates often sound apologetic when requesting adjustments, standardising adjustments, such as providing questions in advance, would help to remove barriers.

5. A systemic barrier to progress in reducing the employment and pay disability gap is an unwillingness or lack of confidence within organisations to discuss diversity and inclusion issues. The Holmes Review (2018) on opening up public appointments to disabled people found that low disability awareness amongst panel members was a barrier to increasing representation.
6. The way in which an interview is conducted may disadvantage some candidates and unfairly advantage others. Particularly for senior appointments, interviews are likely to focus on certain forms of work experience and presentational styles with which some individuals from underrepresented backgrounds may be unfamiliar. The Holmes Review (2018) into opening up public appointments for disabled people notes that this can take three forms – many disabled people have non-standard work histories and might not have experience in formal interviews; neurodiverse candidates, or those who communicate through British Sign Language, might find communication challenging; and a focus on sector knowledge and competence can exclude those who come from outside the sector, but who might nonetheless have the skillset needed.
7. A lack of evidence on 'what works' also poses a barrier to reducing the employment and pay disability gap. As Sealy et al. (2009) note, existing evidence on the effectiveness of interventions to increase the diversity of boards predominantly relates to gender. While some of this evidence may be transferrable to race, disability and other characteristics, there is a lack of evidence examining whether and under what circumstances this is the case. Whilst this evidence is now quite old, more recently, Disability Wales have highlighted that despite a recent government focus on supporting more disabled people into work, there is a lack of research on the disability employment gap (Disability Wales, 2022).

How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

8. Some research suggests that adopting the social model of disability could assist in reducing unconscious bias towards disabled applicants by changing the social conditions and removing barriers to the participation of disabled people in the workforce (Bunbury 2019). This approach 'recognises that people with impairments are disabled by barriers that commonly exist in society... that all prevent disabled people's inclusion and participation in all areas of life' (Welsh Government, 2022). As highlighted above, this places the onus on organisations to remove societal barriers rather than expecting disabled people to adapt to or accept being excluded by existing practices.
9. The social model of disability needs to be supplemented with a firm recognition of difference rather than attempting to assimilate disabled people into the workforce (Bunbury, 2019). The Welsh Government adopted the model in 2002 as the basis for its work on disability and reaffirmed its commitment to embedding the model within its employment policies in 2022 (Welsh Government, 2022).

Whether disabled people are accessing apprenticeships and if any further support is needed to ensure schemes are inclusive.

10. Whilst we are unable to provide supporting evidence to answer the question of whether disabled people are accessing apprenticeships in Wales, we would like to highlight an example of good practice from elsewhere that was discussed in a recent roundtable. To encourage a more diverse range of applicants, Deutsche Bank have set up an Autism Internship. Applicants joining the programme are rigorously tested, with appropriate changes made to the assessment style to ensure they are comfortable. Timed responses and group assessment centres are replaced with a series of questions where graduates have one week to respond and these then form the basis of one-to-one discussions. Every successful applicant is then assigned a mentor and their line managers and colleagues receive specific training in how to work effectively with them (Morgan et al., forthcoming).

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere?

11. Participants in WCPP's roundtable discussed how ensuring that applications are accessible is key to increasing employment rates. Simple, effective changes to support candidates to complete applications included providing candidates with an option to complete and submit their application as a Word document instead of using the less accessible online system; or submitting their answers in a video (Morgan et al., forthcoming).

12. More thorough attempts to anonymise applications include Applied, a product from the UK's Behavioural Insights Team. Applied promotes job-specific skills-based questions for job applications rather than traditional CVs. This allows for initial assessment based on skills for the specific role rather than experience. Personal information such as name, race, gender and education can be removed so that recruiters assess the candidate on the quality of the skills-based questions. Self-published research suggests that using Applied resulted in a more diverse group of candidates passing through initial sifts, although the sample size was too small to disaggregate for ethnic minority and disabled applicants (Glazebrook, 2016). While software of this sort might be useful, adoption for public appointments will depend on the balance that the Welsh Government wishes to strike between job skills and prior experience in the area.
13. Schemes such as the Disability Confident employer scheme have also been highlighted as positive for attracting a more diverse pool of applicants (Morgan et al, forthcoming). The Disability Confident Scheme is a voluntary UK government scheme that helps organisations to attract, recruit and retain disabled staff. All employers join the scheme at level one and there are three levels associated with different commitments. It includes guaranteed interviews for disabled candidates who meet the essential criteria for an advertised job. Several participants in our roundtable noted that their organisations use the Guaranteed Interview Scheme (GIS) for disabled candidates (Morgan et al., forthcoming). The interview panel members are not notified that a candidate has an impairment, they are only given their answers to the specific criteria set out in the person specification for the role. There are, however, mixed opinions about its effectiveness. While some candidates are supportive of the scheme, others view it as a form of box-ticking and tokenism or even believe that it might harm their chances of attaining an interview (Holmes, 2018).
14. Positive action, which refers to lawful measures employers can take to improve diversity and achieve equal outcomes for any underrepresented group, also provides a basis for policy measures to increase participation rates. It is important to note that 'positive discrimination' does not form part of positive action, with the exception that the Equality Act 2010 allows more favourable treatment of disabled people in order to remove the barriers they experience. We summarise our evidence on the perception and use of positive action below.
15. Amongst roundtable participants there was a hesitation to use positive action tools as incorrect use of positive action can result in legal action being taken. The biggest challenge is understanding what positive action means in practice as it can often be misinterpreted as positive discrimination, which is unlawful in the UK.



16. BBC runs a positive action employment programme for people who are deaf, disabled, or neurodivergent. The programme, BBC Extend, ringfences roles that only people defined as disabled by the Equality Act (2010) can apply for. These roles vary in type, length and seniority. We are aware that some public service organisations have considered ringfencing roles for disabled people but have decided against it due to legal concerns, despite the implementation of the BBC Extend programme (Morgan et al., forthcoming).
17. It is important for employers to be well informed about how to apply positive action tools and further guidance, research and information sharing on how to apply these tools is needed (Morgan et al., forthcoming).



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Introduction to Social Firms Wales

Social Firms Wales (www.socialfirmswales.co.uk) exists to support the development of Social Firms, a form of social enterprise that prioritises the creation of employment, volunteering and training opportunities for disabled and other disadvantaged groups.

A model recognised globally, Social Firms offer a vital opportunity for people who face multiple and deeply entrenched barriers to employment within the open labour market.

Social Firms make a significant contribution to the spectrum of employment opportunities that exist for disabled people, and the variety and richness of the sector continues to blossom, particularly with the demise of the more traditional Day Centre model of occupation, as people want greater choice about how they want to spend their recreational and working life.

From Social Firms Wales perspective, it's important above all, that disabled people are able to have choices open to them in terms of their employment options. From more inclusive recruitment practices within mainstream employment, to Supported Employment options and Social Firms, it is all about people having the additional support they need to achieve a more equal playing field.

What are Social Firms and how do they fit into the spectrum of employment opportunities for disabled people?

Social Firms offer an alternative to mainstream employment, with a wide spectrum and diversity of models in existence. In fact, there is no one 'standard' Social Firm model, and it has become a term loosely used for any Social Enterprise that is primarily concerned with Social Inclusion.

The Social Firm movement began in the 1980s in Europe. Social Firms Wales is proud to be the only Social Firms Organisation in the UK flying the flag for this business model and helping to promote and grow the Social Firm ethos in Wales. Having been established in 2005, we've developed a strong reputation for working across Wales to champion social firm development, working with numerous local authorities to 'externalise' their day services into Social Firms, and have also helped many other independent social firms to take root and become established and sustainable social businesses.

With strong connections we work in partnership with Cwmpas, the DTA and Unltd to support the growth of socially inclusive social businesses. We now have 110 members within Social Firms Wales who are committed to socially inclusive employment practice and collectively which provide hundreds of employment, training and volunteering opportunities to disabled people.

What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

Progress has been hampered by Covid 19 and the Cost-of-Living Crisis. The loss of EU funding and its replacement with Shared Prosperity has offered sporadic opportunities for services to be delivered in support of disability employment but it is noticeably inconsistent across Wales. As services turned to crisis management, progress in terms of campaigning for disability employment rights has taken a back seat over the last few years.

Disability Rights are key to underpinning recommendations and ensuring continued funding of Disability Wales, and Self-Advocacy Groups like All Wales People First (and the hugely active local 'People First' groups) is vital to ensure that people's views and needs continue to have a forum and voice. The sector has been instrumental in ensuring user voices continue to be heard and that people are supported to advocate for themselves.

The recognition of remote working as a good option for disabled people has been won, and at Social Firms Wales we are pleased to have been funded (ending March 25) to pilot self-employment support to neurodivergent and other disabled people to develop this area, for the increasing numbers of disabled people looking at freelance and self-employment options.

Covid 19 had a disproportionately negative effect on disabled people's lives in Wales. Fragile and inconsistently funded support systems quickly became shut down and, in many cases, never returned. Many day services have closed and not been replaced, and we have heard anecdotally, stories of people losing hard fought for, and scarce jobs as a result of the pandemic. As an example, one member we recently spoke to at Caerphilly People First, said that they were let go from their supermarket job when the Pandemic started and were never asked to go back.

Disabled people were also disproportionately affected by job loss during the pandemic, being more highly represented within lower paid, insecure job roles.

Swiftly following the pandemic, came the Cost-of-Living Crisis, which once again has had a hugely disproportionate impact on the income of disabled people.

The Bevan Foundation's 'Winter Snapshot' on poverty in Wales (Feb 2024), found that Disabled people or people with a long-term health condition who state that their condition limits them "a lot" are among the people who are most likely to be in severe financial hardship. A staggering 36 per cent of disabled people whose condition limits

them a lot of report that they sometimes, often or always struggle to afford the essentials. That's nearly three times higher than the national average (13 per cent).

How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

Existing barriers remain stubbornly in place when it comes to people with learning disabilities. In recent consultations with Beacons Creative (Brecon), Caerphilly People First and Rhondda Cynon Taf People First, conversations with employees, volunteers and staff, revealed a shortage of paid employment opportunities, and lack of job coach support to help people access work in mainstream support.

Other more general barriers continue to be felt, including the messages that disabled people are given from childhood about what they can and can't do, with many people we speak to having not been given the chance to ever really 'test' their capabilities. This plays out in volunteering placements where our consultations found that people with learning disabilities volunteering in charity shops, were often not allowed to go on the tills (due to being short staffed and not having anyone to train them). However, this is the same culture that prevents people from really discovering what their capabilities are and helps to hold people back from developing key work skills.

Parents that worry for their adult offspring, and who have sometimes come to rely on carers benefits (especially in areas of deep poverty) often are reluctant to help their adult child pursue employment for different reasons. There is an argument to be made for early intervention and education for disabled people around their rights and to counter more negative assumptions they may have experienced.

Additionally, we are aware of issues around people within supported living schemes not getting access to information about employment support services- i.e. the information is distributed to supported living providers but quite often doesn't filter through to individuals. GDPR also means that services are unable to contact people individually and so are reliant on third party distribution of information.

It is also an ongoing issue that employers are reluctant (and both lack understanding) of how to be more inclusive in their recruitment practices. Equally, disabled people and those who are neurodivergent find it hard to make successful applications to gain an interview, requiring support to build strong applications that are competitive, especially when they may have dyslexia or find it difficult to express themselves in the written word.

One issue we have become aware of over time, is the need for closer connections between Social Firms and Job Coach schemes that can help those who want to, to transition into mainstream employment. Whilst some Social Firms create a vital

opportunity for some disabled people to have meaningful occupation such as training and volunteering (rather than paid employment), it must be acknowledged that open, mainstream employment is a preferred option for some. Having these different options and choice available is critical.

Neurodiversity is becoming far more understood and acknowledged within our communities, and we have seen increasing numbers of neurodivergent entrepreneurs setting up social businesses that provide a wide range of services.

Self-Employment for disabled people is an opportunity perhaps under-recognised in more generic business support, as it has the capacity to work well around people's conditions and needs.

We are also currently working with prisoners in (and about to leave) Berwyn Prison in Wrexham, many of whom are neurodivergent, with currently three clients who we will be continuing to provide business coaching to, on their release. Neurodiversity for prisoners is one of the most under-recognised issues facing the sector. It is estimated that up to half of the adult prison population in the UK could be considered neurodivergent, covering a range of conditions and disorders such as learning disabilities and acquired brain injuries. Since April 2021, the Prison Service has identified at least 25,000 prisoners enrolled in education who have learning difficulties and disabilities. (UK Government Statistics).

Self-employment offers an attractive route for many prisoners, circumnavigating some of the difficulties of entering employment on release.

How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.

Welsh Government supports Social Firms Wales as a specialist in the development of alternative employment and volunteering opportunities for disabled and other socially disadvantaged people in Wales and has had an ongoing relationship for over a decade.

The support of our small but 'niche' organisation has meant that we've been able to continue promoting, strengthening and supporting the growth of the social firm sector in Wales, with over 110 (and growing) numbers of Social Firms members all with inclusive employment at their heart. There is no other organisation that has the sole focus of socially inclusive social enterprise support, and we have also grown our support to encompass self-employment support for neurodiverse people and prison leavers.

In this time, we have honed our skills in inclusive business support practice, using adaptations and tailored, person-centred, flexible support that is in contrast to much of the time limited and restricted methods of support currently available. Having the option of finding employment or volunteering within the more specialised support environment of a Social Firm, is an important provision for people who are not always ready or comfortable in pursuing a job in the open labour market. With trained and professional staff that work intensively at times, alongside disabled workers, Social Firms offer a genuine workplace environment within a mixed setting, allowing people the time and space to develop their skills and abilities within a supportive and disability friendly environment.

Welsh Government funding has enabled us to practice a much more flexible and inclusive method of support which we have become known for and is highly prized by our social firm members and clients. We are very much about quality of support, over quantity and have no problem with spending many hours of support with one client where we feel we can really make a stepped change in their business life or Social Firm (which also translates to their personal health and wellbeing in many instances).

Welsh Government has supported a range of other initiatives aimed at tackling the deep rooted barriers to employment for disabled people including the development of Disability Champions and Supported Apprenticeships (delivered by ELITE and AGORIED CYF) and these have also been found to be very successful, along with the Internship model with local colleges, supporting people with learning disabilities into internships with local businesses. Other support services for people with learning disabilities vary from area to area, with projects such as the Vale of Glamorgan Supported Employment Project and Working on Wellbeing programme by Legacy in the Community, and Cardiff's Local Supported Employment project which all offer support to help people gain work placements and prepare for interviews. However, the projects are generally based on short term funding, and not all areas have these services available.

Whether disabled people are accessing apprenticeships and if any further support is needed to ensure schemes are inclusive.

Supported Employment Apprenticeships delivered by Elite and Agoriad Cyf are offered to people with learning disabilities however we are unaware of how successful these are and suspect that provision of this service is inconsistent across Wales.

Anecdotally we have heard of the options for Jobs Growth Wales, but it is not something that we have seen happening much within the Social Firm sector (other than for non-disabled people). In many cases the barrier is around benefits and the risk of a job ending after 6 months or 1 years and the disruption and fear that elicits.

Wider promotion of apprenticeships being open to people with disabilities is needed, along with Job coaching support initially, as it would be an ideal way of helping people

move on from volunteering and training placements across Social Firms- so often people get stuck within a volunteering role for many years due to a lack of impetus and opportunity to go into mainstream employment (for the many reasons we have already mentioned). Provision of supported employment apprenticeships should be available across Wales, in all areas to make it equitable.

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

With only 3% of people with a learning disability in work, there is a huge mountain to be climbed, and therefore the more opportunities and interventions, combined with greater collaboration and a National Strategy would greatly help to make much needed progress around disability employment. Having a National Strategy which focused on creating a range of choices for how people want to work and volunteer their time, would enable a greater understanding and collaboration of the different options and opportunities available and promote a more joined up approach between providers, to make the end user's journey smoother and more easily to access.

Lack of central promotion and awareness of support services means that many disabled people are unaware of options open to them and are often reliant on the knowledge and motivation of their individual support worker to access such services.

This is particularly true of more rural areas where Supported Employment schemes are less prevalent and supported employment providers struggle to gain coverage due to lack of resource combined with rural barriers more generally.

Social Firms Wales also supports Learning Disability Wales call for a '**National Job Coaching Strategy for Wales**' which aims to build on the success of the 'Engage to Change' 7 year lottery and Welsh Government funded project, which delivered job coaching to 2047 people and delivered 244 Supported Internships with a 41% sustained employment success rate. For anyone who has worked within the Learning Disability employment field, this demonstrates the power of the model and the effectiveness of a partnership approach to tackling the problem.

The Strategy would help to address inconsistencies of Supported Employment provision and build on developing a robust Supported Employment offer across Wales.

We believe however that although Supported Employment continues to be an important choice for disabled people, that Social Firms offering inclusive employment, training and volunteering opportunities, must continue to be a key provision, particularly with the closure of day centres across Wales which once provided 'meaningful occupation', that over time have been replaced by Social Firms in many cases. The opportunity for people to develop their soft skills, employment

skills and confidence is a primary role of Social Firms, enabling people in many cases to ‘transition’ into mainstream employment where they are able and willing. For others, Social Firms offer a safe and supportive environment for them to participate in working life on an ongoing basis, whether as a paid worker, volunteer or trainee. Once again, it is about choice and diversity of opportunity.

There needs to be a change in attitudes and assumptions, so that it is assumed that all disabled **people can and will work, with the right kind of support.**

A change in perception at all levels from early years to adulthood and across the spectrum of support providers would help to build a future society that seeks to recognise the value and strengths that everyone has, and which has the patience and democratic values to find alternative approaches, support methods, adaptations and inclusive practices that values people’s differences. **This includes being prepared to resource the additional support that is needed to level the huge inequity that disabled people face.**

Social Firms Wales supports the concept of a joined-up disability employment strategy for Wales, which incorporates physical disability, learning disability, autism and neurodiversity, ensuring that opportunities and support services are working in a co-ordinated way across Wales. Having a central point of promotion of opportunities including paid employment, volunteering, supported employment, mainstream employment support, and social firm opportunities.

Social Enterprises (and Social Firms) prioritise people, planet and purpose, over purely profit, and collectively, the sector in Wales aims to promote the model as widely as possible- indeed, the Community Interest Company model of business operation is becoming a fast growing option for entrepreneurs that want to blend their social mission with their commercial vision, with 874 active CICs operating in Wales, with an average 8% growth margin each year.

The Social Enterprise strategy for Wales ‘*Transforming Wales through Social Enterprise*’ is a key mechanism underpinning the growth of the Social Enterprise sector, helping to bring about more inclusive workplaces. On the 18th of September 2024, the Social Enterprise Stakeholder Group will hold a Senedd event which will discuss the progress made so far by the sector with its 10-year Vision and Action Plan for Social Enterprise.

Social Firms Wales believes a firm commitment to the continuation of support of Social Enterprise growth is fundamentally important, as no other sector is so committed to providing opportunities for disabled people (and other disadvantaged groups) as part of their central ethos.

The main point is that there are many ingrained cultural, social and economic barriers to disabled people participating in employment, but there is also ample opportunity to start to change that culture with education, more joined up thinking, greater promotion of opportunity ,and consistent support for Social Firms and Supported Employment/job coaching schemes, and to offer self-employment support for disabled and neurodivergent entrepreneurs, for whom the model can work so well around managing their condition.

What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).

Social Firms are a vital option for people who are unable to work in mainstream employment, providing a nurturing and supportive environment where people can experience working life, develop their skills and reap the benefits to health and wellbeing of participating in work. Helping Social Firms to sustain themselves, to grow and flourish will certainly help to meet the need for more volunteering opportunities within the sector, however that is countered by also requiring financial support to pay for additional staff within Social Firms to meet the high support needs of some of the complex individuals that come to volunteer. In many cases our Social Firms spend huge amounts of resource on supporting vulnerable workers to access work, without compensation or recognition of financial cost that this support entails.

The danger is that statutory bodies view Social Firms as a free Social Care provision, and the reality is that due to the high support needs that some individuals have, the cost of inclusion is hugely prohibitive to Social Firms that are often struggling to sustain themselves.

Recognition of the cost of staff support within Social Firms needs to be understood, as governments move away from statutory provision. We need to make sure we are reaching available opportunities for funding and directing funds into the sector, as well as supporting the business and acumen of the social firm sector.

For further information please contact Rosie Cribb, CEO of Social Firms Wales

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Ymateb Lechyd Cyhoeddus Cymru i Ymchwiliad y Pwyllgor Cydraddoldeb a Chyflawnder Cymdeithasol

Bwlch Cyflogaeth a Chyflog Anabledd

02/09/2024

Jayne Fortune / Mary-Ann McKibben

Cyflwyniad

Mae lechyd Cyhoeddus Cymru (ICC) yn falch o gael y cyfle i ddarparu tystiolaeth i ymchwiliad y Pwyllgor Cydraddoldeb a Chyflawnder Cymdeithasol ar y bwlch cyflogaeth a chyflog anabledd. Fel sefydliad sydd wedi ymrwymo i wella iechyd a llesiant pawb yng Nghymru, rydym yn cydnabod y pwysigrwydd hanfodol o fynd i'r afael ag anghydraddoldebau iechyd a'u heffaith ar gyflogaeth. Mae ein strategaeth hirdymor yn canolbwytio ar leihau anghydraddoldebau iechyd a mynd i'r afael â phenderfynydion ehangach iechyd, megis anweithgarwch economaidd oherwydd afiechyd, sy'n cyd-fynd yn uniongyrchol â'r ymchwiliad hwn i'r bwlch cyflogaeth a chyflog anabledd. Drwy flaenoriaethu gwaith teg, arferion cyflogaeth cynhwysol, a chymorth wedi'i dargedu ar gyfer unigolion â chyflyrau cronig, nod ICC yw lliniaru'r ffactorau sy'n cyfrannu at y gwahaniaethau cyflogaeth a wynebir gan bobl anabl, gan gefnogi nod yr ymchwiliad o leihau rhwystrau i gyflogaeth a chau y bwlch tâl anabledd.

Materion Allweddol

Diffiniad o 'Bobl Anabl'

Rydym yn deall bod y diffiniad o 'bobl anabl' ar gyfer yr ymchwiliad hwn yn cyd-fynd â Deddf Cydraddoldeb 2010, sy'n cynnwys unigolion ag amhariadau corfforol neu feddyliol sy'n cael effaith andwyol sylweddol a hirdymor ar eu gallu i gyflawni gweithgareddau beunyddiol. Mae'r diffiniad hwn yn cwmpasu cyflyrau cronig, anableddau dysgu, niwrowahaniaeth, a chyflyrau cysylltiedig eraill.

Anweithgarwch Economaidd Oherwydd Afiechyd

Mae pryder cynyddol ynghylch y lefelau cynyddol o anweithgarwch economaidd oherwydd afiechyd, sy'n dod yn broblem gynyddol sylweddol yng Nghymru. Dengys data mai Cymru oedd â'r gyfradd absenoldeb uchaf oherwydd salwch (3.6%) yn y DU.¹

¹ [Absenoldeb salwch ym marchnad lafur y DU - Y Swyddfa Ystadegau Gwladol \(ons.gov.uk\)](#) Cychwyd: 23 Awst 2024

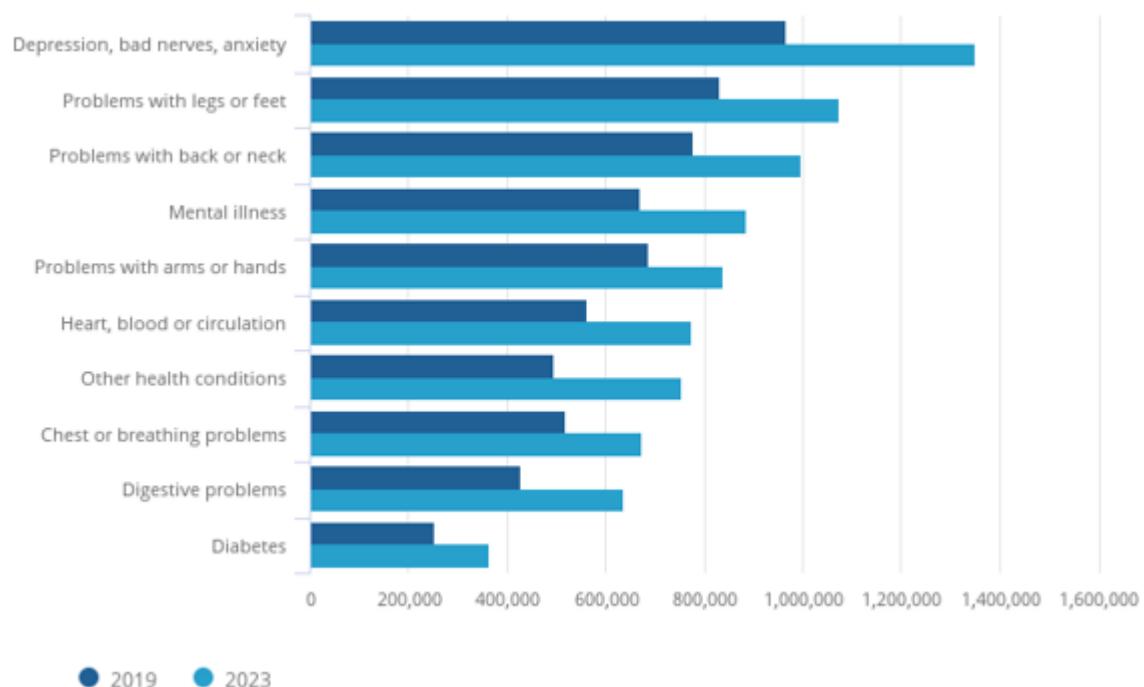
Ffigur 1: Economaidd anweithgar oherwydd salwch hirdymor (% o'r economaidd anweithgar), 2004-2023, Cymru



Ffynhonnell: NOMIS yn defnyddio Arolwg y Farchnad Lafur

Mae'r graff uchod (ffigur 1) yn dangos bod cyffredinrwydd cyflyrau cronig ym mhoblogaeth oedran gweithio Cymru yn sylweddol uwch na chyffredinolrwydd gweddill y DU gyda'i gilydd. Yn ogystal, mae cyflyrau iechyd meddwl a chyflyrau cyhyrysgerbydol (MSK) yn brif achosion absenoldeb salwch hirdymor, gan waethygw anweithgarwch economaidd ymhellach. Mae gan y duedd hon nid yn unig oblygiadau difrifol i unigolion ond mae hefyd yn gosod baich economaidd sylweddol ar economi Cymru.

Ffigur 2: Cyflyrau iechyd pobl 16-64 oed sy'n economaidd anweithgar oherwydd salwch hirdymor, y DU, Ch1 2019 - Ch1 2023



Ffynhonnell: SYG yn defnyddio Arolwg y Farchnad Lafur

Ffactorau Risg sy'n Gysylltiedig ag Oedran a'r Boblogaeth sy'n Heneiddio

Mae'r boblogaeth sy'n heneiddio yng Nghymru yn cyflwyno heriau sylweddol i'r gweithlu, gan mai oedran yw'r ffactor risg mwyaf ar gyfer cyflyrau iechyd cronig. Ar hyn o bryd, mae gan 36% o boblogaeth oedran gweithio'r DU o leiaf un cyflwr iechyd hirdymor², gyda baich afiechyd mewn oedolion sy'n gweithio yn bennaf oherwydd materion iechyd meddwl a chyflyrau cyhyrysgerbydol (MSK) (ffigur 2). Mae nifer yr achosion o'r cyflyrau hyn, ynghyd â'r nifer cynyddol o weithwyr hŷn, yn gwaethygwch anweithgarwch economaidd oherwydd afiechyd sydd yn ei dro yn ehangu anghydraddoldebau iechyd a chyfoeth. Mae'r anghydraddoldebau hyn yn amlwg mewn bylchau cyflog a llai o gyfleoedd cyflogaeth i'r rhai â chyflyrau cronig, gan gysylltu incwm ymhellach fel penderfynydd iechyd. Yng Nghymru, mae costau economaidd salwch sy'n gysylltiedig â'r gweithle yn sylweddol. Amcangyfrifir bod £531 miliwn³ yn cael ei golli'n flynyddol oherwydd absenoldeb salwch a chynhyrchiant is, sy'n fygythiad difrifol i iechyd a sefydlogrwydd economaidd y genedl.

Anghydraddoldebau Iechyd a Chyfoeth

Mae'r bwlch cyflogaeth a chyflog anabledd yn achos ac yn ganlyniad i anghydraddoldebau iechyd a chyfoeth sylweddol. Mae pobl anabl yn fwy tebygol o fod mewn gwaith cyflog isel. Gall bod mewn gwaith cyflog isel effeithio'n negyddol ar iechyd. Mae hyn oherwydd bod incwm yn gysylltiedig yn agos

² [Salwch cynyddol ac anweithgarwch economaidd oherwydd salwch hirdymor, DU - Y Swyddfa Ystadegau Gwladol \(https://cy.ons.gov.uk/\)](https://cy.ons.gov.uk/) Cychwyd: 23 Awst 2024

³ [Ystadegau iechyd a diogelwch yn y gweithle ar gyfer Cymru, 2023 \(hse.gov.uk\)](https://hse.gov.uk/) Cychwyd 23 Awst 2024

â phenderfynyddion cymdeithasol ehangach iechyd, megis mynediad at ofal iechyd o safon, bwyd maethlon, tai diogel, ac amgylchedd byw'n iach. Pan fydd pobl yn ennill llai, yn aml mae ganddyn nhw lai o adnoddau i gefnogi eu hiechyd.

Mae'r gwahaniaethau mewn cyflog yn gwaethyg anghydraddoldebau iechyd ymhellach, yn enwedig ymhliith grwpiau agored i niwed. Er enghraifft, mae bwlch cyflog o 11.6% rhwng pobl anabl a phobl nad ydynt yn anabl yng Nghymru⁴, sy'n cyfrannu at incwm parhaus ac anghydraddoldebau iechyd. Mae straen ariannol incwm isel yn cael effeithiau dwys ar iechyd meddwl, wrth i deuluoedd frwydro i ddiwallu anghenion sylfaenol fel tai, bwyd a dillad. Mae'r straen hwn yn gysylltiedig â chanlyniadau iechyd niweidiol, gan gynnwys mwy o dueddiad i gyflyrau cronig fel clefyd y galon a datblygiad gwybyddol is mewn plant.

Mae cyflog isel nid yn unig yn effeithio ar sefydlogrwydd ariannol unigolyn ond hefyd yn effeithio'n uniongyrchol ar ei allu i fyw bywyd iach. Yng Nghymru, mae 21% o oedolion o oedran gweithio yn byw mewn tlodi incwm cymharol⁵. Nid yw cyflogaeth yn unig yn amddiffyniad digonol yn erbyn tlodi.

Mae mynd i'r afael â'r gwahaniaethau hyn yn hanfodol i leihau'r bwlch cyflogaeth anabledd a sicrhau bod pob unigolyn, beth bynnag fo'i statws iechyd, yn cael mynediad at gyfleoedd cyflogaeth teg a chyflawn. Bydd gwneud hynny yn helpu i dorri'r cylch o anghydraddoldeb sy'n golygu bod iechyd gwael yn parhau a rhagolygon economaidd cyfyngedig i unigolion anabl.

Cefnogi Unigolion Anabl mewn Cyflogaeth

Mae'n hanfodol gweithredu a chefnogi mentrau sy'n helpu unigolion anabl i ymuno â'r gweithlu neu aros ynddo. Mae hyn nid yn unig yn mynd i'r afael â'r bwlch cyflogaeth ond hefyd yn sicrhau bod pobl anabl yn cael y cyfle i gyfrannu'n economaidd ac yn gymdeithasol, a thrwy hynny leihau anghydraddoldebau. Mae mesurau cymorth penodol ac ymyriadau wedi'u targedu yn hanfodol ar gyfer yr ymdrech hon.

Y Model Cymdeithasol o Anabledd a'r Rhwystrau sy'n Weddill

Mae ICC yn cefnogi cymhwysor model cymdeithasol o anabledd fel sail i arferion cyflogaeth a reciwtio. Fodd bynnag, mae rhwystrau sylweddol yn parhau sy'n atal unigolion anabl rhag cael mynediad llawn i'r farchnad lafur. Yn aml mae gan gyflogwyr gamsyniadau am gymwyseddau ymgeiswyr anabl, ac mae cred dreiddiol bod cyflogi pobl anabl yn ariannol feichus. Yn ogystal â hyn, mae unigolion anabl yn wynebu rhwystrau personol, gan gynnwys diffyg hunan-sicrwydd oherwydd canfyddiadau cymdeithasol ac ofn cael eu gwrthod ar ôl datgelu eu cyflyrau iechyd. Mae rhwystrau amgylcheddol, megis gweithleoedd anhygrych a chludiant cyhoeddus annigonol, yn gwaethygur heriau hyn ymhellach.

Mynediad i Brentisiaethau

Er bod ffocws wedi bod ar greu cyfleoedd ar gyfer mynediad, twf a dilyniant drwy brentisiaethau, mae i ba raddau y mae pobl anabl yn manteisio ar y cyfleoedd hyn yn parhau i fod yn aneglur. Mae angen mwy o ymdrechion wedi'u targedu i sicrhau bod cynlluniau prentisiaeth yn gwbl gynhwysol. Mae hyn

⁴ [Bylchau cyflog anabledd yn y DU - Y Swyddfa Ystadegau Gwladol \(ons.gov.uk\)](#) Cychwyd: 23 Awst 2024

⁵ [Tlodi Incwm Cymharol: Ebrill 2022 i Fawrth 2023 \[HTML\] | LLYW.CYMRU](#) Cychwyd: 23 Awst 2024

yn cynnwys darparu addasiadau rhesymol yn ystod y prosesau reciwtio a hyfforddi a hyrwyddo'r cynlluniau drwy gyflogwyr Hyderus o ran Anabledd.

Mesurau Polisi a Chymorth Pellach

Er mwyn cynyddu cyfraddau cyfranogiad ymhliith unigolion anabl, yn enwedig pobl ifanc, mae angen mesurau polisi cynhwysfawr sy'n mynd i'r afael â rhwystrau unigol a systemig. Dylid annog cyflogwyr i gymryd rhan mewn trafodaethau agored gyda staff anabl i nodi a gweithredu addasiadau rhesymol. Dylid canolbwyntio hefyd ar ddarparu Hyfforddiant Cydraddoldeb Anabledd i hybu dealltwriaeth a chynhwysiant yn y gweithle. Yn ogystal, dylid adolygu a diwygio polisiau i sicrhau eu bod yn defnyddio iaith gynhwysol a pharchus tuag at bobl anabl.

Cefnogi Cyfleoedd Gwirfoddol

I'r rhai nad ydynt yn gallu gweithio ar hyn o bryd, gall cyfleoedd gwirfoddol fod yn llwybr gwerthfawr i gyflogaeth yn y dyfodol. Mae'r camau gweithredu a fyddai'n cefnogi mynediad at y cyfleoedd hyn yn cynnwys cynnig opsiynau gwirfoddoli hyblyg, darparu rhaglenni hyfforddi a datblygu sgiliau, sefydlu mentrau mentora, a chynnig mynediad at wasanaethau cymorth megis cwnsela ar gyfer gyrra. Trwy gydweithio â sefydliadau cymunedol, gellir creu cyfleoedd gwirfoddoli wedi'u teilwra i helpu unigolion i gysylltu â darpar gyflogwyr ac ehangu eu rhwydweithiau proffesiynol.

Rhaglenni Gwaith Iechyd Cyhoeddus Cymru

Cymru Iach ar Waith (HWW)

Mae rhaglen Cymru Iach ar Waith wedi cymryd camau sylweddol wrth gefnogi cyflogwyr a gweithwyr i reoli iechyd yn y gwaith. Rydym wedi canolbwyntio ar hyrwyddo arferion da wrth reciwtio a chadw unigolion anabl a'r rhai â chyflyrau cronig.

Mae Cymru Iach ar Waith wedi datblygu a darparu adnoddau amrywiol gyda'r nod o wella arferion cyflogwyr yn y meysydd hyn. Mae cyflawniad arwyddocaol yn cynnwys creu gweminar boblogaidd sy'n canolbwyntio ar gydraddoldeb, amrywiaeth a chynhwysiant, yn enwedig yn ymwneud ag anableddau. Cafodd yr adnodd hwn ymgysylltiad sylweddol gan gyflogwyr, gan ddangos bod galw mawr am gymorth i reciwtio a chadw pobl anabl. Mae Cymru Iach ar Waith hefyd wedi bod yn gweithio'n agos gyda rhanddeiliaid allweddol yn y GIG i rannu arferion gorau wrth gefnogi staff â chyflyrau iechyd hirdymor, gan gydnabod y gellir gwneud llawer mwy ledled Cymru i fynd i'r afael ag anghydraddoldebau cyflogaeth a chefnogi unigolion anabl i ymuno â'r gweithlu ac aros ynddo.

Mae Cymru Iach ar Waith wedi amlinellu cynlluniau ar gyfer y dyfodol sy'n cefnogi nodau'r ymchwiliad i leihau'r bwlcw cyflog a chyflogaeth i'r anabl yn uniongyrchol. Bydd ffocws allweddol ar wella rheolaeth absenoldeb salwch i helpu gweithwyr â chyflyrau iechyd cronig i aros mewn gwaith. Bydd hyn yn cynnwys hyrwyddo deunyddiau presennol, rhannu arferion gorau, a darparu hyfforddiant wedi'i dargedu trwy weminarau a modiwlau e-ddysgu. Drwy roi'r offer angenrheidiol i gyflogwyr reoli absenoldebau gwaith sy'n gysylltiedig ag iechyd yn effeithiol, mae Cymru Iach ar Waith yn anelu at leihau'r risg o anweithgarwch economaidd hirdymor ymhliith unigolion anabl a'r rheini â chyflyrau cronig.

Yn ogystal, mae Cymru lach ar Waith wedi ymrwymo i wella creiwtio a chadw pobl anabl o fewn y gweithlu. Mae'r rhaglen yn bwriadu mynd i'r afael ag anghydraddoldebau cyflogaeth drwy rannu arferion gorau a chynnig arweiniad ymarferol i gyflogwyr, gan eu helpu i greu gweithleoedd mwy cynhwysol. Bydd yr ymdrechion hyn yn cael eu targedu'n benodol at sectorau lle mae cyflogau isel, contractau ansicr, a chyfran uchel o weithwyr ifanc yn gyffredin, megis gwasanaethau manwerthu, llety, a bwyd. Drwy ganolbwytio ar y sectorau hyn, nod Cymru lach ar Waith yw lleihau anghydraddoldebau iechyd a hyrwyddo cyfleoedd gwaith teg ledled Cymru, gan gyfrannu yn y pen draw at gau'r bwlcw cyflogaeth a chyflog anabledd.

Gwaith Teg

Mae ymrwymiad Iechyd Cyhoeddus Cymru i waith teg yn cael ei adlewyrchu yn eu heiriolaeth dros arferion cyflogaeth sy'n sicrhau tegwch a chynhwysiant. Mae egwyddorion gwaith teg yn hanfodol i fynd i'r afael â'r gwahaniaethau cyflogaeth a wynebir gan bobl anabl ac maent yn ffocws allweddol i'n blaenorriaethau strategol.

Mae dystiolaeth gref bod gwaith teg o ansawdd uchel yn cael effaith gadarnhaol ar iechyd a llesiant gweithwyr, ac i'r gwrthwyneb, mae diweithdra'n tanseilio iechyd da. Mae ffactorau megis amhariadau a chyflyrau iechyd hirdymor yn rhwystro pobl rhag cael gwaith a gallu aros mewn gwaith, gan waethyg anghydraddoldebau iechyd. Yng Nghymru dim ond 46.9% o'r boblogaeth anabl o oedran gweithio sydd mewn cyflogaeth⁶ o gymharu â 79.7% o bobl o oedran gweithio nad ydynt yn anabl gan arwain at fwlch o 33%. Yn ogystal, mae gan Gymru'r gyfradd absenoldeb salwch uchaf o unrhyw ranbarth yn y DU (Cymru 2.8% yn erbyn cyfartaledd y DU o 2.2%).

Mae Iechyd Cyhoeddus Cymru wedi bod wrthi'n hyrwyddo gwaith teg fel elfen hollbwysig o leihau'r bwlch cyflogaeth anabledd a chynyddu cyfranogiad mewn cyflogaeth ystyrlon. Mae ein gwaith ar waith teg yn cynnwys datblygu deunyddiau ac astudiaethau achos⁷ sy'n amlygu arferion gorau, megis y fenter Engage to Change, sydd wedi'i chydnabod am ei llwyddiant wrth gefnogi unigolion anabl i gyflogaeth.

Er gwaethaf yr ymdrechion hyn, mae'r cynnydd o ran cau'r bwlch cyflogaeth ac anabledd wedi bod yn heriol, yn bennaf oherwydd pwysau allanol megis y dirwasgiad economaidd, materion reciwtio a chadw, gweithlu sy'n heneiddio, a'r angen am ddatblygiad sgiliau parhaus. Yn ystod y cam⁸ ymgysylltu, cyfeiriodd rhanddeiliaid, gan gynnwys Byrddau lechyd, at yr heriau hyn fel rhwystrau sylweddol i hyrwyddo mentrau gwaith teg. Yn ogystal, er bod gweithgarwch sylweddol wedi bod yn ymwneud â gwella mynediad at gyfleoedd megis gwirfoddoli, hyfforddiant, uwchsgilio, addysg, a phrentisiaethau, mae angen ffocws pellach i sicrhau bod y llwybrau hyn yn gwbl hygrych i bobl anabl.

Wrth symud ymlaen, dylai camau gweithredu i fynd i'r afael â'r heriau hyn alinio ag argymhellion y Panel Gwaith Teg, sy'n pwysleisio'r angen am arferion gweithle cynhwysol a chefnogol sy'n galluogi pob unigolyn, yn enwedig y rhai ag anableddau, i ffynnu mewn cyflogaeth deg a chyflawn.

Partneriaeth Rheoli Iechyd Cyflogaeth (EHMP)

Sefydlwyd y Bartneriaeth Rheoli Iechyd Cyflogaeth (EHMP) gyda gweledigaeth glir: atal y gweithlu rhag cyfradd gadael oherwydd afiechyd trwy well rheolaeth ar absenoldeb oherwydd salwch a

⁶ Canlyniadau i bobl anabl yn y DU - Y Swyddfa Ystadegau Gwladol (ons.gov.uk) Cyrchwyd: 23 Awst 2024

⁷ [phw.nhs.wales/services-and-teams/wider-determinants-of-health-unit/fair-work-for-health-well-being-and-equity/resources/case-studies/\(Saesneg_yn_unig\).Cyrchwyd: 23 Awst 2024](https://phw.nhs.wales/services-and-teams/wider-determinants-of-health-unit/fair-work-for-health-well-being-and-equity/resources/case-studies/(Saesneg_yn_unig).Cyrchwyd: 23 Awst 2024)

⁸ Gwaith Teg ar gyfer iechyd, llesiant a thegwch: Adroddiad cryno ar gam ymgysylltu lechyd Cyhoeddus Cymru (gig.cymru) Cyrchwyd: 23 Awst 2024

strategaethau cefnogol yn y gweithle. Gosododd y bartneriaeth amcanion, gan gynnwys hyrwyddo pwysigrwydd cadw pobl mewn gwaith, gwella dealltwriaeth gweithwyr iechyd proffesiynol o'r berthynas rhwng iechyd a gwaith, hwyluso cydweithio rhwng asiantaethau allweddol fel y GIG a'r Adran Gwaith a Phensiynau (DWP) ac integreiddio gwasanaethau'n fwy effeithiol. Er nad yw'r rhaglen hon ar gael ar hyn o bryd, gosododd gynsail ar gyfer cydweithredu aml-asiantaeth gyda'r nod o leihau anweithgarwch economaidd oherwydd afiechyd.

Cynllun Cenedlaethol i Atgyfeirio Cleifion i Wneud Ymarfer Corff (NERS)

Mae'r rhaglen NERS yn ymyriad iechyd sy'n seiliedig ar dystiolaeth sy'n ymgorffori gweithgaredd corfforol a thechnegau newid ymddygiad i gefnogi unigolion a atgyfeiriwyd i leihau eu risg o salwch hirdymor trwy ddod yn fwy egniol yn gorfforol. Felly mae'n chwarae rhan wrth gefnogi pobl â chyflyrau cronig. Gellir defnyddio'r rhaglen hon i helpu unigolion i gynnal eu hiechyd, a thrwy hynny gefnogi cyflogaeth barhaus a lleihau absenoldeb hirdymor oherwydd salwch.

Rhagleni Llywodraeth Cymru

Gwasanaeth Cymorth yn y Gwaith

Rydym yn cymeradwyo Gwasanaethau Cymorth yn y Gwaith Llywodraeth Cymru, sy'n cynnig adnoddau gwerthfawr i gyflogwyr a gweithwyr. Mae'r gwasanaethau hyn, sydd bellach ar gael ledled Cymru, yn darparu cymorth hanfodol ar gyfer rheoli iechyd yn y gwaith, gan gynnwys iechyd meddwl a chyflyrau MSK, ac maent yn arf hollbwysig i leihau'r bwlch cyflogaeth anabledd.

Argymhellion

Er ein bod yn cydnabod pwysigrwydd ffocws yr ymchwiliad, rydym yn awgrymu bod ymateb strategol, aml-asiantaeth yn hanfodol i fynd i'r afael yn effeithiol â'r lefelau cynyddol o anweithgarwch economaidd oherwydd afiechyd. Dylai'r dull hwn roi blaenoriaeth i reoli absenoldeb oherwydd salwch a recriwtio a chadw pobl anabl. Yn ogystal, bydd mynd i'r afael ag achosion sylfaenol anweithgarwch economaidd, megis cyflyrau iechyd cronig, trwy fentrau iechyd a chyflogaeth wedi'u targedu yn hanfodol i liniaru'r heriau cyflogaeth presennol a lleihau anghydraddoldebau.

Mae Iechyd Cyhoeddus Cymru yn parhau i fod yn ymrwymedig i weithio ochr yn ochr â Llywodraeth Cymru a phartneriaid eraill i sicrhau bod pob unigolyn, waeth beth fo'i statws iechyd, yn cael mynediad at gyfleoedd cyflogaeth ystyrlon a theg. Edrychwn ymlaen at gyfrannu ymhellach at yr ymchwiliad pwysig hwn.



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Public Health Wales Response to the Equality and Social Justice Committee Inquiry

Disability Employment and Payment Gap

02/09/2024

Jayne Fortune / Mary-Ann McKibben

Introduction

Public Health Wales (PHW) is pleased to have the opportunity to provide evidence to the Equality and Social Justice Committee's inquiry into the disability employment and payment gap. As an organisation committed to improving the health and wellbeing of all people in Wales, we recognise the critical importance of addressing health inequalities and their impact on employment. Our long-term strategy focuses on reducing health inequalities and addressing the wider determinants of health, such as economic inactivity due to ill health, which directly aligns with this inquiry into the disability employment and payment gap. By prioritising fair work, inclusive employment practices, and targeted support for individuals with chronic conditions, PHW aims to mitigate the factors that contribute to the employment disparities faced by disabled people, thus supporting the inquiry's goal of reducing barriers to employment and closing the disability pay gap.

Key Issues

Definition of 'Disabled People'

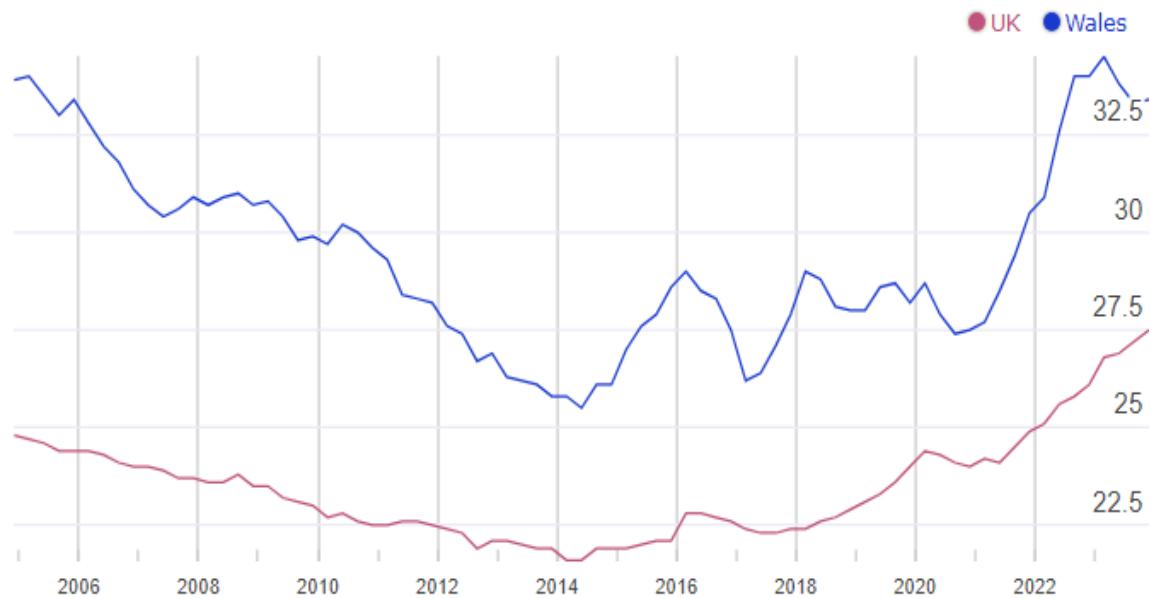
We understand that the definition of 'disabled people' for this inquiry aligns with the Equality Act 2010, which includes individuals with physical or mental impairments that have a substantial and long-term adverse effect on their ability to perform everyday activities. This definition encompasses chronic conditions, learning disabilities, neurodivergence, and other related conditions.

Economic Inactivity Due to Ill Health

There is a growing concern regarding the rising levels of economic inactivity due to ill health, which is increasingly becoming a significant issue in Wales. Data shows that Wales had the highest sickness absence rate (3.6%) in the UK.⁹

⁹ [Sickness absence in the UK labour market - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/conditionsanddiseases/sicknessabsenceintheuklabourmarket) Accessed: 23 August 2024

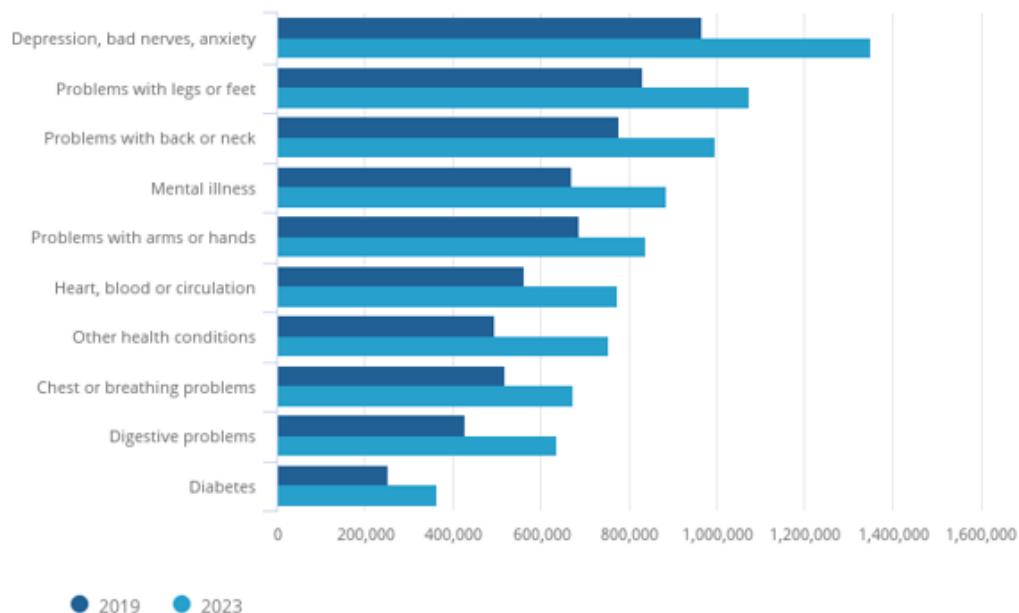
Figure 1: Economically inactive by reason long-term sick (% of economically inactive), 2004-2023, Wales



Source: NOMIS using Labour Force Survey

The graph above (figure 1) shows the prevalence of chronic conditions in the Welsh working-age population is notably higher than the rest of the UK combined prevalence. Additionally, mental health conditions and musculoskeletal (MSK) conditions are leading causes of long-term sickness absence, further exacerbating economic inactivity. This trend not only has severe implications for individuals but also places a considerable economic burden on the Welsh economy.

Figure 2: Health conditions of people aged 16-64 years who are economically inactive because of long-term sickness, UK, Q1 2019 - Q1 2023



Source: ONS using Labour Force Survey

Age-Related Risk Factors and the Ageing Population

The ageing population in Wales presents significant challenges to the workforce, as age is the largest risk factor for chronic health conditions. Currently, 36% of the UK's working-age population has at least one long-term health condition¹⁰, with the burden of disease in working adults primarily due to mental health issues and musculoskeletal (MSK) conditions (figure 2). The prevalence of these conditions, along with the rising number of older workers, exacerbates economic inactivity due to ill health which in turn widens health and wealth inequalities. These inequalities manifest in pay gaps and reduced employment opportunities for those with chronic conditions, further linking income as a determinant of health. In Wales, the economic costs of workplace-related ill health are substantial, with an estimated £531 million¹¹ lost annually due to sickness absence and lower productivity, which poses a serious threat to both the health and economic stability of the nation.

Health and Wealth Inequalities

The disability employment and pay gap is both a cause and consequence of significant health and wealth inequalities. Disabled people are more likely to be in low-paid work. Being in low-paid work can negatively affect health. This is because income is closely tied to the broader social determinants of health, such as access to quality healthcare, nutritious food, safe housing, and a healthy living environment. When people earn less, they often have fewer resources to support their health.

¹⁰ [Rising ill-health and economic inactivity because of long-term sickness, UK - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/conditionsanddiseases/bulletins/risingill-healthandeconomicinactivitybecauseoflongtermsickness/quarterly/201901to202301) Accessed: 23 August 2024

¹¹ [Workplace health and safety statistics for Wales, 2023 \(hse.gov.uk\)](https://www.hse.gov.uk/statistics/wales/2023/) Accessed 23 August 2024

The disparities in pay further exacerbate health inequalities, particularly among vulnerable groups. For instance, there is an 11.6% pay gap between disabled and non-disabled people in Wales¹², contributing to persistent income and health inequalities. The financial stress from low income has profound effects on mental health, as families struggle to meet basic needs such as housing, food, and clothing. This stress is linked to adverse health outcomes, including increased susceptibility to chronic conditions like heart disease and lower cognitive development in children.

Low pay not only impacts an individual's financial stability but also directly affects their ability to live a healthy life. In Wales, 21% of working-age adults live in relative income poverty¹³. Employment alone is not a sufficient safeguard against poverty.

Addressing these disparities is essential to reducing the disability employment gap and ensuring that all individuals, regardless of their health status, have access to fair and equitable employment opportunities. Doing so will help break the cycle of inequality that perpetuates poor health and limited economic prospects for disabled individuals.

Supporting Disabled Individuals in Employment

It is crucial to implement and support initiatives that help disabled individuals enter or remain in the workforce. This not only addresses the employment gap but also ensures that disabled people have the opportunity to contribute economically and socially, thereby reducing inequalities. Specific support measures and targeted interventions are essential for this effort.

The Social Model of Disability and Remaining Barriers

PHW supports the application of the social model of disability in underpinning employment and recruitment practices. However, significant barriers persist that prevent disabled individuals from fully accessing the labour market. Employers often hold misconceptions about the competencies of disabled applicants, and there is a pervasive belief that employing disabled people is financially burdensome. Furthermore, disabled individuals face personal barriers, including a lack of self-assurance due to societal perceptions and fear of rejection upon disclosing their health conditions. Environmental barriers, such as inaccessible workplaces and inadequate public transportation, further exacerbate these challenges.

Access to Apprenticeships

While there has been a focus on creating opportunities for access, growth, and progression through apprenticeships, the extent to which disabled people are accessing these opportunities remains unclear. More targeted efforts are needed to ensure that apprenticeship schemes are fully inclusive. This includes providing reasonable adjustments during the recruitment and training processes and promoting the schemes through Disability Confident employers.

Further Policy Measures and Support

¹² [Disability pay gaps in the UK - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/people/workinglives/peoplewithdisabilities/disabilitypaygaps) Accessed: 23 August 2024

¹³ [Relative income poverty: April 2022 to March 2023 \[HTML\] | GOV.WALES](https://gov.wales/relative-income-poverty-april-2022-to-march-2023) Accessed: 23 August 2024

To increase participation rates among disabled individuals, especially young people, there is a need for comprehensive policy measures that address both individual and systemic barriers. Employers should be encouraged to engage in open discussions with disabled staff to identify and implement reasonable adjustments. There should also be a focus on providing Disability Equality Training to promote understanding and inclusivity within the workplace. Additionally, policies should be reviewed and revised to ensure that they use inclusive and respectful language towards disabled people.

Supporting Voluntary Opportunities

For those currently unable to work, voluntary opportunities can serve as a valuable pathway to future employment. Actions that would support access to these opportunities include offering flexible volunteering options, providing training and skill development programmes, establishing mentorship initiatives, and offering access to support services such as career counselling. By collaborating with community organisations, tailored volunteering opportunities can be created to help individuals connect with potential employers and expand their professional networks.

Public Health Wales Work Programmes

Healthy Working Wales (HWW)

The Healthy Working Wales programme has made significant strides in supporting employers and employees in managing health at work. We have focused on promoting good practice in recruitment and retention of disabled individuals and those with chronic conditions.

HWW has developed and delivered various resources aimed at improving employer practices in these areas. A significant achievement includes the creation of a popular webinar focused on equality, diversity, and inclusion, particularly concerning disabilities. This resource received substantial engagement from employers, indicating a strong demand for support in recruiting and retaining disabled people. HWW has also been working closely with key stakeholders in the NHS to share best practices in supporting staff with long-term health conditions, recognising that much more can be done across Wales to address employment inequalities and support disabled individuals to enter and remain in the workforce.

HWW has outlined future plans that directly support the goals of the inquiry into reducing the disability employment and pay gap. A key focus will be on enhancing the management of sickness absence to help employees with chronic health conditions remain in work. This will involve promoting existing materials, sharing best practices, and delivering targeted training through webinars and e-learning modules. By equipping employers with the necessary tools to manage health-related work absences effectively, HWW aims to reduce the risk of long-term economic inactivity among disabled individuals and those with chronic conditions.

Additionally, HWW is committed to improving the recruitment and retention of disabled people within the workforce. The programme plans to address employment inequalities by sharing best practices and offering practical guidance to employers, helping them create more inclusive workplaces. These efforts will be particularly targeted at sectors where low pay, precarious contracts, and a high proportion of young workers are prevalent, such as retail, accommodation, and food services. By focusing on these sectors, HWW aims to reduce health inequalities and promote fair work opportunities across Wales, ultimately contributing to closing the disability employment and pay gap.

Fair Work

The PHW commitment to fair work is reflected in their advocacy for employment practices that ensure equity and inclusivity. Fair work principles are integral to addressing the employment disparities faced by disabled people and are a key focus of our strategic priorities.

There is strong evidence that high quality fair work has a positive impact on employee health and wellbeing, and conversely, unemployment undermines good health. Factors, such as impairments and long-term health conditions, act as barriers to people getting and being able to stay in work, exacerbating health inequalities. In Wales only 46.9% of the working aged disabled population are in employment¹⁴ compared to 79.7% of non-disabled working aged people resulting in a 33% gap. Additionally, Wales has the highest sickness absence rate of any UK region (Wales 2.8% vs the UK average of 2.2%).

Public Health Wales has been actively engaged in promoting fair work as a critical component of reducing the disability employment gap and increasing participation in meaningful employment. Our work around fair work includes the development of materials and case studies¹⁵ that highlight best practices, such as the Engage to Change initiative, which has been recognised for its success in supporting disabled individuals into employment.

Despite these efforts, progress in closing the employment and disability gap has been challenging, largely due to external pressures such as the economic recession, recruitment and retention issues, an ageing workforce, and the need for ongoing skills development. During the engagement¹⁶ phase, stakeholders, including Health Boards, cited these challenges as significant barriers to advancing fair work initiatives. Additionally, while there has been substantial activity around improving access to opportunities such as volunteering, training, upskilling, education, and apprenticeships, further focus is needed to ensure that these pathways are fully accessible to disabled people.

Moving forward, actions to address these challenges should align with the Fair Work Panel's recommendations, which emphasise the need for inclusive and supportive workplace practices that enable all individuals, particularly those with disabilities, to thrive in fair and equitable employment.

Employment Health Management Partnership (EHMP)

The Employment Health Management Partnership (EHMP) was established with a clear vision: to prevent workforce attrition due to ill health through improved sickness absence management and supportive workplace strategies. The partnership set objectives, including promoting the importance of keeping people in work, enhancing health professionals' understanding of the health-work relationship, facilitating collaboration between key agencies like the NHS and DWP and integrating services more effectively. Although this programme is currently in abeyance, it set a precedent for multi-agency collaboration aimed at reducing economic inactivity due to ill health.

National Exercise Referral Scheme (NERS)

The NERS programme is an evidence-based health intervention incorporating physical activity and behavioural change techniques to support referred individuals to reduce their risk of long-term ill

¹⁴ [Outcomes for disabled people in the UK - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/people/healthandwellbeing/healthandwellbeing/outcomesfordisabledpeople) Accessed: 23 August 2024

¹⁵ phw.wales/services-and-teams/wider-determinants-of-health-unit/fair-work-for-health-well-being-and-equity/resources/case-studies/ Accessed: 23 August 2024

¹⁶ [Fair Work for health, well-being and equity: A summary report on PHW engagement phase \(nhs.wales\)](https://nhs.wales/fair-work-for-health-well-being-and-equity-a-summary-report-on-phw-engagement-phase) Accessed: 23 August 2024

health through becoming more physically active. It therefore plays a role in supporting people with chronic conditions. This programme can be leveraged to help individuals maintain their health, thereby supporting continued employment and reducing long-term sickness absence.

Welsh Government Programmes

In-Work Support Services

We commend the Welsh Government's In-Work Support Services, which offer valuable resources for both employers and employees. These services, now available across Wales, provide vital support for managing health at work, including mental health and MSK conditions, and are a critical tool in reducing the disability employment gap.

Recommendations

While we recognise the importance of the inquiry's focus, we suggest that a strategic, multi-agency response is essential to effectively tackle the rising levels of economic inactivity due to ill health. This approach should prioritise the management of sickness absence and the recruitment and retention of disabled people. Additionally, addressing the root causes of economic inactivity, such as chronic health conditions, through targeted health and employment initiatives will be crucial in mitigating the current employment challenges and reducing inequalities.

Public Health Wales remains committed to working alongside the Welsh Government and other partners to ensure that all individuals, regardless of health status, have access to meaningful and fair employment opportunities. We look forward to contributing further to this important inquiry.



RCSLT Wales response to the Senedd Cymru Equality and Social Justice Committee consultation on the disability employment and payment gap

Executive summary

Thank you for the opportunity to give written evidence as part of the committee's inquiry into the disability employment and payment gap. In our response, we focus primarily on several questions raised within the terms of reference namely;

- What barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).
- What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.
- What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).

Key points

- 20% of adults in the UK will experience communication difficulties at some point in their lifetime.
- In addition to speech, language and communication needs that may accompany lifelong physical, sensory and learning disabilities, communication needs can arise as a result of an acquired illness or condition including brain injury or stroke.
- Speech, language and communication needs in people with a communication disability are a core barrier to accessing further education, training and employment opportunities.
- Often a hidden disability, there is frequently a lack of awareness of what a communication disability means to the person concerned, and what adjustments could be undertaken to support and facilitate their entry or return to employment
- RCSLT recommends that all services which aim to support people into work, back in to the work place and / or retain people in the workforce should undertake communication access training.
- RCSLT also recommends that speech and language therapists should be part of the core team working with individuals who are long-term unemployed.

About the Royal College of Speech and Language Therapists (RCSLT)

RCSLT is the professional body for speech and language therapists (SLTs), speech and language therapy students and support workers working in the UK. The RCSLT has 20,000 members in the UK (750 in Wales) representing approximately 95% of SLTs working in the UK (who are registered with the Health & Care Professions Council). We support speech and language therapists by providing leadership, setting professional standards, facilitating research, promoting better education, and training.

Speech and Language Therapists (SLTs) are experts in swallowing and communication difficulties. We work across health, education, social services, and justice supporting people at every age and stage of life from neonates to people approaching the end of life.

Inquiry terms of reference

What barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes)

1. Nearly 20% of the population will experience communication difficulties at some point in their lives.¹ Difficulties with communication can affect people at any age. They can be lifelong, affecting someone from birth, or they can be acquired later in life, through accident or illness. Some people may only have a communication disability whilst others have it as part of a wider disability.
2. Communication disability affects a wide-ranging and diverse group of people of working age. Examples include many autistic people, people with a Learning Disability, Cerebral Palsy, Developmental Language Disorder, Stammer, Deafness as well as acquired chronic conditions such as Stroke, Parkinson's disease, Multiple Sclerosis, Head and neck cancer; and acute conditions such as Voice loss, as the figures below attest:
 - 50%-90% of the learning disabled population have communication difficulties².
 - Around a third of people will have some level of communication difficulties (called aphasia or dysphasia) following a stroke.³
 - 20% of people with head or brain injury have speech difficulties.⁴
3. There is also a very high incidence and prevalence of speech, language and communication problems associated with mental illness. 80% of adults with mental health disorders have impairment in language. Over 60% have impairment in communication and discourse⁵. People with mental health conditions may have difficulties concentrating and / or understanding spoken or verbal communication and / or difficulties expressing clearly

¹ Scottish Executive Social Research (2007). Communication support needs a review of the literature. <http://tinyurl.com/qzqzkpp>

² Enderby P and Davies P. Communication Disorders: planning a service to meet the needs. BJDC 1989; 24, 151-166.

³ Stroke Association (2012). Speech and Language Therapy after Stroke. Stroke Association: London

⁴ Enderby, op. cit.

⁵ Walsh, I., Regan, J., Sownman, R., Parsons, B., McKay, A.P. (2007). A needs analysis for the provision of a speech and language therapy service to adults with mental health disorders. Ir J Psych Med 24(3): 89-93

complex thoughts, feelings and information pertaining to past or future events – either verbally or in writing. The impact of common mental health conditions may also include reduced confidence in interacting effectively with others.

4. The link between unmet speech, language and communication needs and educational achievement and employment is now well documented.
 - Children with lower vocabulary scores at age 5 were at age 34 **more than twice** as likely to be unemployed as children who had normally developing language at age 5.⁶
 - **88%** of long-term unemployed young men have speech, language and communication needs.⁷
 - Young adults with DLD (developmental language disorder) have been found to be unemployed **four times** longer than their peers. A higher proportion of people with DLD were in part-time employment and more of their peers were in full-time employment.⁸
5. As the statistics reveal, speech, language and communication needs (SLCN) in people with a communication disability are a core barrier to accessing further education, training and employment opportunities. Communication is a core life skill; the means by which we express our choices, form relationships and access education, employment and the rest of society. Young people with poor communication skills are more likely to leave school with low qualifications and poorer job prospects and are therefore more at risk of remaining unemployed. Evidence also demonstrates that these challenges remain for individuals with SLCN throughout adulthood. In 2012 Clegg et al carried out a study which interviewed parents of adults with communication difficulties and all parents reported “continuing difficulties in their children’s adult life across many domains of communication ability that were a concern to the parents and were perceived by them as a barrier in terms of gaining and managing employment and initiating and maintaining relationships”¹⁰.
6. Whilst often a hidden disability, the impact of communication disability can be significant. People with SLCN may not understand vocabulary at a normal age level, their SLCN affects the ability to understand, express themselves and use social skills. SLCN also affects how people access verbally mediated interventions. Evidence shows that often employment intervention programmes are delivered at too high a level for most people and are verbally mediated. When it comes to applying for jobs, people with SLCN are disadvantaged because they have problems with;

⁶ Law, J. et al (2010) Modelling developmental language difficulties from school entry into adulthood. *Journal of speech, language and hearing research*, 52, 1401-1416

⁷ Elliott N (2011) An investigation into the communication skills of unemployed young men.
<https://pure.southwales.ac.uk/ws/portalfiles/portal/1515255/N. L. Elliott 2011 2064879.pdf>

⁸ Conti-Ramsden, G., Durkin, K., Toseeb, U., Botting, N. & Pickles, A. (2018). Education and employment outcomes of young adults with a history of developmental language disorders. *International Journal of Language and Communication Disorders*, 53(2), 237-255.

¹⁰ Clegg, J., Ansorge, L., Stackhouse, J. and Donlan, C. (2012) Developmental communication impairments in adults: outcomes and life experiences of adults and their parents, *Language, speech and hearing services in schools*, 43(4), pp. 521-35.
<http://www.ncbi.nlm.nih.gov/pubmed/22826372>

- Understanding the vocabulary to fill in application forms
- Time concepts, in particular sequencing time and reading the time– which will affect their ability to make an interview on time
- Difficulties with finding words at an interview so they may not come across as well as other candidates
- Have difficulties with relationships
- Difficulties asking for clarification etc so might just let things slide
- Organisational skills - need support to organise their day/time/tasks.

7. The impact of communication disability may be made even more devastating by a lack of awareness of what a communication disability means to the person concerned, and what adjustments could be undertaken to support and facilitate their entry or return to employment. A failure to make reasonable adjustments to meet communication needs will mean that those with communication disabilities will continue to be at a greater risk of being excluded from employment opportunities than their non-disabled peers.

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

- 8. Giving the high prevalence of communication disability, it is crucial that all services which aim to support people into work, back into the workplace and / or retain people in the workforce use mainstream, quality, inclusive communication approaches throughout their procedures. For example, all information on services must be communication accessible to the broadest population and front-line staff should be trained and provided with resources to be able to identify and adapt their own communication to the needs of people with speech, language and communication support needs. We recommend that services undertake [Communication Access UK training](#). Communication Access UK is an initiative developed in partnership by charities and organisations that share a vision to improve the lives of people with communication difficulties. Together, the organisations have developed the Communication Access Symbol, a new disability access symbol underpinned by a completely free training package and standards. RCSLT has recently been successful in gaining funding from the National Lottery to develop a Welsh language version of the training package.
- 9. There is also a need to rethink employment support to ensure it encompasses a range of health professionals including speech and language therapists given the prevalence of communication disability within this group. Speech and language therapist, Dr Natalie Elliot, completed her doctoral research on Communication Impairment in Long-term Unemployed Young Men in South Wales Valleys in 2011. 88% of the young men within the study were revealed to have SLCN and Elliot argued that whilst there was awareness amongst the professionals working to help these young men into work that their communication and social skills were poor, there was a lack of knowledge about how to help. The study concluded that;
 - Speech and language therapists should be part of the core team working with individuals who are long-term unemployed.
 - All long-term unemployed young men should receive a detailed speech and language therapy assessment.
 - People who are long-term unemployed should have access to speech and language therapy intervention if they are identified as communication impaired.

- Professionals working with people who are unemployed should receive training from speech and language therapists on how to recognise and support people with communication impairments.

10. We believe that these recommendations if taken forward would make a significant difference to reducing the barriers to employment faced by disabled people

Further information

We hope this paper will be helpful in supporting the committee's discussions around employment and the disability gap. We would be happy to provide further information if this would be of benefit.

Pippa Cotterill, Head of Wales Office, Royal College of Speech and Language Therapists

Dr. Caroline Walters, External Affairs Manager (Wales), Royal College of Speech and Language Therapists

Confirmation

This response is submitted on behalf of The Royal College of Speech and Language Therapists in Wales. We confirm that we are happy for this response to be made public.

Senedd Equality and Social Justice Committee
Disability and Employment Inquiry – RNID response

Submitted to: SeneddEquality@senedd.wales

Intro to RNID

The Royal National Institute for Deaf People (RNID) is the national charity representing the 12 million people who are deaf, have hearing loss or tinnitus across the UK – including more than 900,000 people in Wales. Alongside the communities we represent, we campaign to make society more inclusive for everyone.

Employment is a key focus area for RNID¹. We want to see deaf people, and people with hearing loss and tinnitus achieve, retain, and thrive in employment, on an equal basis to others. We also know that access to fair and secure employment can have a significant positive impact on our communities, not just for financial independence and earning potential, but also personal health and wellbeing, social connections, and personal development and learning.

Below is our response to the Senedd Equality and Social Justice Committee's Inquiry on Disability Employment. If you have any questions or would like to discuss our response below further, please get in touch via the contact details at the end of our submission.

Key messages:

- We welcome the subject matter of this consultation; addressing the challenges that deaf people and people with hearing loss face in the labour market is an increasingly urgent issue. Wales is already the UK nation with the highest economic inactivity rate and poor health and disabilities are the main cause of economic inactivity in Wales.² In the context of post-pandemic recovery and the cost-of-living crisis, this climate is even more challenging.
 - One in three people in Wales have hearing loss, that amounts to more than 900,000 people. Wales also has the largest proportion of people aged over 70 compared to other UK nations, and with the prevalence of age-related hearing loss, this is an increasing concern.
 - We know that hearing loss can have a significant negative impact on people if unmanaged or if they are left without support; people with hearing loss are more likely to experience isolation and depression,³ as well as wider implications on health, wellbeing, employment and social engagement.
 - Despite the limited data on the experiences of deaf people and people with hearing loss in Wales, RNID analysis of 2021 census data found that one in three (38%) of BSL users of working age are economically inactive,

¹ For further details of our strategic programmes see: [Our work - RNID](#)

² Learning & Work, Which way now for employment support? February 2024 [Which way now for employment support in Wales? - Learning and Work Institute](#)

³ RNID, Hearing Matters, 2020, <https://rnid.org.uk/wp-content/uploads/2020/05/Hearing-Matters-Report.pdf>

highlighting how they are further from the labour market than people with hearing loss more widely, and the general population.⁴

- The lack of data on the experience of deaf people, BSL users and people with hearing loss in the labour market impedes our understanding of the specific challenges our communities face, as well as our ability to monitor the impact of support schemes. We need better data to adequately reflect the experiences of our communities in Wales and the divergent experiences within the category of 'hearing loss' or 'difficulty hearing' as is often recorded.
 - **The committee should call for ONS to improve data collection on disabled people that allows us to better understand their experiences within employment, and better reflects variations and differences in experience both between and within different disabilities and health conditions – e.g. people with hearing loss and BSL users.**
- We welcome the establishment of the Disability Rights Taskforce in response to the 'Locked Out' report and its aim to develop a Disability Action Plan for Wales. We have been a member of the Taskforce since September 2023, including on the Employment and Income Working Group. **We endorse the recommendations put forward by this working group, in particular:**
 - **The call for the development of an Employer Information Hub hosted by Business Wales, to build on the guidance and information for employers on employing disabled people. Further information on this recommendation is included in our full response.**
 - **Moves to explore the possibility of expanding on or strengthening the Disability Confident scheme in Wales. We took part in the initial focus group discussing how a Disability Confident Wales + scheme could take shape and tackle some of the challenges and weaknesses of the UK Government run scheme. Again, we expand on this recommendation in our full response.**
- This consultation comes at an important moment in the context of the changing relationship between the Welsh and UK Government. Most employment support in Wales is funded either by the UK Government, through Jobcentre Plus and DWP or the UK Shared Prosperity Fund commissioned programmes, or the Welsh Government, provided by commissioned programmes, local authorities, colleges and civil society organisations. This means that there is a mixed approach to the delivery and commissioning of services available to people in Wales, and certain key levers affecting disabled people's employment – such as disability benefits, the Access to Work scheme, mandatory workforce and pay reporting, and the Disability Confident scheme, are still reserved. Historically, significant differences in approach between the two governments has affected progress in Wales, and the pace of change has been slow, for example due to significant Access to Work backlogs. Not to mention the differences in rhetoric toward disabled people who are economically inactive, which has, at times, been received by disabled people as hostility. However, the new Government in Westminster has committed to

⁴ RNID analysis of 2021 census data.

ensure disabled people have full rights to equal pay, as well as introducing disability pay gap reporting to tackle inequality.

- These new commitments highlight an opportunity to reset the relationship with UK Government when it comes to disability employment. **Alongside progressive and meaningful interventions in Wales, the Welsh Government needs to press UK Government to meet its pay gap commitments, as well as commitments to tackle the Access to Work backlog, to ensure lack of progress at a UK level is not undermining progress in Wales.**
- **Welsh Government must improve integration of employment support services in Wales, to ensure that, regardless of who is the service funder, commissioner or provider, that there is consistency in experience for deaf and disabled people accessing and benefitting from employment support programmes.**

Recommendation summary:

1. The committee should call for ONS to improve data collection on disabled people that allows us to better understand their experiences within employment, and better reflects variations and differences in experience both between and within different disabilities and health conditions - e.g. people with hearing loss and BSL users.
2. The committee should support the recommendations of the Disability Rights Taskforce Employment and Income Working Group, in particular, the calls for:
 - a. The call for the development of an Employer Information Hub hosted by Business Wales, to build on the guidance and information for employers on employing disabled people. Further information on this recommendation is included in our full response.
 - b. Moves to explore the possibility of expanding on or strengthening the Disability Confident scheme in Wales. We took part in the initial focus group discussing how a Disability Confident Wales + scheme could take shape and tackle some of the challenges and weaknesses of the UK Government run scheme. Again, we expand on this recommendation in our full response.
3. The committee must press Welsh Government to reset its relationship with UK Government to ensure lack of progress at a UK level does not undermine progress in Wales. This must include urging UK Government to meet its disability pay gap commitments as well as commitments to tackle the Access to Work backlog.
4. The committee should call on Welsh Government to ensure better integration of employment support services in Wales, to ensure that, regardless of who is the service funder, commissioner or provider, that there is consistency in experience for deaf and disabled people accessing and benefitting from employment support programmes.

Inquiry questions:

1. **What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.**
 1. The employment rate for disabled people is lower than the for the general population, and the rate in Wales is lower than the UK average. Data published by ONS in June 2024 shows that the employment rate for disabled people in Wales was at 51% at the year ending March 2024. This compares to a rate of 81.9% for non-disabled people.
 2. Poor health and disabilities are the main cause of economic inactivity in Wales, with 146,000 people, or 7.7% of the working age population economically inactive due to long-term health conditions or disabilities in Wales, according to Learning & Work. This is compared to 5.5% in England and 6.9% in Scotland.⁵
 3. The 'Locked Out' report highlighted some of the key issues affecting disabled people, including deaf people, in employment, such as the barriers presented by employer attitudes and the lack of appropriate reasonable adjustments being made in employment.
 4. However, while there was strong recognition of the barriers Deaf people and BSL users experience throughout the report – in particular the need for recognition of Deaf BSL users' language and culture and its importance – the level of detail on our communities' experience in the labour market specifically is minimal. This will in part be due to the lack of reliable data about people with hearing loss, deaf people and BSL users' experience in gaining and retaining employment.
 5. As highlighted above, we do not believe that the ONS currently collects the data needed to make an informed assessment of our communities' employment opportunities. People who are deaf or have hearing loss are broadly categorised within the Labour Force Survey as having 'difficulty hearing'. The latest UK-wide data indicates that the employment rate for those who select 'difficulty in hearing' as their main condition stands at 74.7%, while for those who list it as a main or secondary health condition, the figure stands at around 45%. However, this does not allow us to understand the significant variations in experience that are likely to exist within this group.
 6. Despite minimal data, RNID analysis of the 2021 census allowed us to gain a better picture of the experience of deaf BSL users within employment. We expected this group to be further from the labour market, and census data shows the employment gap is particularly stark; more than one in three (38%) of deaf BSL users of working age in Wales are currently economically inactive because they are long-term sick or disabled.⁶
 7. It is logical to assume that people with different levels of hearing loss face different challenges and barriers to the workforce; as we can see from the census data, this is particularly extreme for deaf BSL users, but that does not mean that barriers faced by people with different degrees of hearing loss are not significant.

⁵ Learning & Work, Which way now for employment support? February 2024 [Which way now for employment support in Wales? - Learning and Work Institute](#)

⁶ RNID analysis of the 2021 Census data

This is why it is crucial that the right data is collected, to give us a full picture. We believe that better data on the life chances of BSL users would empower government to provide better support.

8. With the prevalence of age-related hearing loss (presbycusis), and Wales's ageing population, this is becoming an increasingly urgent issue that must be addressed.
9. In response to the 'Locked Out' report:
 - i. RNID welcome the establishment of the DRT, of which we have been members since September 2023.
 - ii. Welcome the introduction of the disability discrepancy unit to ensure there is strengthened evidence to tackle inequality in Wales, that reflects the unique and intersecting characteristics of disabled people. We look forward to seeing the published outcome of the Evidence Unit's work with the Disability Rights Taskforce Co-Chairs later this year, and hope that this will ensure a strong evidence-base to underpin the recommendations put forward by the Taskforce. We also understand that the Unit is developing a specification for feedback on barriers to employment for disabled people, which will hopefully sit alongside the findings of this inquiry and inform recommendations to improve the lives of deaf and disabled people. **Once this specification has been published as well as the findings of this inquiry a clear and targeted plan for addressing gaps/barriers should be developed with a set timeframe for delivery.**
 - iii. We also understand that the Unit is exploring whether more granular detail on pay gaps by protected characteristics including disability can be published. This is intended to overcome some of the limitations of the Annual Population Survey analysis. If our recommendation above to break down the 'difficulty hearing' category further is adopted, this could have significant positive implications for evidence-based and impactful policy-making to address economic inequalities in society. **The Committee should make clear its support for this work and ensure that any outcomes of this project are embedded into both the Committee's, and Welsh Government's, ways of working going forward.**
10. However, despite these positive commitments from Welsh Government, we cannot ignore the challenging context for improving disability employment. Wales was a beneficiary of significant EU funding, in particular, the European Social Fund (ESF) with the set purpose of funding intervention through social inclusion, education, and importantly, employment. This funding supported a wealth of projects across Wales aimed at eradicating poverty and reducing inequality, including projects that supported disabled people into employment. One of these schemes is Jobsense, which RNID delivered in East Wales alongside a consortium of organisations until 2023.⁷
 - i. Jobsense is an employment service, still delivered in West Wales and the Valleys which supports people over the age of 25 who are Deaf, have hearing loss and/or sight loss, to gain qualifications, experience and move closer to finding work. The project takes a dual approach; working with both individuals

⁷ RNID, Jobsense employment service in Wales - [JobSense employment service in Wales - RNID](#)

with sensory loss to support them to move closer to work, and employers to support them to successfully recruit people with sensory loss by helping break down barriers within the workplace and recruitment process, and advising them on other available support. This support is provided by specialist employment advisors who work 1-1 with jobseekers, and employers, many of whom have a wealth of experience working with people with sensory loss, or have lived experience themselves.

11. While funding has been replaced for some of these programmes which continue to be delivered in Wales, many were forced to close due to withdrawal of funding or lack of certainty over the future of funding.
12. While the UK Government introduced the replacement UK Shared Prosperity Fund, the structure, objectives and administration of the funding has changed, and there is still a lack of transparency and certainty for service providers, third sector and other community organisations, on funding structures and plans for future funding and commissioning.
13. The impact of the end of this funding on disabled people, including deaf people and people with hearing loss, in accessing employment support, is yet to be fully assessed, but this should be monitored closely and learnings taken on board for the design and funding of future support.
14. **We would urge the committee to recommend a full impact evaluation of the loss of funding of employment support programmes that previously benefitted disabled people, for example Jobsense in East Wales, in order to understand:**
 - i. The extent to which employers and individuals with sensory loss are missing out on support due to loss of, or changes to funding.
 - ii. Gaps in existing employment support provision as a result of this loss – e.g. has the loss of funding led to more general employment support rather than more specific, condition focused support, or a loss of support in certain geographic areas.
 - iii. The extent to which learnings from these programmes have been taken on board and inform current or new employment support for disabled people.

Recommendation summary:

1. Once the findings of the Evidence Unit and Disability Discrepancy Unit's work with Disability Rights Taskforce co-chairs is published, the Committee should ensure this is taken on board alongside the findings of this committee inquiry, and used to develop a clear, targeted plan for addressing the gaps/barriers highlighted, with a set timeframe for delivery.
2. The Committee should support the work of the Evidence Unit to explore publishing more detail on pay gaps for people with protected characteristics, and ensure that any outcomes of this project are embedded into both the Committee's, and Welsh Government's, ways of working going forward.
3. We would urge the Committee to recommend a full impact evaluation of the loss of funding of employment support programmes that previously benefitted disabled people in order to understand:
 - a. The extent to which employers and individuals with sensory loss are missing out on support due to loss of, or changes to funding.
 - b. Gaps in existing employment support provision as a result of this loss – e.g. has the loss of funding led to more general employment support rather than more specific, condition focused support, or a loss of support in certain geographic areas.
 - c. The extent to which learnings from these programmes have been taken on board and inform current or new employment support for disabled people.

2. How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

1. When it comes to barriers to employment for deaf people and people with hearing loss, they are two-fold:
 - i. There are work-specific barriers which pose a major challenge. This includes employer attitudes and understanding, workplace deaf awareness culturally and among colleagues and managers, the need to make adjustments or provide additional support, and recruitment processes.
 1. Significant changes are needed to make workplaces more accessible to people who are deaf and have hearing loss, and employers must be better supported to be deaf aware and understand the reasonable adjustments and adaptations that can be made to support deaf staff or staff with hearing loss and tinnitus.
2. Previous RNID research found that the two most common barriers to deaf employees and employees with hearing loss accessing support are employers not having the knowledge to help (57%), and employers being reluctant to help (37%). Almost a third (30%) of those surveyed also said that employers did not know what help was available.

- 3. Public polling also found that over a quarter (26%) of people would feel uncomfortable being told to manage someone who was deaf or had hearing loss.⁸
- ii. Structural and societal barriers that affect deaf people and people with hearing loss accessing work. This includes access to health and social care, as well as challenges with public transport, education and training, and wider public attitudes.
 - 1. Health is another strategic focus of RNID, and we know that access to health and social care is a significant barrier for our communities, who often face physical, digital and language barriers to accessing the care they need, affecting their health and employment prospects as well as numerous other aspects of their life.
 - a. We have been campaigning for Welsh Government to review and significantly revise and strengthen the All Wales Standards for Accessible Information and Communication for People with Sensory Loss. These set out the Standard of care and access people with sensory loss should expect in healthcare settings, both digitally and in person. Despite these first being published in a health circular in 2013, implementation has been poor, and the Standards have failed to address the patient safety issue of people with sensory loss' barriers to accessing health care.
 - b. Welsh Government have now committed to review and revise these Standards, and we are currently working with them alongside other stakeholders to implement a new action plan to strengthen and expand the Standards, roll them out across NHS Wales and develop a stronger model for implementation and compliance.
 - c. While we welcome the commitment from Welsh Government, we are still a long way from the outcomes needed to improve access to health for our communities. Improving the Standards and access to health for people who are deaf, have sensory loss or are disabled will have benefits, not just for individual health and wellbeing, but for addressing barriers to employment and wider participation in public and social life.
 - d. **We would urge the committee to support this work and urge Welsh Government to ensure it is effectively resourced and integrated to achieve the desired outcomes for deaf people and people with hearing loss.**
 - e. However, beyond access, we also know that significant healthcare waiting lists are affecting access to employment for people who could and want to work. There are currently just under 10,000 people on the waiting list for adult hearing aids through NHS audiology, a number which has significantly risen since the beginning of the pandemic, with more than 4,000 of those waiting more than the Welsh Government

⁸ RNID, Deaf Awareness research, 2023 <https://rnid.org.uk/2023/05/massive-shift-needed-to-improve-publics-deaf-awareness/>

target of 14 weeks. Many audiology departments across Welsh health boards also missed out on additional resource to tackle the pandemic backlogs. Welsh Government must urgently address this issue, and recognise the impact waiting lists are having on people with hearing loss being able to enter the workforce, and stay in it.⁹

- i. **The Committee should pressure the Welsh Government to urgently tackle these waiting lists and highlight the wider impact of long waiting lists on disabled people's health, wellbeing and employment prospects. Welsh Government must ensure that health boards are adequately resourced to tackle waiting lists, and that funding to tackle hearing aid and other audiology waiting lists is ring-fenced.**
- f. This demonstrates why a cross-Government approach to tackling inequality for disabled people is essential – without tackling wider and societal factors affecting disabled people's access to employment, specific disability employment interventions will be limited.

Recommendation summary:

- 1. **We would urge the Committee to support the Welsh Government's work to review, revise and strengthen the All Wales Standards for Accessible Communication and Information, and urge Welsh Government to ensure it is effectively resourced and integrated to achieve the desired outcomes for deaf people and people with hearing loss.**
- 2. **The Committee should pressure the Welsh Government to urgently tackle hearing aid and other audiology waiting lists and highlight the wider impact of long waiting lists on people with hearing loss and disabled people's employment prospects, as well as wider health and wellbeing.**
- 3. **How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.**
 - 1. We welcome the Welsh Government's commitment to ending the disability pay gap. In 2021, Wales had the narrowest gap of the four UK nations, but this still stood at 11.6%, demonstrating that there is still much further to go.¹⁰
 - 2. We welcome the existence of disabled people's employment champions – while we have had limited engagement with them to date, we know that employer attitudes are one of the most significant barriers facing deaf people and people with hearing loss in employment. Therefore, direct engagement with employers to

⁹ Stats Wales, Audiology services waiting times, updated August 2024

<https://statswales.gov.wales/Catalogue/Health-and-Social-Care/NHS-Hospital-Waiting-Times/audiology-services/waitingtimes-by-weekswaiting-service-site-month>

¹⁰<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/disabilitypaygapsintheuk/2021>

equip them with the skills and knowledge to improve their employment of disabled people is a helpful intervention. In particular, with one of the Champions being deaf and a BSL user, we hope that means increased representation for the needs of deaf people and BSL users in employment.

- i. However, more transparency on the work of Disability Employment Champions would be helpful to understand the impact of their outreach and support of businesses, and what the tangible result of engagement is for the employment of disabled people.
- ii. **The committee should urge Welsh Government to regularly report on the impact of Disability Employment Champions' engagement with employers, and what tangible results this is having on improving employment practices to breakdown barriers to deaf and disabled people, and on the recruitment and retention of deaf and disabled employees.**
3. However, while direct work with employers is important, deaf people, BSL users and people with hearing loss also need direct support to access the labour market.
4. The 2023 final evaluation of Jobsense looked at the challenges and successes of the programme, and one of its outcomes was that participants with sensory loss often experienced significant levels of anxiety about the move into work, communication barriers in navigating the system, and required confidence building and development of trust in available support. This highlighted the importance of direct support to people with sensory loss seeking employment, in addition to engagement with employers to improve accessibility.
5. Jobsense was successful in its model meeting the needs of participants seeking support to find work, and employers' seeking support to improve accessibility.
6. There were some additional learnings from the project evaluation in East Wales which we would urge the committee to consider in developing its recommendations following this inquiry:
 - i. As above, the project evaluation highlighted the increasing need for participants with sensory loss to access support with their wider lives outside of work during the project. In addition to the specific issues accessing employment, participants needed support navigating things like disability benefits and understanding how changing employment might impact their income, as well as public transport challenges when physically accessing work. The evaluation also highlighted the importance of the cost-of-living crisis and its impact on people's lifestyle and employment choices.
 - ii. For some deaf BSL users who have a different primary language, language barriers are the biggest barrier to employment rather than their sensory loss – highlighting the importance of interventions being seen through multiple, intersecting lenses of both disability and language. This means that some BSL users can face discrimination in trying to access help and support, understanding what a job requires, expressing desires and needs, and their ability to communicate with others within a job.
 - iii. There needs to be consideration of how targets are set in the design of future employment support to ensure that these don't inadvertently prioritise certain interventions over others. It was reported that targets sometimes led to the

scheme focusing on people who were already closer to the labour market, who may gain employment sooner. While these results were positive, it may have affected the projects' reach to those most in need of support.

- iv. There needs to be greater promotion of Access to Work amongst people with sensory loss, as well as more resource to tackle the significant backlog.
 - 1. RNID have been working with the Department for Work and Pensions (DWP) to develop Adjustments/Access to Work Planners which allow individuals to record information on their needs and required support in a way that prevents them from having to consistently repeat this information, and allows the smoother transition of this knowledge. The aim for the planner is for it to contribute to smoother Access to Work applications, renewals and changes. A couple of planners, including one targeted at education leavers who are first entering employment, have already been launched, but we have also supported work on a planner specifically for BSL users, which we hope will be launched in the near future.
- v. In the post-pandemic climate in particular, issues were reported around less secure employment being offered to people through the scheme. Labour market changes were reflected in this employment scheme and likely among others, which impacted measurement of quality of employment. This also highlighted the need for better flexibility in the benefits system, as there was significant fear among potential participants about moving from benefits onto paid employment, for fear of not being able to reclaim if the job didn't work out.
- vi. Evidence from Jobsense staff highlighted that existing government services did not have the knowledge, experience or service model best equipped to specifically support people with sensory loss, highlighting the importance of lived experience, specialist training and/or condition-specific understanding among those who deliver more general employment support.
- vii. Employers who took part in the scheme reported positive impacts of having people with sensory loss in their company; for customers, for other staff, for company performance as well as their broader diversity efforts. There was also some evidence of procedural changes made due to raised awareness within companies.

7. In light of the learnings from the Jobsense East Wales evaluation, we make the following recommendations to the committee:

- i. **To significantly improve the integration of existing employment support programmes for disabled people with wider public services, including the NHS and local authorities, to improve referral and ensure a holistic approach to support.**
- ii. **To recognise the importance of wider advice and support services – for example on disability benefits, cost-of-living, transport etc - alongside employment support, and ensure employment support programmes are linked to or at least signpost to appropriate advice that is tailored to and accessible for deaf and disabled people.**
- iii. **Encourage Welsh Government to explore this within the Welsh Benefits Charter to improve understanding and awareness of benefit entitlement.**

- iv. **Call on Welsh Government to improve deaf awareness in Welsh workplaces, and explore how this and wider disability awareness and understanding can be embedded in the Welsh Government's Fair Work priorities.**
- v. **Urge Welsh Government to ensure that target-setting for future employment support schemes for disabled people does not inadvertently disincentivise support for those further from the labour market.**
Considering a dual target, that effectively measures the different degrees of progress for people closer to or further from the labour market, could promote more effective outcomes.
- vi. **Ensure employment support programmes are closely tied to the Welsh Government's Fair Work agenda, supporting disabled people into quality employment.**
- 8. As highlighted in the introduction, we believe this is an important moment in resetting the relationship with UK Government to better deliver for disabled people when it comes to employment support and the relationship with benefits. We believe there is a role for Welsh Government to complement or go beyond existing schemes, but also to directly work with UK Government to improve schemes and ensure they have their desired impact.
- 9. Below we have highlighted how we feel that existing UK Government policies, including Access to Work and the Disability Confident Scheme, must be strengthened and improved to ensure they have the desired impact of increasing employment rates among disabled people.
 - i. **Access to Work** - While Access to Work is a crucial scheme for allowing disabled people to access employment, current, significant wait times are undermining the support provided through the scheme, and this is having a substantial detrimental impact on those that the scheme intends to support.
 - 1. While the length of time people are currently waiting for Access to Work support is our main concern, as of July 2024, more than 46,000 applications were outstanding.
 - ii. Urgent reform is needed to Access to Work in order to ensure it meets the needs of both disabled people and employers. Our previous research highlighted that assistive equipment and communication support is the most valuable (63%) form of support for deaf people and people with hearing loss in employment.
 - iii. We welcome recent developments within Access to Work to improve the service; as previously mentioned, we have supported DWP with the development of Adjustments Planners, and engaged on the online portal which has the potential to significantly improve user experience – however, while it is envisioned that processing times may decrease, we still lack the data needed to assess improvements brought about by the digital service.¹¹ Further improvements to AtW are needed in both the short and long term.
 - iv. Short term, we want to see Government:

¹¹ UK Parliament, Questions for Department for Work and Pensions, 11 January 2024 - <https://questions-statements.parliament.uk/written-questions/detail/2024-01-08/8289>

1. Provide additional investment to enable AtW to work as intended and urgently clear the backlog.
2. Increase the number of AtW advisors, with a focus on recruiting disabled people and those with lived experience to improve assessments and ensure they deliver the right outcomes.
3. Review training for assessors and advisors to ensure it meets the needs of deaf and disabled people accessing support through the programme. This should include stronger information and guidance on reasonable adjustments and up-to-date information on assistive technology.
4. Review the communication campaign in order to understand how to better boost awareness of AtW to both employers, and disabled people who are eligible for support, and work closely with devolved Governments to ensure this awareness is consistent across the UK.
5. Automatically extend packages of support until renewals can be processed to ensure no claimants are left without support.
6. Publish a clear timeframe for when improvements to AtW can be expected, including the introduction of further upcoming planned Adjustments Passports.
7. Introduce provisional awards for job-seekers so they are able to demonstrate to prospective employers that they will be able to access the assistive technology and other support they need in order to fulfil their role, and reduce any delays or uncertainty.

v. Long-term, we would urge the Government to improve, develop and expand the current programme to support more people, in more ways. Including:

1. A new communication and awareness campaign for jobseekers and employers, designed, funded and implemented based on the findings of the short-term communications review.
2. Co-produce and establish a standard of service delivery for AtW. This should be made publicly available so that deaf and disabled jobseekers are aware of the standard of service they should receive.
3. Develop and publish guidance for disabled people and employers on recruiting and employing support workers.
4. Enable jobseekers to be provided with in-principle awards, allowing them to demonstrate to potential employers the support they will have access to, while going through the job search process, reducing uncertainty.
5. Extend the remit of the programme to make it available for jobseekers undertaking work related activity, or volunteering, as a means of preparing for work.

vi. **Disability Confident** – We welcome the broad aims of the Disability Confident scheme to give employers the techniques, skills and confidence they need to recruit, retain and develop people with disabilities and long-term health conditions; as well as the acknowledgement that employer attitudes are the biggest barrier to disabled people finding work. However, we have concerns about its limited impact, and significant improvements are needed.

vii. Existing evidence on the limitation of Disability Confident highlights the need for a system that places greater expectations on employers alongside

providing better support for individuals. The current programme lacks ambition, as well as robust auditing or assessment. We would urge the UK Government to prioritise reform of Disability Confident, to focus on the experience and outcomes of disabled people in the workplace, combined with insight of the Business Leaders Group. Our recommendations include:

1. Reviewing the criteria for different levels and strengthening the expectations of employers.
2. New metrics to measure the programme based on the experience of disabled employees.
3. Emphasis on progression through the programme – employers should have their accreditation removed if they do not progress to levels two or three within three years.
4. Set requirements for employers on minimum thresholds for the proportion of workforce that is disabled.

viii. As members of the Disability Rights Taskforce, we support the recommendations of the employment and income working group calling for Welsh Government to explore an addition to the Disability Confident scheme, coproduced with disabled people's organisations, trade unions, Welsh employers who have achieved leadership status in the existing scheme and other stakeholders. This Disability Confident Wales+ scheme would ideally build upon the existing UK Government scheme, but incorporate Welsh values of social partnership, fair and decent work and other commitments to equality and wellbeing. The current scheme does not encourage employers to progress through the different levels, and there is little evidence to demonstrate the meaningful impact this is having on disabled employees. A Welsh addition could look at further incentives for Welsh employers, and work closely with Disability Employment Champions.

ix. The Disability Rights Taskforce employment and income working group also highlighted the need for disabled people to be represented and meaningfully engaged in the work of the Social Partnership Council in order to ensure its recommendations and outcomes reflect disabled people's experiences and priorities in employment.

Recommendation summary:

1. The committee should urge Welsh Government to regularly report on the impact of Disability Employment Champions' engagement with employers, and what tangible results this is having on improving employment practices to breakdown barriers to deaf and disabled people, and on the recruitment and retention of deaf and disabled employees.
2. The Committee should urge Welsh Government to build on the learnings of the Jobsense East Wales final evaluation:
 - a. To significantly improve the integration of existing employment support programmes for disabled people with wider public services, including the NHS and local authorities, to improve referral and ensure a holistic approach to support.
 - b. To recognise the importance of wider advice and support services – for example on disability benefits, cost-of-living, transport etc - alongside employment support, and ensure employment support programmes are linked to or at least signpost to appropriate advice that is tailored to and accessible for deaf and disabled people.
 - c. Encourage Welsh Government to explore this within the Welsh Benefits Charter to improve understanding and awareness of benefit entitlement.
 - d. Call on Welsh Government to improve deaf awareness in Welsh workplaces, and explore how this and wider disability awareness and understanding can be embedded in the Welsh Government's Fair Work priorities.
 - e. Urge Welsh Government to ensure that target-setting for future employment support schemes for disabled people does not inadvertently disincentivise support for those further from the labour market. Considering a dual target, that effectively measures the different degrees of progress for people closer to or further from the labour market, could promote more effective outcomes.
 - f. Ensure employment support programmes are closely tied to the Welsh Government's Fair Work agenda, supporting disabled people into quality employment.
3. The Committee must call on Welsh Government to work directly with the UK Government to tackle some of the urgent issues affecting disabled people in employment as highlighted above. These include:
 - a. Urgently tackling the Access to Work backlog, as well as reforming and expanding the scheme.
 - b. Reform the Disability Confident scheme to place greater expectations on employers, better support for individuals, more incentives to progress through the scheme and more robust and widely used monitoring and reporting systems.

4. Whether disabled people are accessing apprenticeships and if any further support is needed to ensure a schemes are inclusive.

N/A

5. What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

1. A cross-Government approach is needed to address the disability employment gap. This is essential as the employment prospects of disabled people rely on a wide range of factors, including transport, social care, health, education, employment support, access to benefits, the development and use of assistive technology, and access to essential services.
2. There are still worrying gaps in the provision of in-work support for deaf people. **We would like to see Welsh Government extend the provision of in-work support, either through direct provision or making funding available to specialist organisations. The emphasis should be on empowering people with lived experience to have the resource and confidence to self-advocate and provide peer support. This support should allow people to:**
 - i. **Raise deaf awareness in the workplace.**
 1. Access the emotional support needed to help with the impact of hearing loss or deafness at work and give people the confidence to be more open about this and the support they need.
 2. Research we carried out in 2019 found that 42% of people surveyed did not try to seek support for their hearing loss or deafness at work.
 3. The top type of support that our respondents said they needed (37%) was support to manage the stress and anxiety of having hearing loss in the workplace.
 4. More than half (53%) of respondents also told us that knowing colleagues had received training or advice about working with people with hearing loss would help them to feel more confident being open about their hearing loss at work.
 - ii. **Access information and guidance on assistive equipment and communication support that may help them, as well as support using it.**
3. As members of the Disability Rights Taskforce, we endorse the recommendations of the Employment and Income working group, in particular, the recommendations to:
 - i. **Develop a Wales addition to the Disability Confident+ scheme as highlighted above, to improve the ambition of the scheme in Wales and rebuild disabled people's confidence in it. A Wales scheme would embody Welsh Government values of fair and decent work and the commitment to a real living wage. The scheme would also link to a central objective of the Welsh Government; socially responsible public procurement. Any Wales addition must emphasise progression through the programme and ensure that the views and experiences of disabled people are central to assessments of the scheme's effectiveness.**

1. In the current context, with the potential to reset the relationship with UK Government, it may be possible to lobby for these improvements to be made at a UK level rather than a Wales addition; this would be something Welsh Government would need to discuss with the DWP and Government in Westminster.
- ii. **For a Disability Employer Hub to be developed and hosted through Business Wales, providing a central portal of advice, guidance, resources and examples to support employers to employ disabled people.** Our previous research found that the two most common barriers to deaf employees and employees with hearing loss accessing support are employers not having the knowledge to help (57%), and employers being reluctant to help (37%). Almost a third (30%) of those we surveyed also said employers didn't know what help was available.¹² The Hub should also signpost to other support programmes and funding schemes, and should reflect the full pathway of recruiting, retaining and supporting disabled employees of all ages, including those who become disabled or develop hearing loss within the workforce. The content of this hub should be co-produced with disabled people and regularly reviewed/updated.
- iii. This should build on existing resources available through Business Wales (included below), as this information still seems to be limited. And importantly, this new hub should be kept 'live' and reflect changing information.
- iv. [Disabled People's Employment | Business Wales Skills Gateway \(gov.wales\)](#)
- v. [Disabled People's Employment | Business Wales \(gov.wales\)](#)
- vi. [Employers Guide to Employing Disabled People - EN.pdf \(gov.wales\)](#)

4. We would also like to see Welsh Government learn lessons in the development of future employment support, which should place the needs of disabled people at the centre. **We want Welsh Government to:**
 - i. **Fully assess the impact of the loss of ESF funding on employment support for disabled people and map the gaps in provision to inform future support.**
 - ii. **Ensure lessons from previous employment support programme evaluations, including Jobsense for example, are taken on board and inform the design of future support.**
 - iii. **Create and implement new employment programmes specifically for disabled people, particularly those furthest from the labour market and with higher support needs.**
 - iv. **Ensure that people with lived experience of disability are employed to deliver this support, including knowledge and understanding of the barriers affecting people who are deaf or have hearing loss.**
 - v. **Improve integration between employment support programmes and other public services that act as gateway services, for example NHS, Jobcentre, local authorities. Ensure that these gateway services are equipped with appropriate training and understanding of the needs of disabled people in employment, and there can be effective joint-working across multiple agencies.**

¹² RNID, Deaf Awareness research <https://rnid.org.uk/2023/05/massive-shift-needed-to-improve-publics-deaf-awareness/>

vi. Ensure that any future support for disabled people adopts a personalised model that is tailored, specialist and targeted, and where disabled people can still draw on support after they have found work. This should include:

1. A voluntary approach to attracting participants
2. Vocational profiling of all participants to identify their aspirations, learning needs, barriers and skills development
3. Personalised support for all participants
4. Holistic one stop shop advice to help participants tackle multiple barriers to work
5. 'Jobs brokerage' with local employers to identify potential jobs/work experience for participants to access
6. In-work support for participants once they enter work.

Recommendation summary:

1. The Committee should call on Welsh Government extend the provision of in-work support, either through direct provision or making funding available to specialist organisations. The emphasis should be on empowering people with lived experience to have the resource and confidence to self-advocate and provide peer support. This support should focus on:
 - i. Raising deaf awareness in the workplace.
 - ii. Support access to information and guidance on assistive equipment and communication support that may help them, as well as support using it.
2. The Committee should explore how Welsh Government could develop a Wales addition to the Disability Confident Scheme to improve the ambition and outcomes of the scheme in Wales, and ensure it embodies the Welsh Government's values of fair work.
3. Develop a Disability Employer Hub to be hosted through Business Wales, providing a central portal of advice, guidance, resources and examples to support employers to employ disabled people.
4. The Committee must ensure lessons are learnt from previous employment support schemes to improve future development, which places the needs of disabled people at the centre. This includes:
 - i. Fully assessing the impact of the loss of ESF funding on employment support as well as wider changes to structures of funding for employment support.
 - ii. Create and implement new employment programmes specifically for disabled people, particularly those furthest from the labour market and with higher support needs.
 - iii. Ensure that people with lived experience of disability are employed to deliver this support, including knowledge and understanding of the barriers affecting people who are deaf or have hearing loss.
 - iv. Improve integration between employment support programmes and other public services that act as gateway services, for example NHS, Jobcentre, local authorities. Ensure that these gateway services are equipped with appropriate training and understanding of the needs of disabled people in employment, and there can be effective joint-working across multiple agencies.
 - v. Ensure that any future support for disabled people adopts a personalised model that is tailored, specialist and targeted, and where disabled people can still draw on support after they have found work.
6. What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).
 1. The 2023 evaluation of the Jobsense programme highlighted the importance of volunteering as a stepping stone towards employment, particularly for people with more complex needs. For those who are new to the labour market, or returning after a long time, the opportunity to adjust to and familiarise with work environments can be invaluable, particularly in the context of needing further support or workplace adjustments.

2. Mapping of these voluntary opportunities should take place to ensure they are included in employment support programmes, and that those offering or accessing voluntary opportunities receive the same level of support.
3. Voluntary opportunities that are offered should also be monitored to ensure there is progress from these staging points, using it as an opportunity to identify challenges that still need to be addressed, and better tailor support.
4. In addition, we are calling on UK Government to expand the Access to Work scheme to apply to voluntary opportunities, to ensure that deaf people and people with hearing loss are able to take them up on an equal basis to non-disabled people, and benefit from the opportunity to gain experience before formal employment.

Recommendation summary:

1. **The Committee should recognise the importance of voluntary opportunities in moving disabled people closer to the labour market, and ensure this is reflected in employment support. This must include:**
 - a. Mapping voluntary opportunities within employment support, and providing support for those accessing voluntary opportunities.
 - b. Monitoring voluntary opportunities to ensure progress towards paid employment.
2. **The Committee to call for UK Government to expand the Access to Work scheme to voluntary opportunities, or work with Welsh Government to explore whether the scheme could be expanded within Wales.**

Full recommendations:

1. The committee should call for ONS to improve data collection on disabled people that allows us to better understand their experiences within employment, and better reflects variations and differences in experience both between and within different disabilities and health conditions – e.g. people with hearing loss and BSL users.
2. The committee should support the recommendations of the Disability Rights Taskforce Employment and Income Working Group, in particular, the calls for the development of an Employer Information Hub, and to explore the possibility of extending the Disability Confident scheme in Wales. Both of these are expanded on below in recommendations X and Y.
3. The Committee must press Welsh Government to reset its relationship with UK Government to ensure lack of progress at a UK level does not undermine progress in Wales. This must include urging UK Government to meet its disability pay gap commitments as well as commitments to tackle the Access to Work backlog.
4. The Committee should call on Welsh Government to ensure better integration of employment support services in Wales, to ensure that, regardless of who is the service funder, commissioner or provider, that there is consistency in experience for

deaf and disabled people accessing and benefitting from employment support programmes.

5. Once the findings of the Evidence Unit and Disability Discrepancy Unit's work with Disability Rights Taskforce co-chairs is published, the Committee should ensure this is taken on board alongside the findings of this committee inquiry, and used to develop a clear, targeted plan for addressing the gaps/barriers highlighted, with a set timeframe for delivery.
6. The Committee should support the work of the Evidence Unit to explore publishing more detail on pay gaps for people with protected characteristics, and ensure that any outcomes of this project are embedded into both the Committee's, and Welsh Government's, ways of working going forward.
7. We would urge the Committee to recommend a full impact evaluation of the loss of funding of employment support programmes that previously benefitted disabled people in order to understand:
 - a. The extent to which employers and individuals with sensory loss are missing out on support due to loss of, or changes to funding.
 - b. Gaps in existing employment support provision as a result of this loss - e.g. has the loss of funding led to more general employment support rather than more specific, condition focused support, or a loss of support in certain geographic areas.
 - c. The extent to which learnings from these programmes have been taken on board and inform current or new employment support for disabled people.
8. We would urge the Committee to support the Welsh Government's work to review, revise and strengthen the All Wales Standards for Accessible Communication and Information, and urge Welsh Government to ensure it is effectively resourced and integrated to achieve the desired outcomes for deaf people and people with hearing loss.
9. The Committee should pressure the Welsh Government to urgently tackle hearing aid and other audiology waiting lists and highlight the wider impact of long waiting lists on people with hearing loss and disabled people's employment prospects, as well as wider health and wellbeing.
10. The committee should urge Welsh Government to regularly report on the impact of Disability Employment Champions' engagement with employers, and what tangible results this is having on improving employment practices to breakdown barriers to deaf and disabled people, and on the recruitment and retention of deaf and disabled employees.
11. The Committee should urge Welsh Government to build on the learnings of the Jobsense East Wales final evaluation:
 - a. To significantly improve the integration of existing employment support programmes for disabled people with wider public services, including the NHS and local authorities, to improve referral and ensure a holistic approach to support.
 - b. To recognise the importance of wider advice and support services - for example on disability benefits, cost-of-living, transport etc - alongside employment support, and ensure employment support programmes are linked to or at least

signpost to appropriate advice that is tailored to and accessible for deaf and disabled people.

- c. Encourage Welsh Government to explore this within the Welsh Benefits Charter to improve understanding and awareness of benefit entitlement.
- d. Call on Welsh Government to improve deaf awareness in Welsh workplaces, and explore how this and wider disability awareness and understanding can be embedded in the Welsh Government's Fair Work priorities.
- e. Urge Welsh Government to ensure that target-setting for future employment support schemes for disabled people does not inadvertently disincentivise support for those further from the labour market. Considering a dual target, that effectively measures the different degrees of progress for people closer to or further from the labour market, could promote more effective outcomes.
- f. Ensure employment support programmes are closely tied to the Welsh Government's Fair Work agenda, supporting disabled people into quality employment.

12. The Committee must call on Welsh Government to work directly with the UK Government to tackle some of the urgent issues affecting disabled people in employment as highlighted above. These include:

- a. Urgently tackling the Access to Work backlog, as well as reforming and expanding the scheme.
- b. Reform the Disability Confident scheme to place greater expectations on employers, better support for individuals, more incentives to progress through the scheme and more robust and widely used monitoring and reporting systems.

13. The Committee should call on Welsh Government extend the provision of in-work support, either through direct provision or making funding available to specialist organisations. The emphasis should be on empowering people with lived experience to have the resource and confidence to self-advocate and provide peer support. This support should focus on:

- a. Raising deaf awareness in the workplace.
- b. Support access to information and guidance on assistive equipment and communication support that may help them, as well as support using it.

14. The Committee should explore how Welsh Government could develop a Wales addition to the Disability Confident Scheme to improve the ambition and outcomes of the scheme in Wales, and ensure it embodies the Welsh Government's values of fair work.

15. The Committee should recommend Welsh Government develop a Disability Employer Hub to be hosted through Business Wales, providing a central portal of advice, guidance, resources and examples to support employers to employ disabled people.

16. The Committee must ensure lessons are learnt from previous employment support schemes to improve future development, which places the needs of disabled people at the centre. This includes:

- a. Fully assessing the impact of the loss of ESF funding on employment support as well as wider changes to structures of funding for employment support.

- b. Create and implement new employment programmes specifically for disabled people, particularly those furthest from the labour market and with higher support needs.
- c. Ensure that people with lived experience of disability are employed to deliver this support, including knowledge and understanding of the barriers affecting people who are deaf or have hearing loss.
- d. Improve integration between employment support programmes and other public services that act as gateway services, for example NHS, Jobcentre, local authorities. Ensure that these gateway services are equipped with appropriate training and understanding of the needs of disabled people in employment, and there can be effective joint-working across multiple agencies.
- e. Ensure that any future support for disabled people adopts a personalised model that is tailored, specialist and targeted, and where disabled people can still draw on support after they have found work.

17. The Committee should recognise the importance of voluntary opportunities in moving disabled people closer to the labour market, and ensure this is reflected in employment support. This must include:

- a. Mapping voluntary opportunities within employment support, and providing support for those accessing voluntary opportunities.
- b. Monitoring voluntary opportunities to ensure progress towards paid employment.

18. The Committee to call for UK Government to expand the Access to Work scheme to voluntary opportunities, or work with *Welsh Government* to explore whether the scheme could be expanded within Wales.

For further information, please contact:

Polly Winn
External Affairs Manager for Wales, RNID

Disability and Employment: Mencap Cymru's response to the Senedd's Equality and Social Justice Committee's Consultation

About us

There are estimated to be around **75,000 people** with a learning disability living in Wales, with approximately **15,000 known** to social services. This includes people with a wide range of impairments, from people who have a mild or moderate learning disability, who live independently in the community with or without support, to people with profound and multiple learning disabilities who may require support 24 hours a day. Mencap Cymru's mission is to transform society's attitudes to people with a learning disability and improve the quality of life of people with a learning disability and their families. We want to make Wales the best place to live if you have a learning disability, and everything we do is about making sure people with a learning disability are valued equally, listened to and included.

Our Response

Mencap Cymru welcomes the Equality and Social Justice Committee's decision to undertake an inquiry into the disability employment and payment gap in Wales. We want to see a future where people with a learning disability receive the right support to access and stay in work. Alongside this, we want employers to understand that many people with a learning disability can make a valuable contribution to the workplace when supported properly.

In preparing our response to the Committee, we have spoken with **two former employees** who both have a learning disability about their experience of employment; their experiences will be referenced throughout our response.

What barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes)

There are currently around 870,000 working-age adults with a learning disability in the United Kingdom¹, but fewer than a third of them (26.7%) are in work². According to the DWP's most recent statistics, this is amongst the lowest employment rate experienced by people with a specific health condition or impairment.³

There are a number of barriers which continue to exist for people with a learning disability and/or autism face during the process of finding, and staying, in employment. These include:-

- a lack of good quality support to find and stay in employment

¹ <https://www.mencap.org.uk/learning-disability-explained/research-and-statistics/how-common-learning-disability>

² <https://www.mencap.org.uk/2022-big-learning-disability-survey-results>

³ <https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2023>

- a lack of support to build skills
- failure by government programmes to provide the necessary adjustments required by people with a learning disability
- fears and negative attitudes from employers
- inaccessible recruitment practises
- misconceptions and a lack of understanding of what people with a learning disability can achieve with the right support

People with a learning disability can find it harder than others to learn, understand and communicate. They may need some support with learning new tasks or with understanding new situations. They may lack confidence and need a little extra support at the start, particularly as many may not have had any work experience before. Accessing employment should be considered as a fundamental part of life for the personal, financial and social benefits it brings. However, too few people with a learning disability have the opportunity to access this.

Inaccessible Recruitment Practises

We know a far greater number of people with a learning disability want and can work; research commissioned by Mencap from the National Development Team for Inclusion found that **86% of unemployed people with a learning disability** who responded to our survey wanted a paid job.⁴

One of the greatest barriers for people with a learning disability and/or autism to employment are inaccessible recruitment practises. **23% of people** who would like a paid job told Mencap that application forms not being accessible was stopping them from getting a job.⁵ Mencap Cymru believe that there is much that needs to be done to raise awareness levels of what a learning disability is among employers, and what support or reasonable adjustments a person they may need in their role. A former employee told us of their experience of an interview for a position in retail:-

“They asked me whether I had a disability, and I said yes. It was as if they moved my CV to the other side of the table”.

The [Equality Act 2010](#) requires employers to make reasonable adjustments that will remove barriers to disabled people seeking to find and keep a job. Employers should make sure that they have processes in place to ensure that reasonable adjustments are available to applicants and employees. They are required to take reasonable steps to avoid disadvantaging a disabled person compared to a non-disabled person. The duty applies during recruitment and all stages of employment, including dismissal.

⁴ [https://www.mencap.org.uk/sites/default/files/2023-09/Learning%20disability%20and%20work%20-%20final%20report%2031.10.22\[77\]20\(2\)%20\(1\).pdf](https://www.mencap.org.uk/sites/default/files/2023-09/Learning%20disability%20and%20work%20-%20final%20report%2031.10.22[77]20(2)%20(1).pdf)

⁵ <https://www.mencap.org.uk/sites/default/files/2023-09/Summary%202.pdf>

Access to Work

The Access to Work programme is a barrier in itself, and is often too slow and narrow, which leads to cases where adequate support is not put in place prior to someone starting in their role. We have seen that the focus is often on the employee as opposed to their employer and how they can best support their employee in their roles. As an employer, a member of staff may need support which is not directly related to work; research tells us that employers are open to employing people with a learning disability, but initially need reassurance and support to do so⁶. Research by the *Engage to Change Project* tells us how Access to Work can be used to overcome some of the existing barriers to employment, including poor transport, inaccessible workplaces, and help with specialized equipment.⁷ They suggest that dedicated, national funding for supported employment is required for it to be accessible for everyone who would benefit from it.⁸

Reforming the Benefits System

People with a learning disability tell us that the current levels of benefits they receive are not enough to meet the basic costs of living. There has been no UK government led review of the adequacy of benefit levels since the 1960's⁹, even though various reports have shown that current levels are inadequate and have been eroded since 2010.¹⁰ The benefits system in its current state continues to exist as a barrier for people with learning disabilities and/or autism in accessing employment. Research commissioned by Mencap in 2022 found that **45% of people** completing the survey who would like a paid job said that being worried about their benefits was stopping them from getting a job.¹¹ **20% of people** completing the survey who were in paid work said that problems with benefits was one of the worst things about their job.¹² One of our former employees likened the feeling of navigating the benefits system after their employment came to an end as '**walking in to a black hole**'. They shared concerns around the so called 'benefits trap', and how they wouldn't have been able to undertake more than 16 hours of work without it significantly impacting the benefits that they receive. Families have told us of their fears around the potential short-term nature of employment and the problems that this can cause in having to access the benefits that they need following the end of employment; alongside the emotional impact that your role ending abruptly can have on a person with a learning disability, people will continue seeing accessing employment as a potential risk.

⁶ https://www.engagetochange.org.uk/wp-content/uploads/2020/08/National-Job-Coach-Briefing-6July20-V6_final.pdf

⁷ <https://www.engagetochange.org.uk/wp-content/uploads/2022/03/English-Engage-to-Change-Four-year-report-2022.pdf>

⁸ <https://www.engagetochange.org.uk/wp-content/uploads/2023/04/English-compressed-1.pdf>

⁹ <https://researchbriefings.files.parliament.uk/documents/CBP-9498/CBP-9498.pdf>

¹⁰ <https://disabilitybenefitsconsortium.com/wp-content/uploads/2019/09/disability-benefits-consortium-report-has-welfare-become-unfair.pdf>

¹¹ <https://www.mencap.org.uk/sites/default/files/2023-09/Summary%202.pdf>

¹² <https://www.mencap.org.uk/sites/default/files/2023-09/Summary%202.pdf>

Mencap Cymru believes that reforming the welfare system is key to empowering the majority of people with a learning disability who want to work but face systemic barriers. Fear of being sanctioned is already preventing people with a learning disability from engaging in work-related activities, and research from the Department for Work and Pensions (DWP) shows us that people who receive benefit sanctions remain on benefits longer because of being sanctioned, and when they do move into work, they move into lower paid roles.¹³ We believe that work should begin to explore exclusions of people with a learning disability from benefit sanctions, alongside implementing safeguards, like training for Work Coaches, to prevent people with a learning disability being unfairly sanctioned.

Funding

There are roles and opportunities which might be suitable for people with a learning disability and/or autism which are dependent on funding from an external source, for example a Local Authority or a Regional Partnership Board. We have seen examples where funding for projects where people with a learning disability are employed has been pulled prematurely, and staff have faced redundancy at a short notice. It is undeniable how much impact this can have on a person with a learning disability and/or autism, causing a significant change to their structure and routine. Former Mencap Cymru employees with a learning disability who experienced this told us that their roles were more than just a job to them; **“the relationships that we built with our colleagues and people who we supported was our priority”**. They told us of the **“cliff edge”** that they faced after their employment came to an end, and coming to terms with losing this overnight was extremely difficult. On top of this, they had to navigate an already complex benefits system whilst processing the emotional impact.

Apprenticeships

Apprenticeships can be well suited to people with a learning disability as they combine practical training on the job with study. An apprentice normally works alongside experienced staff in a company or organisation to gain job-specific skills. Updated guidance by the Department for Education in England from August 2024 states that as providers of apprenticeships, you can offer apprentices the option to study English and Maths at a lower level **‘if an apprentice has a learning difficulty or disability, and the learning difficulty or disability prevents them achieving the standard English and maths requirements of an apprenticeship’**.¹⁴ We would welcome a response from the Welsh Government to this updated guidance, and whether they will seek to implement similar guidance in Wales.

¹³ <https://www.gov.uk/government/publications/the-impact-of-benefit-sanctions-on-employment-outcomes-draft-report>

¹⁴ <https://www.gov.uk/government/publications/support-for-apprentices-with-a-learning-difficulty-or-disability/english-and-maths-flexibilities-for-apprentices-with-learning-difficulties-and-disabilities>

Equality and Social Justice Committee

Inquiry into Disability and Employment

Consultation Closing Date: 9th September 2024

Background

Disability is defined by the Equality Act 2010 as a physical or mental impairment that significantly and long-term adversely affects a person's ability to carry out normal day to day activities". For the purpose of this inquiry, this definition encompasses medical disorders, learning disabilities, neurodivergence and other conditions.

Terms of reference

The terms of reference for the inquiry are:

What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.

Whether disabled people are accessing apprenticeships and if any further support is needed to ensure schemes are inclusive.

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).

RNIB Cymru Response

About RNIB Cymru

RNIB Cymru is the largest sight loss charity in Wales, and we provide support and services to blind and partially sighted people, as well as their families, friends, and carers, to help improve lives and empower people to live well with sight loss and retain independence. We work in partnership with public, private and third sector bodies across Wales to deliver projects, training, and services and give information, advice, and guidance. We raise awareness of the issues that blind and partially sighted people face every day and challenge inequalities through campaigning for social change and calling for improvements to services. Whether you have full, some, little or no sight, everybody should be able to lead independent and inclusive lives.

Context

Sight Loss Stats in Wales

There are an estimated 112,000 people in Wales living with sight loss (3.5 per cent of the population). It is predicted that this number will increase by a fifth (19 per cent) to 133,000 in less than ten years and double by 2050. There are 20,000 people with sight loss within the working age bracket of 18-64, with 4,200 people registered as blind or partially sighted.¹

Employment for Blind and Partially Sighted People

RNIB's report 'Employment for Blind and Partially Sighted People in 2019'² explores blind and partially sighted people's experiences of employment. It highlights the frequently reported challenges, barriers and issues people with sight loss face when seeking work, being recruited and onboarded, trying to remain in employment and when accessing support. The research shows that:

- Only one in four registered blind and partially sighted people of working age are in employment.
- The employment rate for blind and partially sighted people is the same as it was in 1991, and there has been no overall change in a generation.
- Blind and partially sighted people are significantly less likely to be in employment than the UK average.

¹ [RNIB Cymru Impact Report, 2022-2023](#) RNIB Cymru, 2023

² [Employment for Blind and Partially Sighted people in 2019](#) RNIB 2020

- People with sight loss need to have a degree in order to have a similar chance of being in employment than people in the general population with no qualifications.

Educational attainment is a big indicator of whether blind and partially sighted people are in work and how they progress and develop in their role. People with sight loss holding higher level qualifications were less likely to be economically inactive than those who did not have qualifications. People with sight loss are less likely to be in employment than the rest of the UK population, across every comparable qualification level. The largest gap is for those people who leave education with no qualifications. 44% of blind and partially sighted people with a degree are employed but this drops to 8% for those with no qualifications.³

The nature of work that is available and accessible is also a key indicator of the employment gap. Based on analysis of the Labour Force Study from 2020 to 2022, the majority of those with difficulty seeing (the term used in the study) in employment were employed by a private firm or business, with jobs more likely to be in roles associated with public admin, education, health, banking and finance and least likely associated with construction, energy, agriculture, forestry or fishing. This trends towards roles being more professional and administrative and less manual and industrial.⁴

Job Seeking, Recruitment and Onboarding with Sight Loss

Jobseekers with sight loss most frequently say that their sight loss has stopped them reaching their potential, with 84% of this group reporting feelings of missed potential. More than half of blind and partially sighted people who were in work (54%) said that they had at least some negative experiences in the past when applying for jobs. This includes nearly one-third of people (30%) whose experience of looking for work was entirely negative.

Looking for work can be a visual process as it often involves searching for and reading job adverts online, in trade publications, or on noticeboards in local areas. Therefore, if job adverts are not in alternative or accessible formats, then blind and partially sighted people are at a disadvantage from the beginning. Many job applications are now done solely online, through various digital platforms and portals, which do not always have accessibility built in.

³ [Employment for Blind and Partially Sighted People in 2019](#) RNIB 2020

⁴ [Employment for People with Sight Loss in 2022: Secondary Analysis of the Labour Force Survey](#) RNIB 2024

They can be difficult to navigate and complete due to small font sizes, poor colour contrast, poor formatting with mobile or tablet devices, lack of screen reader compatibility or complex processes such as uploading attachments. There is also a societal need to be more digitally present to gain an advantage with job searching, with the rise of online digital platforms like Indeed and social networking such as LinkedIn, but although there have been great strides to make technology more accessible, there is still a digital divide.

People with sight loss are twice as likely to be digitally excluded the general population. If current trends continue, over the next six years, nearly all people across the UK will be online, yet it will take an additional eight years before nearly all people with sight loss are online.⁵

Disclosing an impairment or disability during the process of applying for a job, potentially before or at an interview due to the need to request adjustments, can be a very personal decision filled with anxiety and trepidation about how the employer may react. A common saying amongst jobseekers with sight loss is that every interview constitutes two parts – being interviewed for the role and being interviewed about sight loss. Most interviewees report that they spend a lot of the time educating potential employers around reasonable adjustments, assistive technology, and schemes like Access to Work.

Interviews can also be challenging as it can be difficult for people with low or no vision to read any non-verbal clues, such as nodding or gesturing.

Prospective employers often also expect eye contact and view it as a signal of focus, engagement or intention, and can misconstrue a lack of eye contact as disinterestedness or evasiveness. Virtual interviews can also be difficult if steps are not taken to make them accessible and inclusive.

The approach an employer takes to onboarding a blind or partially sighted employee can also impact on their experience and the length of time they stay in that role. People with sight loss often report encountering issues despite being interviewed, recruited or onboarded by an employer signed up to the Disability Confident scheme. This includes inaccessible processes, such as receiving communications and documents that are not compatible with screen reader technology. Other people report that employers have limited knowledge or understanding of how as a person with sight loss would do their job, or the reasonable adjustments available, including support through Access to Work.

⁵ [Sight Loss and Technology Briefing: How blind and partially sighted people can bridge the digital divide](#) RNIB 2021

Staying in Employment

For those who have established employment, it is crucial that steps are taken to support the employee to retain their role after experiencing sight loss. Just over a quarter of registered blind and partially sighted people said they had left their last job due to the onset of sight loss or the deterioration of their sight. But many people tell us that they could have continued in their job with the right support.

If sight loss is experienced suddenly and a leave of absence to seek medical advice and treatment is needed, then a phased return to work can be achieved in conjunction with in-work support, such as occupational health services and employee assistance programmes. As mentioned previously, support can also be provided through Access to Work and the RNIB Employment team.

For some people who experience sight loss and lose skills that are pivotal to their role, such as driving or piloting, then continuing with their roles may not be possible. Re-deployment, job carving, or re-training may be the next steps that need to be taken. When learning to work in a new job or new sector, it is important that tailored support is available and people with sight loss in Wales can access schemes and programmes, such as JobSense, Elite Supported Employment, and / or PRIME Cymru, which can help disabled people return to work. Currently, there is a postcode lottery across Wales for this type of support, with some people only able to access programmes and schemes that are in their local area despite remote access being available through Zoom and Teams.

Barriers

Employer Attitudes and Practices

Under the Equality Act (2010), employers have a legal duty to make reasonable adjustments for their employees. However, our research tells us that people who are blind or partially sighted are still not receiving adequate provision.

- 23 per cent of employers said they were not willing to make adaptations to employ someone with a visual impairment despite legal obligations under the Act.
- Our research also found misconceptions about employing someone with sight loss, with half of employers thinking there may be additional health

and safety risks in the workplace for the employee if they were to employ a blind or partially sighted person.

- One-third of people with sight loss who are not in work said the biggest barrier to them getting a job was the attitude of employers.⁶

The UK Government's All-Party Parliamentary Group (APPG) on Eye Health commissioned YouGov to carry out a poll on employer attitudes in November 2023.⁷ They found:

- 48 per cent of businesses surveyed didn't have accessible recruitment processes.
- 47 per cent didn't know where to find funding to help cover the extra costs of practical support for employees who are blind or partially sighted, such as the government's Access to Work Scheme.

In general, larger employers considered themselves better equipped to be able to provide adjustments or practical support to blind or partially sighted employees or candidates. However, blind and partially sighted people are less likely to be employed by the Public Sector (according to the Labour Force Survey). Amongst all employers, confidence of current accessibility measures was low and only 38% of employers agreed that they knew where to find information and support on making adaptations. This demonstrates the importance of raising awareness of how to better support blind and partially sighted people at work.

Support and Services

RNIB Employment Services

RNIB supports as many blind and partially sighted people as possible to stay in work and believes that sight loss should not equal job loss. Through the Helpline, RNIB can be contacted by customers who need advice and information about searching for work or changing careers. Employment advisors can offer practical advice and help develop basic skills needed to write CVs and boost confidence before interviews. RNIB provides innovative and comprehensive solution for employers, which includes an unbiased work-based assessment upon referral, a procurement service across the range of assistive technology equipment, software, and training for employers and

⁶ [Employment for Blind and Partially Sighted People in 2019](#) RNIB 2020

⁷ [APPG Inquiry on employers Attitudes and the Employment of Blind and Partially sighted People](#) APPG Eye Health and Vision Impairment, 2024

employees as well as advice on installation and configuration of assistive technology.

RNIB also provides more specific support for employers to help improve inclusion in the workplace. The Visibly Better Employers quality standard helps employers improve practices in relation to their recruitment and retention of staff with sight loss. The scheme examines how inclusive an employer's workplace and processes are for both existing staff with sight loss and potential future applicants, provides recommendations, and, after implementation of suggested changes, awards the employer Visibly Better Employer status.

Internships and Work Placements

RNIB's See Work Differently work placement scheme is an employment initiative for people with sight loss who are not in work. The aim is to help people secure the first rung on their career ladder or return to work following a career break. These are paid placements for a fixed term and are generally for fourteen hours per week. As well as this, RNIB has partnered with Thomas Pocklington Trust to create a new initiative called Get Set Progress internships, which give opportunities for jobseekers with sight loss to find employment through a paid internship scheme. The uptake of these schemes has been positive and showed there is a demand for people seeking out experiences that will help, but due to both schemes being new, there is no evaluative data available yet as to how successful participants are at finding work after the end of the placement or internship.

Benefits, Welfare and the Access to Work scheme

For those needing financial assistance while looking for work, the first port of call is the JobcentrePlus, as run by the Department for Work and Pensions (DWP). These local centres offer resources to help people find work or claim benefits, such as Universal Credit, or support still active legacy benefits associated with work, such as Jobseeker's Allowance or Employment Support Allowance. The system is bureaucratic and complex and is not designed with the nuanced needs of sensory impairments in mind.

A lack of specialist knowledge and understanding about sight loss means that one of the most common frustrations amongst blind and partially sighted people is the attitude of JobcentrePlus staff, DWP assessors, and Access to Work advisors. In a 2021 survey undertaken by RNIB in response to the UK

Government's Health and Disability Green Paper,⁸ 61 per cent of respondents said job coaches and 43 per cent said Access to Work advisors did not have good knowledge and understanding of sight loss and the support and adjustments blind and partially sighted people need.

We have heard many reports of JobcentrePlus staff sending jobseekers with sight loss based in Wales to wholly inappropriate job interviews. For example, one blind man from Brecon was told to interview for the role of a bus driver, and if he did not go then he would be sanctioned. Another person from Pontyclun has told us that they were initially denied reasonable adjustments by their local JobcentrePlus to have an appointment at a time that their sighted companion could be present.

This is not only demoralising and negatively impacts the mental health of those who go through the process, but so much of it is a waste of time and resources, which could be better allocated to proactively supporting people with sight loss into meaningful work. There is a clear need for frontline staff to receive in-depth visual awareness training when assessing the needs of job seekers and employees with sight loss. This will enable them to provide expert, efficient and effective advice and guidance. This should include use of the 'Understanding Sight Loss for Professionals' e-Learning training that has been designed by RNIB for potential use in the DWP training provision.

Access to Work Issues

One of the most concerning issues over the last few years is how the Access to Work scheme has been failing to operate as it should. Access to Work provides funding and grants for crucial support, such as specialist equipment and support workers, for many blind and partially sighted workers. However, for over two years people with sight loss have faced unacceptable delays in accessing the support they need through the scheme. The scheme is incredibly valuable in enabling blind and partially sighted people of working age to become economically active and independent. However, far too many people with sight loss are waiting too long to receive the Access to Work support they need, putting jobs at risk.

Recently, customers with sight loss have been told there is a six month wait in the processing of some applications, with the total number of outstanding applications exceeding 46,000 in July 2024.⁹

⁸ [RNIB Response to UK Government's Health and Disability Green Paper](#), RNIB 2021

⁹ ATW Stakeholder Forum, Meeting Notes, July 2024

For those who have been awarded a grant from Access to Work, there are significant delays in processing claims and providing payments. This causes distress, frustration, and anxiety when needing to pay support workers and expenses such as taxi costs. We have heard many cases whereby people have lost support workers due to lack of timely payments and taxi firms have stopped offering services due to the accrual of invoices.

There is a distinct lack of consistency in awarding claims and a lack of detailed information available on how the process works, leading to confusion by both applicants and assessors, and each re-application can follow a completely different approach or criteria to the last.

The DWP needs to urgently take decisive and comprehensive action to tackle the delays, so blind and partially sighted people facing long delays can access vital support in a timely manner. Fixing Access to Work is critical for enabling more blind and partially sighted people to stay in or get into long term employment.

Accessible Workplaces and Transport

Vision impairments affect the ability to drive, so blind and partially sighted people rely more on walking journeys or public transport to get around independently, or else will need a dedicated driver to take them to and from work every day.

Public transport needs to be accessible and reliable for blind and partially sighted people to have the confidence to use it. If there are frequent cancellations or delays, then this will affect their punctuality and may jeopardise their employment. If bus and train services are very limited in certain areas, do not run to places of high-volume employment e.g. retail and business parks, then relying on buses and trains to get to work will not be an option for blind and partially sighted people. Taxis may become the main way to get to and from work, this is also dependent on whether taxis are available, especially in rural areas, whether taxis are also accessible and can accommodate larger guide dogs, whether there are no issues with guide dog refusals, and whether there are any clashes with taxis contracted for school runs. Walking routes also need to be safe to use and clutter free, from doorstop to destination, for getting to work on foot to be an option.

Places where people work also need to be suitable for employees with sight loss. Features like lifts instead of stairs can be preferred by guide dog owners,

and good, consistent lighting levels throughout, good contrast on walkways, accessible toilets and break areas, and accessible ways to clock in or out ensure that blind and partially sighted people are capable and confident of being in a workplace. Ensuring that there is understanding amongst colleagues that employees with sight loss work differently and may need quieter spaces in which to listen to audio materials or utilise speech to text software is important. Making sure that team building, or after-work gatherings are inclusive and do not always include activities that will exclude blind and partially sighted colleagues all contributes to inclusivity and removal of attitudinal barriers.

Disability Confident Scheme and Disability Reporting

The Disability Confident scheme is a voluntary UK-wide scheme designed to support employers to recruit and retain disabled people and to change attitudes towards disability. However, we know many people with sight loss still face barriers despite being employed by a Disability Confident employer. There needs to be accountability and credible performance measures to ensure that Disability Confident employers recruit disabled people and provide supportive and inclusive work environments. To achieve this, there should be a new emphasis on progression through the programme. Employers on Level One should have their accreditation removed if they have not moved to Levels Two or Three within a set time.

With the success of mandatory reporting on the gender pay gap, publishing disability workforce information could be an important step in closing the disability employment gap and disability pay gap that exist between disabled people and the wider workforce. This should be brought in alongside other measures, such as upskilling employers to ensure their practices and workplace environments are inclusive and accessible. It would also be good practice if reporting on disability workforce data was broken down by impairment or condition to understand unique barriers to employment for different groups. The experiences of disabled employees also need to be collected and monitored.

Summary

It is notable that the majority of people with sight loss feel that their vision impairment has stopped them from reaching their potential at work. This feeling of missed potential was true for research participants regardless of employment status or other demographic factors.

A myriad of factors and long-standing societal barriers have prevented many blind and partially sighted people from taking the career path of their choice, or has led to them leaving job roles earlier than desired.

Wales will need to create a more sustainable and resilient economy in the face of the climate emergency, geo-political uncertainty, and seismic technological changes. It will also need to be ambitious enough to factor in accessibility and inclusivity at its core in order to create an equitable economy. An ambitious Wales would seek to ensure there is equality of opportunity for blind and partially sighted people to find meaningful employment of their choosing. By embedding the social model of disability throughout the nation, it could lead to a dismantling of some of the long-standing barriers.

RNIB Cymru Case Study: Losing Sight of My Career

At RNIB Cymru we hear varied stories from our supporters about their experiences of employment. Whilst sight loss is a spectrum and everyone has unique challenges, the following account from one of our new volunteers is very typical of how people who have established career paths and then experience sight loss later in life face an uncertain future of retaining employment.

When George Plumridge was at school, and subsequently college, he felt drawn to working with young people, and embarked on studying Education Studies at university in London. He graduated in 2014 and decided to embark on a career in teaching. However, after his sight levels deteriorated suddenly as a result of a condition he was born with, called Retinitis Pigmentosa, he decided to leave his teaching job in London to move to Wales.

When it came to applying for jobs, George wasn't in a position where he was willing to disclose his eye condition yet, but he was grappling with the challenges that sight loss was bringing. He had interviews for teaching roles, and "I walked into a chair and couldn't see what was written on pieces of paper. I laughed it off by saying that he had forgotten my glasses, but inside I was dying." George was dealing with high levels of embarrassment and anxiety, due to suppressing his own feelings about accepting his sight loss. But he was able to get work through an agency and was able to enjoy what he could do.

George went to Moorfields Eye Hospital and was certified as Severely Sight Impaired, and he opted to be registered with his local authority. At this point he didn't know anything about what options were available to support with

employment, hadn't heard of Access to Work and wasn't even sure in his own mind that a blind person was capable of being a teacher. His first disclosure of sight loss resulted in the teaching agency ignoring him from that point on, and when he spoke to the Headteacher at the school where he had a placement, "they said sorry, but you will no longer be able to work here." At thirty-two, George thought his longed-for career was over.

He still needed to have some kind of income and so he went to the local JobcentrePlus to apply for Income-related Jobseekers Allowance. His first experience was, in his own words, awful. "They gave me an appointment at a time when my partner wasn't able to attend with me and support me, I asked them if I could change the appointment time so that my partner could attend, and I was told that wasn't possible. I told them I needed someone to physically support me with the appointment, by driving me and taking me in and I asked them for a reasonable adjustment. They were incredibly hesitant to accommodate me, and it took some time before I was able to get through to them. When I finally had my first appointment I was with my partner and the staff member only looked at and spoke to my partner and referred to me in the third person. At one point they said 'why is he applying for Jobseekers Allowance when he's blind? What job can he do? He would be better off applying for Employment Support Allowance [where there is no expectation for the disabled person to work].'"

George was deeply upset and unsatisfied with this encounter so decided to escalate this to a Manager but there was a lack of direct access for resolving complaints. The system seemed overcomplicated. "I eventually spoke to the Manager at the Jobcentre, who apologised, but then went on to ask me why I had started an application for Employment Support Allowance, because by doing so it would take longer to sort out an application for Jobseekers Allowance. I was only following the directions from the assessor and felt blamed for doing the wrong thing." This was a real low point and George felt he had no idea what to do next.

But one thing he did was decided to call RNIB and ask for help, and they referred him to the Employment Services, which offers people advice and resources when looking for work. The Employment Advisor informed him of an internship scheme called Get Set Progress, being run by RNIB in conjunction with Thomas Pocklington trust (a sight loss organisation based in England). So, George applied for it and was given a placement as an Information Support Officer with the Nystagmus Network. Whilst getting back into work boosted his mental health and financial situation, this role has also helped him

in accepting his sight loss and enabled his passion to be directed in a meaningful and useful way. Now, after an extremely low point, he is actively looking forward to a fulfilling long-term career in the sight loss sector.

When asked about the barriers he has encountered in his many years of working and not working with sight loss, George responds that the attitudes of others has been the biggest barrier. The lack of knowledge has been astonishing, and it is not lost on him as a teacher that the National Curriculum doesn't teach enough about vision impairments, from information about eye conditions, to eye health support pathways, to how blind and partially sighted people can live independent lives.

When trying to find out information, George struggled after sight loss as websites are not always accessible. The Disability Confident scheme does not give him confidence – “extra support is needed to make sure that applications, and recruitment and interviews are inclusive.” When reflecting on disclosing his vision impairment he notes his personal insecurity. “It was as if I felt a bit stupid for having a visual impairment, half of people will just not understand it.” Confidence building is key and meeting ambitious people who have lower levels of vision has been a vital step in rebuilding his hopes for employment. George notes that what has really worked in his internship role is that his workplace understands accessibility, which has helped him to feel comfortable. Access to Work adaptations and requirements are already in place, such as large monitors, tablets, etc. There is also accommodation for low confidence, with support and training available. George needs to travel to London occasionally for his work placement and has had very positive experiences of using public transport and Passenger Assistance available, and travelling independently has also boosted his confidence and his family's perception of what he can achieve.

To sum up, George feels that “education and awareness are both vital and the word ‘disability’ needs to be much more mainstream. Mentoring scheme and dedicated training for workers with sight loss would massively aid personal development. If I can recommend one thing, it would be putting how to live with a disability, with a vision impairment, on the curriculum.”

RNIB Cymru Recommendations

We are calling on Welsh Government to address the long-standing barriers that blind and partially sighted people face to seeking or retaining employment.

Addressing Workplace Attitudes

We call on the Welsh Government to:

- Place a greater focus on addressing attitudes in the workplace and educating employers to ensure their practices and workplace environments are inclusive and accessible for blind and partially sighted people, including for employees who develop sight loss.
- Ensure employers have an up-to-date and fit for purpose workplace reasonable adjustments policy and flexible working policy.
- Run a widespread awareness and educational campaign on the support available for employers, disabled workers and disabled jobseekers.
- Complete and implement RNIB's Visibly Better Employers quality standard and Visibly Better Spaces certification.

Job Opportunities

We call on the Welsh Government to:

- Ensure funding for agencies, programmes, or schemes that support disabled jobseekers is evenly distributed across Wales and fund opportunities or schemes to re-train job seekers new to sight loss that are economically inactive.
- Partner with third sector organisations to find opportunities to create apprenticeships and internships to support blind and partially sighted jobseekers into work.
- Incentivise employers to employ under-represented groups by setting targets for numbers of jobs or apprenticeships on publicly funded projects as a condition of funding.
- Use public spending power to achieve additional social ends through the incorporation of additional social objectives into the procurement process.

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Contact Us

Rachel Jones, Policy and Campaigns Officer, RNIB Cymru

North Wales Together Learning Disability Transformation Programme

Response to the Senedd Disability and Employment Consultation

Your name and contact details as the person, or organisation, submitting the evidence.

Kim Killow, Lead Planning and Development Officer (Employment workstream lead), North Wales Together Learning Disability Transformation Programme, Flintshire County Council (host employer).

Whether your evidence is submitted as an individual, or on behalf of an organisation.

This submission is made on behalf of the statutory partners of the North Wales Together Learning Disability Transformation Programme who are also the members of the North Wales Learning Disability Partnership Group.

The partners are the six local authority Senior Managers for learning disability services and senior managers for learning disability services at Betsi Cadwaladr University Health Board.

If you are submitting evidence as an individual, confirmation that you are over 18 years old.

I confirm that I am over the age of 18.

Confirmation of whether you would prefer that your name is not published alongside your evidence (names of individuals under 18 years old will not be published).

We are happy for our name (North Wales Together Learning Disability Transformation Programme) to be published.

Confirmation of whether you would like the Committee to treat any or all of your written evidence as confidential, with reasons for the request.

Our submission is not confidential.

If you have referred to a third party in your evidence, such as a parent, spouse or relative, confirmation that they have agreed that you can share information that may be used to identify them and that they understand that it will be published.

Where we refer to third parties all information is anonymised.

We welcome the opportunity to provide a submission to the Senedd's Disability and Employment enquiry and thank the Equality and Social Justice Committee for undertaking this important piece of work.

I had the opportunity to attend the Senedd consultation workshop (as an observer) with members of Conwy Connect in North Wales on Friday 16th of August 2024 and was able to speak to Rhys briefly after the workshop.

I have thus sent Rhys the North Wales Supported Employment Strategy for people with learning disabilities and a document titled "Having a Job" which is the write up of the evidence we gathered from people with learning disabilities across North Wales for the strategy. What they told us forms the heart of the strategy.

I want to commend Rhys for his approach to the workshop and demonstrating a genuine willingness to listen carefully and non-judgementally to what the group had to say.

Context for our submission

As noted above I have prepared this submission on behalf of the statutory partners of the North Wales Learning Disability Transformation Programme. The programme has been running since 2019. We were originally funded through the Healthier Wales Transformation fund which became part of the Regional Integration Fund (RIF) in April 2022. We are currently funded till 31st March 2027.

The programme is based on the North Wales Learning Disability Strategy (2018 to 2023) which is broad based and structured around what people with learning disabilities told us matters to them. The strategy is currently being refreshed.

One of these areas is **paid employment** – in the strategy people with learning disabilities told us that they want paid employment, to be valued and to be seen as making a contribution.

North Wales Together Employment Workstream

The employment workstream was set up in April 2021 (covid recovery period) following a request from our statutory partners and people with learning disabilities that we prioritise efforts to improve access to paid employment for people with learning disabilities.

Due to the regional scale of the issue and the complexity of the reasons why more people with LD are not in paid employment, the North Wales Learning Disability Partnership Group asked the lead to help them co-produce the North Wales Supported Employment Strategy (2024 to 2029) for people with learning disabilities which we have shared with Rhys and the team. The strategy has now been published.

When we were writing the strategy we were committed to taking real action and thus the strategy includes a delivery mechanism – **the North Wales Supported Employment Model**.

From the 1st of April 2024 to the 31st of March 2027, the programme has been awarded an additional grant from RIF to roll this model out to each of the six local authority learning disability services.

The model or project went live across the region on the 1st of July 2024 and is being independently evaluated by the University of Strathclyde and a citizen panel.

The aim of the model is to enable more people with LD known to social services and/or who attend specialist secondary schools to make an informed choice if paid employment will help them achieve their wellbeing outcomes, to have access to the right model of support so they have the greatest chance of securing well matched employment, and in the longer term embed access to paid employment as a distinct care pathway within these services (system and culture change). **SEE APPENDIX 1 for an illustration of the model.**

The focus of our submission

Our submission to the enquiry focuses on **people with a formal diagnosis of a learning disability** who either attend specialist secondary schools and/or are known to social services, aged 14 plus.

Our experience is that in the employment and skills sectors learning disability is often confused with learning difficulties and ASD. We thus provide the definition of a diagnosed learning disability below (although we are sure the enquiry team and the members of the committee are aware of the distinction.)

The term learning disability is used to describe an individual who has:

- *A significantly reduced ability to understand new or complex information, or to learn new skills (impaired intelligence); and / or*
- *A reduced ability to cope independently (impaired adaptive functioning); which started before adult-hood and has a lasting effect on development (Department of Health, 2001).*

Please note, the term learning disability should not be confused with the term learning difficulty which is used in education as a broader term which includes people with specific learning difficulties such as dyslexia (Emerson and Heslop, 2010). (North Wales Learning Disability Strategy, p.6)

1. **What progress has been made to deliver the recommendations set out in the ‘Locked Out’ report and to reduce and remove barriers faced by disabled people who want to access Wales’s labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.**

Our response focuses more on the second part of the question as we cannot fully comment on what progress has been made to deliver the recommendations set out in the Locked-Out Report. In a way that is itself a response reflecting the need to improve joint working across health/ social care and employment and skills for disabled people.

We note progress that we are aware of which includes:

- The Disabled People's Employment Group – the employment workstream lead is a member.
- The Welsh Access to Work forum which we feel has been effective in increasing awareness of issues with A2W in Wales and advocating for change. Communication with DWP has seemed to improve as a result.
- Network of Disabled People's Employment Champion (we respond to the question below re. impact)

Our views on why progress to reduce the employment and pay disability gap has been so difficult to achieve are as follows:

- Lack of disaggregated data about the disabled population and their employment rate gap has led to broad brush policies that overlook inequalities within the wider population of disabled people in Wales.
 - For example, and using English data, during Covid the employment rate for people with learning disabilities dropped from 6.1% to 4.8% with fewer women in work than men – hence a gender gap.
 - Better data would help with designing more targeted policies and interventions based on evidence of what works for different groups. And prioritising action for those groups facing the most disadvantage and those who need targeted support to overcome the barriers they face to achieving paid employment.
 - In terms of what works, one size does not fit all and with people with learning disabilities (and indeed other disabled groups) there is a solid evidence base that the most effective model of support to enable more people with LD to secure a good job match and employers to employ people with learning disabilities is the 5 stage supported employment model aligned to the BASE UK Supported Employment Quality Framework model fidelity standards. https://www.base-uk.org/sites/default/files/pdfs/SE%20Phase-by-Phase%20guide_final_April2024.pdf
- We note that not everyone with a disability and/or learning disability needs support to find employment – some will have the resources and support networks they need to navigate the labour market independently or with informal support.
- However, the very low employment rate of people with learning disabilities suggest that the majority will need support and will require a supported employment approach (particularly those with a formal diagnosis of a learning disability known to social care services).

Challenges for people with learning disabilities in securing employment are related to verbal communication, task transferability, speech, language, memory, cognitive processing, reading, and writing difficulties, impaired motor function and difficulty in changing learned routines.

Supported employment is effective because it addresses the specific challenges faced by individuals with learning disabilities.

As the severity of learning disabilities increases, supported employment strategies are more effective, focusing on "place, train, and sustain." (North Wales Supported Employment Strategy for people with learning disabilities, p.26)

- Since the end of the national Engage to Change (E2C) programme, there has been little to no investment nationally in quality assured supported employment models. Also, the adult population aged 25 plus were not eligible for E2C which creates the sense that they have been "written off". In North Wales people with learning disabilities were very clear that they wanted an inclusive approach, young people are a priority in our strategy but the adult population are equally eligible for support.
- We are aware that the E2C legacy programme is lobbying the Welsh Government to create a national job coaching strategy – we would welcome this but note the importance of job coaching being framed with the **Supported Employment Quality Framework model fidelity standards** as all the evidence indicates that following this model and its core values produces the best outcomes.
- Our experience is that the Welsh Government's efforts to address this gap through the "Stronger, Fairer, Greener Wales" employment and skills plan have not been effective for people with learning disabilities. The Welsh Government has many effective programmes for disadvantaged groups in Wales but as we outline in the strategy these do not work well for people with learning disabilities because of the specific challenges they face accessing paid employment.
- The supported employment model works because it has been designed to address the specific learning and support needs of people with learning (intellectual disabilities) and other groups such as those with ASD.
- We include two slides that were provided to us by Dr. Stephen Beyer, Senior Research Fellow, National Centre for Mental Health, Cardiff University as evidence for the strategy which illustrate the difference between employment support approaches and supported employment.

What works in **finding** jobs?

Severe LD	Moderate LD	Mild LD
<ul style="list-style-type: none">• Greater use of support to find & plan<ul style="list-style-type: none">• Families• Job coaches• Extended Vocational Profiling/ Discovery<ul style="list-style-type: none">• 20+ hours in various environs?• Interests and what good at• Relevant experiences• Work types and environments• Days and schedules• Welfare benefit planning• Use of practical job tryouts to aid decision-making• Aided CV and support planning• Proactive and specific job finding and matching jobs to people• Employer presentation and negotiation• Adaptation of interview and induction	<ul style="list-style-type: none">• Greater independent action• More use of generic help to identifying strengths, interests and experience• Use of more generic sources for vacancies• Greater use of courses, "job clubs"<ul style="list-style-type: none">• CV development• Job search• Writing applications• More use of mainstream job application & interviewing and induction processes	

Dr. Stephen Beyer

What works for people with a learning disability **learning** jobs?

Severe LD	Moderate LD	Mild LD
<ul style="list-style-type: none">• Job coach task support on-site• Training on the job- Systematic Instruction• Breaking tasks into steps• "Chaining" tasks together• Hierarchy of cues<ul style="list-style-type: none">• Physical guidance• Gestures• Verbal prompts• Job adaptation if needed• Managing praise and reinforcement more closely• Specific social training strategies• Work-based accreditation of skills demonstrated is possible	<ul style="list-style-type: none">• Pre-employment training is possible using:<ul style="list-style-type: none">• verbal instruction & demonstration• Simple language• Greater time to learn• Use of naturally occurring praise and reinforcement through:<ul style="list-style-type: none">• Supervisors, co-workers• Ordinary pay incentives• May have to manage work pressure/ productivity demands• Shaping social contact through co-workers• Vocational qualifications for job and career development are possible	

Dr. Stephen Beyer

- The other related issues is that within these programmes people with learning disabilities are often not viewed as a priority group and there is a

lack of targeting and effective partnership links with the services and the agencies providing care and support to people with learning disabilities.

- Proactive engagement efforts are critical for people with learning disabilities – for many their access to choices and options are influenced by their circle of support – schools, teachers, social workers, advocates, providers of support, families etc.
- And the range of those options and choices can be curtailed by the long-standing culture of low aspirations and expectations in Wales about what people with learning disabilities (and other disabled groups) can do and achieve – hence any interventions to increase the employment rate must also include strategies to change this culture.
- In our strategy we analyse this issue and thus raising aspirations and culture change is a fundamental goal of the supported employment model.
- The other thing that we believe would help is making stronger policy links across employment, skills and health and social care; strengthen partnership working and enable those responsible to view reducing the employment gap as a shared agenda. This approach fits well with the intentions of the Wellbeing of Future Generations (Wales) Act.
- For example, in the Supported Employment Strategy we make a clear link between the aspirations of the Social Services and Wellbeing Act and how well-matched paid employment can enhance people's quality of life, physical and emotional health and wellbeing and social inclusion whilst also contributing to the goals of a Stronger, Fairer, Greener plan.
- The approach we have taken in North Wales via the model is to test whether partnership working between health social care services and supported employment quality framework services will enable more people to find, get, learn, and keep a job and more employers to employ people with learning disabilities.
- We tested this model in 2023 to 2024 and the evidence suggests that this does work, we have already seen people with learning disabilities who have never worked and never had the option to consider paid work progressing into well matched paid employment.
- For example, in the pilot year, 61 referrals were made to the Employment Pathway Coordinator covering Denbighshire and Conwy County Councils – the majority came from the social work teams. Our supported employment service had a caseload of 26 people by the end of the year and 9 people had found well matched paid employment.¹
- Whilst these are not “big” numbers in context of the low employment rate of people with LD it suggests that this approach is tapping into unmet need and “reaching” individuals that existing employment programmes in Wales are not doing.
- As noted above this model has now been rolled out across the region.

¹ Whilst not everyone referred chose to pursue paid employment; they were given the chance to make an informed choice, to discuss concerns about the impact of work on benefits and hear about the support they could access if they did want to find a paid job.

- We would also highlight the excellent evaluation of the national Engage to Change programme which thoroughly evidenced the effectiveness of the supported employment model in progressing many more young people with learning disabilities and autism into work. Both in terms of data and also people's experience of this model of support and the softer wellbeing outcomes achieved.
- The other gap is the lack of co-production within mainstream employment programmes in Wales – co-production (nothing for us without us) is a crucial tenant within the learning disability self-advocacy movement and we have not witnessed any efforts by key Welsh Government programmes to engage the LD community in co-producing/ designing their services.

Progress elsewhere.

Where we have seen progress elsewhere is in Scotland where the Scottish Government have now ring fenced funding for supported employment within the funding they allocate to the local authorities to commission local employment services for their residents. We acknowledge that Scotland is in a different situation as they have devolved responsibility for employment whereas Wales does not. This too is hindering progress in Wales.

There is a lesson to be learned here from Scotland – an independent evaluation of the Fairer Scotland national employment programme found that only 1% of participants were known to have a learning disability and that where supported employment existed (as part of FSS or other local authority provision) there was limited use of quality standards and thus variation in the quality of provision. The evaluation found that none of the Fair Start Scotland providers were not following the recognised 5 stage model.

By contrast, the service that was noted by the evaluators as delivering a particularly high standard of support was a local authority model following the 5-stage model and using a partnership approach.²

In conclusion we would argue that Wales needs a local solution to tackling the disability employment gap that is embedded in the communities where people live and which uses a partnership approach across health, social care and supported employment services following the recognised standards for the supported employment sector.

We feel that the option of embedding job coaches within Welsh Government's current programmes will not be effective in creating the step change Wales needs to make a real impact on closing the employment rate gap and there is a real risk that the most disadvantaged groups will still get left behind such as those with learning disabilities for the reasons we have noted.

² <https://www.gov.scot/publications/review-supported-employment-scotland/pages/5/>

Moreover, we require an approach that is underpinned by a clear set of values and principles that prioritises the quality of life and health and wellbeing benefits that well matched paid employment can bring and an understanding of how this may have a ripple effect on creating genuinely inclusive and cohesive communities.

This approach fits far better with the Wellbeing of Future Generations (Wales) Act, the Social Services and Wellbeing (Wales) Act and the aspirations of a Stronger, Fairer, Greener plan.

We acknowledge there are serious funding and resource constraints, but these will always exist – there may never be a right time to for Wales to invest in developing a good quality supported employment infrastructure – but the real support needs of people with disabilities and learning disabilities and those of employers cannot be ignored and now is the time to respond to the substantial evidence base of what actually works and take action.

We have limited information on the DWP Universal Support programme, its status and how it will work in practice – we have heard that the DWP have worked in partnership with BASE UK to align US to the SEQF model fidelity standards.

We wonder if there is an option for the Welsh Government to negotiate greater control over how this will be rolled out in Wales for example, key priority groups, partnership models between health, social care and *local* supported employment services using existing local planning structures. This could include greater interaction between Regional Partnership Boards and Regional Skills Partnerships.

2. How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes)/ How can we make sure disabled people are included in society so they can work and keep a job?

Our experience is that application of the social model of disability to employment and recruitment practices appears to be largely non-existent beyond disability organisations.

In the commercial sector our experience is that there is a profound lack of understanding and awareness of how to apply the model to employment and recruitment practices and traditional approaches are entrenched with a lack of incentive to do otherwise. It is a long-standing challenge to Government's across the UK to identify effective interventions to incentivise private sector employers to employ disabled groups.

Research carried out on employer attitudes to the employability of people with learning disabilities found that employers have more reservations about employing people with learning disabilities compared to other disabled groups.³

³ Beyer, S. and Beyer A. (2017). *A systematic review of the literature on the benefits for employers of employing people with learning disabilities*. London: Mencap.

What would help – employers were clear having professionals such as job coaches or disability employment specialists supporting the individual and the employer in the workplace was viewed as the most effective intervention to support employers to overcome entrenched attitudes and recruitment barriers.

“Sittington and Easterday (1992) reported that employers would be more likely to employ people with a learning disability if they had on-going availability of a person to call for assistance and they have the availability of a person for on-site training. Kregel and Unger (1993) found that employers valued supported employment and job coach support, reporting that “from the employer’s perspective, supported employment is viewed as a program that capitalizes on the strengths of workers with disabilities and is easily integrated into the workplace. Furthermore, the presence of the job coach at the worksite is viewed by the employers as a positive experience.”⁴

The same research found that interventions such as general awareness raising, promotional campaigns were not effective – what made the difference was the practical offer of advocacy, job matching and tailored training that employees need, and to assist employers with the advice and on-going point of reference that they report as being so valuable to their efforts in creating a diverse workforce.

Hence again this research supports our call for Wales to invest in developing its supported employment infrastructure – giving it an equal place alongside mainstream programmes designed for those without disabilities.

Public sector and the recruitment policies We analyse this in the strategy but the feedback from people with learning disabilities about big employers like the local authorities was that they find every aspect of the recruitment process difficult and for some inaccessible. Online applications forms on less than user friendly platforms are a big barrier – people with learning disabilities experience higher levels of digital exclusion and poverty compared to the general population.

We have found a lack of understanding and clear protocols for making reasonable adjustments to the application and interviewing process for example, easy read applications forms and reliance on competency-based interviews which can be very challenging for someone with a learning disability - 50% have communications challenges associated with their learning disability and thus cannot compete on an even playing field.

<https://www.mencap.org.uk/sites/default/files/2017-06/2017.061%20Benefits%20of%20employing%20PWLD%255b1%255d%20%281%29.pdf>

⁴ Ibid, <https://www.mencap.org.uk/sites/default/files/2017-06/2017.061%20Benefits%20of%20employing%20PWLD%255b1%255d%20%281%29.pdf>, p.32

Whilst in some ways that is the “hard knocks” of a competitive labour market, but the public sector should be leading the way and proactively introducing accessible recruitment practices and effective reasonable adjustments to level the playing field.

We suggest that as part of the public sector equality duty, energy and resources are directed to introducing a target for public sector organisation in Wales (including the Welsh Government) to embed the social model of disability into their recruitment policies and practices.

Public sector organisations should be given targets for employing disabled people that reflect their local demographic (for example in North Wales people with learning disabilities make up 2% of the population) and required to report to the public annually – these should be disaggregated targets.

And as we are finding in North Wales, having the offer of supported employment specialists in the workplace can make a difference to overcoming negative attitudes about how someone with a learning disability will perform – we have found these attitudes in both the private and public sector.

3. How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.

We are aware of the network of Disabled People’s Employment Champions and have done some work together in North Wales. To be fair, the posts have only just been made permanent this year and there have been changes to the team – it may thus be too early to assess the impact of this approach.

Our view is that effective employment strategies are typically characterized by supply side and demand side action and interventions.

The network of champions is a demand side intervention that is not balanced by an effective supply side intervention – an effective model of support to enable disabled people to effectively compete for jobs in the open labour market as we noted above.

Putting an effective supply side intervention in place would enable the Champions to work alongside local supported employment services who can then provide a pipeline of people “ready to work” and follow this through with the practical in-work support that both the individual and the employer may need to recruit more people with disabilities and learning disabilities (and often this is simply a matter of tackling myths and mis-perceptions that employers have of

disabled people e.g., they will be off sick more often, health and safety concerns etc.)

Although not formalised some of this work has started in North Wales where our supported employment services have been working in partnership with the local Disability Employment Champion (Gareth Foulkes) to engage employers signed up to the disability employer confident scheme. It is still too early to assess whether this is effective but in principles it adds value to both initiatives.

We thus conclude that **Welsh Government actions to reduce barriers to employment and reducing the employment gap between disabled and non-disabled people have not been effective to date – we have not seen real change on the ground in North Wales for people with learning disabilities.**

At the same time, we also believe that reducing the employment gap is as much a health and social care agenda as it is an employment and skills agenda. This is not to suggest that this should sit with social care services but that a joined-up approach as noted above may be more effective than the current fragmented approach. (this is not to suggest however, that social care budgets should provide the funding given the huge pressures on the budgets of local authorities and statutory services).

For disabled people who are eligible for care and support under the Social Services and Wellbeing (Wales) Act 2014, helping people achieve good quality work that meets their wider life aspirations, that they find meaningful, can have a positive impact on their quality of life and physical and emotional wellbeing. It also has the potential to lead to cost efficiencies for social services who otherwise may need to fund services to help people achieve their wellbeing outcomes. So there is a “win win” in such an approach.

The other reason has to do with principles and values, and people with learning disabilities were very clear that they wanted to be supported into paid work by those who had the right set of values, who believed in them and what they can do and achieve. Hence another reason why the supported employment model is effective because it is underpinned by a core set of values and beliefs (see page 19 of strategy for an illustration of the core values of supported employment) which aligns well with the principles of the SSWBA.

The University of Strathclyde will be evaluating both improvements to health and wellbeing and cost efficiencies for those who join the supported employment project so we will have more data to share over the next 3 years.

This is the rationale for the North Wales Learning Disability Partnership Group taking a leadership role in North Wales, the business case for the allocation of an additional grant to enable the Regional Supported Employment Model to be rolled

out to every local authority social work service, and investment in supported employment services following the SEQF model fidelity standards.

But that investment is short term and the RIF itself is under significant pressure so as a partnership we would welcome an approach to creating a stable supported employment infrastructure with the Welsh Government setting national design principles for that provision (using the SEQF, its core values, national occupational standards for job coaching) but with local implementation. At the heart of this approach should be a requirement to co-produce local delivery models with disabled people.

4. Whether disabled people are accessing apprenticeships and if any further support is needed to ensure schemes are inclusive.

The blunt fact of the matter is that apprenticeships programmes are not accessible to people with a formal diagnosis of a learning disability because of the academic requirements.

However, the shared supported apprenticeship scheme has enabled some young people with a mild learning disability to access apprenticeships. The Level 2 academic requirements do mean that for many this bar is set too high because of the effect of their cognitive impairment on their academic abilities.

5. What further policy measures are needed to support disabled people, young disabled people, and employers to increase participation rates and what can be learned from elsewhere.

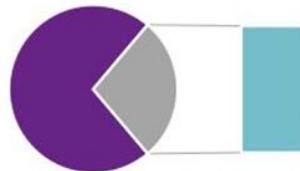
Our responses above have mostly addressed this question – we note progress in Scotland around ring fenced funding for supported employment as being effective.

- In the NW Supported Employment Strategy, we advise the Welsh Government to recognise young people with learning disabilities aged 19 to 24 as a distinct group at risk of not being in education, employment, or training (NEET) and allocate resources to prevent this.

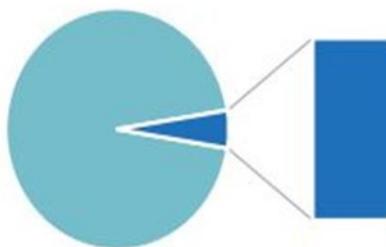
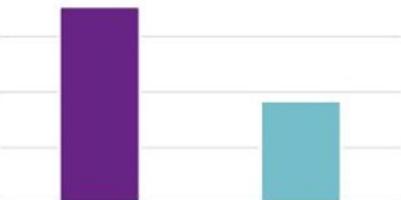


Disabled young people are more likely to be NEET compared to non-disabled young people.

Among 16 to 18-year-olds, **17.7% of young disabled individuals are NEET** while 9.2% of non-disabled peers are NEET



For 19 to 24-year-olds, **40.3% of young disabled people are NEET**, compared to 15.4% of non-disabled young people.



Only 5% of young people with learning disabilities move into paid employment after leaving school.



Post-school, many young people with learning disabilities pursue Independent Living Skills courses at college, while managed care or support/day or work opportunities are common destinations after further education.

- The Transformation Team did an earlier piece of research that looked at outcomes post-specialist secondary school for young people with learning disabilities – Life After School: the onward journey of young people with learning disabilities. <https://northwalestogether.org/wp-content/uploads/2022/11/Life-After-School-Executive-summary-English.pdf>
- The report found for those leaving specialist secondary school in year 13, the most common next step was Local FE or specialist college. No young people were recorded as “entering employment outside of work-based training” but a small proportion of young people in Year 13 in all regions were recorded as unemployed.

- Following college, the picture was murky, and we struggled to collect good quality data at this stage. What we did collect indicated that the majority left college without having a clear route to access paid employment.
- This was identified as one of the biggest gaps in the report for North Wales which is why the SE Model seeks to reach back to aged 14 plus and partnership working with the local specialist secondary schools.
- The situation may have improved with the introduction of the ALNET Wales Act and new FE ILS curriculum – however to date we have not seen data demonstrating this.
- And as we noted above one size does not fit all and not all young people with a learning disability want to undertake a segregated ILS programme and there is perhaps too much reliance on further education as the expected next step for young people with learning disabilities and ALN more widely in lieu of community based options such as paid employment.
- We have seen some positive outcomes for young people with learning disabilities in North Wales via supported internship programmes (DFN project search/ ILS pathway 4). However, this project does not work well for all young people with learning disabilities, has selection criteria, and our experience is that young people with more significant learning disabilities and additional challenges are not always considered “suitable” for this pathway.
- As noted above we are not seeing the commitment to reducing the employment rate between young people with learning disabilities and non-disabled young people translating into real action on the ground in North Wales. Disaggregated data with respect to performance against this commitment would be useful to measure impact and understand which young people are still getting left behind.

Basically, we need an honest conversation about whether the Wales Young Person's Guarantee and its programmes are effective for young people with learning disabilities, and we need good quality data to understand this.

6. **What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).**

“I can do more than people think. I want to work but sometimes people around me think that I am not able to work or can only work in charity shops.” (North Wales Supported Employment Strategy, citizen, p.6)

In some ways this quote encapsulates our response.

Voluntary work or unpaid work placement have been relied on for far too long as a panacea for people with learning disabilities in lieu of making real efforts to support

them to find paid jobs with the same terms and conditions as other employees doing the same role.

In the “Having a Job” sessions for the strategy, we met numerous adults through the self-advocacy groups who over the past 25 years have undertaken a wide variety of unpaid work roles of which none led to the option of progression to paid employment.⁵ This suggest that people with LD do not need more support to find voluntary work – they need more support to progress into paid employment if this is the reason why they are doing voluntary work.

The other trend we identified was confusion about the difference between “work”, voluntary work and work opportunity services funded by the local authority – many people who were attending work opportunity services told us this was their job and the stipend they received for attending their “wage” – this confusion is compounded by families and advocacy organisations who also believed this was their job.

We agree that as part of the 5-stage supported employment model, short term voluntary work, with a clear purpose and outcomes can be an effective part of the vocational profiling stage – and help people experience real jobs in a real working environment as part of identifying a good job match.

But we have too many examples of people who could find paid work (or indeed wanted a paid job) who have been “placed” in long term unpaid work placements/voluntary work. We have examples of this happening in the commercial sector which raises real concerns around compliance with national minimum wage legislation (as we heard from one attendee at the Conwy Connect workshop with Rhys).

On the other hand, there will be people with learning disabilities who **choose** not to be in paid work and make an **informed choice** to undertake voluntary work because they want to give back to their community etc.

The key here is **informed choice** to avoid voluntary work being used as a “good enough option” because of low aspirations and expectations about what people with learning disabilities can do and achieve and a “get out clause” for services and providers who do not have the expertise and right set of values to champion people’s right to have access to paid jobs.

We thus have real concerns about the use of voluntary work as a “stepping stone” unless that is applied as part of a structured progression plan with paid work as the goal.

Thank you for taking the time to consider our response,

Kim Killow

05.09.2024

⁵ See also <https://www.gov.scot/publications/review-supported-employment-scotland/pages/4/> - the role of volunteering.

APPENDIX 1

North Wales Supported Employment Model for Learning Disability Services

The core recommendation in this strategy is that the North Wales Learning Disability Partnership implement a new supported employment service model for learning disability social services in North Wales in partnership with specialist support employment services.

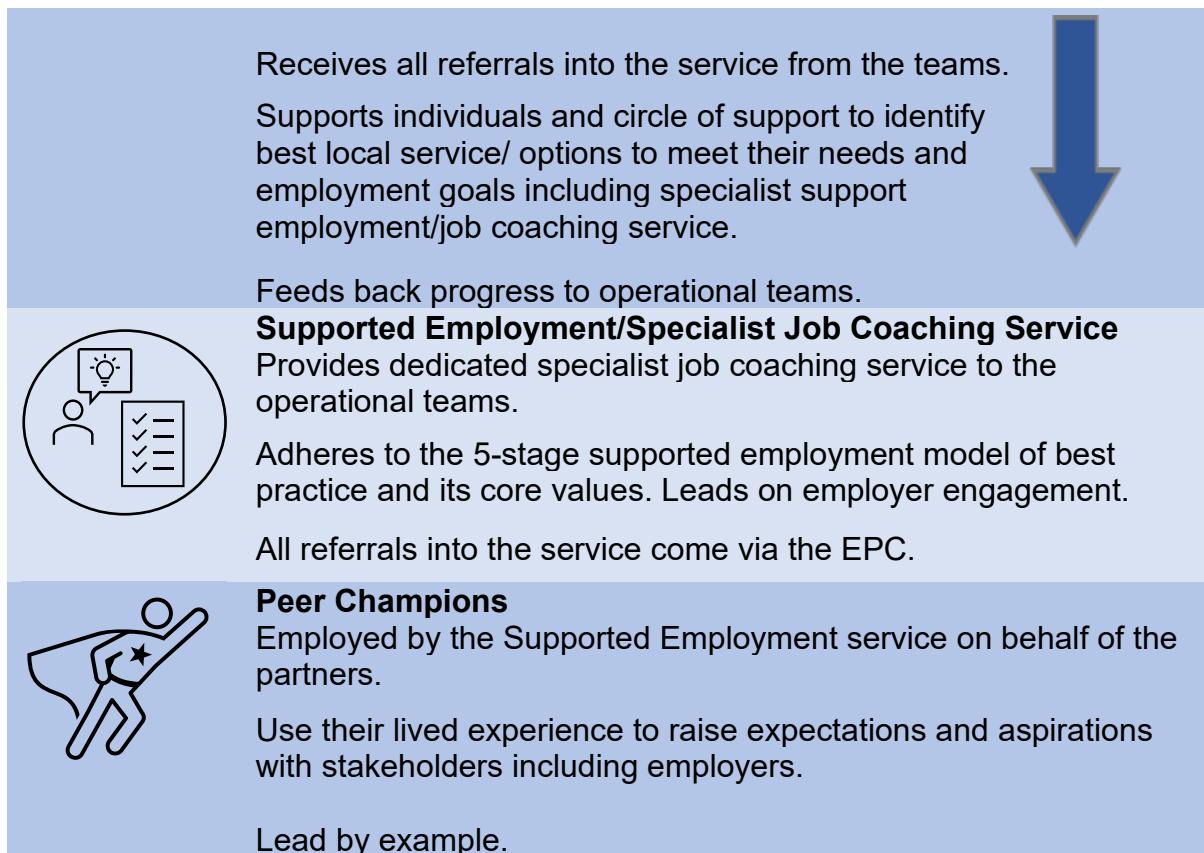
Overview: The model is designed to address the findings of the strategy and aims to provide individuals with learning disabilities the same opportunities for paid employment. It emphasises a whole-system approach to system and service transformation and seeks to bridge the gap between the current state of services and future aspirations. The model is *sub-regional* with two local authorities working together to share resources and learning.

Aim: to embed access to paid employment as a distinct care pathway within learning disability social services and as an alternative to traditional day/ work opportunity services and long-term unpaid work placements using a partnership approach with specialist supported employment services.

The Model Components: The model consists of a range of elements that work together to create a comprehensive approach. This is illustrated below.

Illustration 3: North Wales Supported Employment Model





Conclusions:

This strategy thoroughly examines the obstacles to employment faced by individuals with learning disabilities known to social services and has drawn the following conclusions:

- People with learning disabilities can work successfully in various occupations when they have the right support, job match, and employer. Stereotypes should not limit their opportunities.
- Work is not the only way for individuals to achieve equality and inclusion, but it has a powerful role to play and individuals with learning disabilities should have the right to choose if paid employment is right for them.
- While some individuals may find and maintain employment through mainstream employability programmes or independently, the current low employment rates suggest that the majority will require specialised supported employment.
- Supported employment is an evidence-based model that yields positive outcomes, especially when it aligns with the BASE UK Supported Employment Quality Framework (SEQF) model fidelity standards. This strategy recommends using the SEQF model fidelity standards as the benchmark for any supported employment service provided.
- Concerns about the impact of employment on welfare benefits, as well as a pervasive culture of low expectations, hinder individuals from realising their social and economic potential.

- Current local authority day and work opportunities can contribute to a culture of dependency and lack focus on progression. These services, a form of managed care and support, are also costly compared to supported employment. The proposed supported employment model has the potential to realise cost efficiencies.
- Employer attitudes pose challenges to advancing people with learning disabilities into the workforce, but employers, including local authorities and the Health Board, are part of the solution. They can lead by example in recruiting and employing more individuals with learning disabilities.
- Health and social services stand to gain the most from supporting more individuals with learning disabilities to secure paid employment. This is a regional issue requiring a regional approach to ensure equal access to employment for everyone in North Wales.

The strategy recommends the North Wales Learning Disability Partnership Group (NWLPG) implement a new supported employment service model to serve as a bridge from their current state to their aspirations outlined

MND Association Response – Disability and Employment Consultation

Name	Jennifer Mills, Senior Policy and Public Affairs Adviser
Organisation	Motor Neurone Disease (MND) Association
These are the views of:	The MND Association – the leading charity in England, Wales and Northern Ireland focused on funding research, improving access to care and campaigning for people living with or affected by MND.

About Motor Neurone Disease (MND)

Motor neurone disease (MND) is a fatal, rapidly progressing disease that affects the brain and spinal cord. It attacks the nerves that control movement so muscles no longer work. It leaves people locked in a failing body, unable to walk, talk and eventually, breathe.

MND affects around 5,000 people in the UK and around 1 in 300 people in their lifetime. Here in Wales, approximately 250 people are living with MND at any one time. One third of people die within a year of diagnosis and over half die within two years. At present, there is no cure.

Overview

We welcome this inquiry into the disability employment and payment gap in Wales. We acknowledge the progress made to date, but there is more to be done to provide equal opportunities for employment for disabled people in Wales.

We preface our response to this consultation by stating that for many people living with MND in Wales, their health and care needs means they are unable to work and all recommendations set out within this response must be complemented by a fully funded, fair, and fit-for-purpose welfare system which provides those that cannot work with the resources and funding they need to live safely and independently.

We must move away from narratives that force people back into work when this is not an option for many people. We urge Welsh Government to lobby their UK Government colleagues to ensure this narrative does not impact those living with MND in Wales and that they are sufficiently supported and protected from sanction.

However, many people living with MND wait a long time while pursuing a diagnosis, during which time they often need to continue working. Further, continuing employment post-diagnosis is a desirable option for the health and wellbeing of some people living with MND. For them, it is crucial that employers and workplaces are accessible and flexible to allow people with MND to live independently for as long as possible.

On the importance of continued working, one person living with MND in North Wales said

“My boss and I have a verbal agreement that I’ll either work until I die, or until I feel like I’m not contributing positively to the organisation anymore. It takes away another layer of worry to feel that I’m not going to be thrown on the scrapheap because of my MND.”

Efforts to reduce the employment gap have been hampered by a lack of evidence and slow progress in implementing the necessary policies. Access to financial support is slow or non-existent and the increased use of work conditionality within the welfare-benefits system is shifting the focus away from progressive policymaking. There is a need for better financial support, easier access to workplace adaptations, and improved intersectional policymaking. Guidance for employers on flexible working and remote work as reasonable adjustments as well as improved communication about the available support may help reduce the employment gap.

What progress has been made to deliver the recommendations set out in the ‘Locked Out’ report and to reduce and remove barriers faced by disabled people who want to access Wales’s labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

Despite the progressive policy proposals outlined in the ‘Locked Out’ report, we believe the progress to reduce and remove the barriers faced by disabled people who want to access Wales’ labour market has been too slow.

We believe this progress has been difficult to achieve due to several factors which we will outline below.

How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

We welcome the Welsh Government's commitment to the social model of disability. However, many societal barriers remain which prevent people from accessing employment.

One of the main barriers that persists is employer attitudes. The 'Locked Out' report highlighted that there is a persistent problem with employer understanding of legal responsibilities to provide workplace adjustments and we consider this to remain an issue. The report suggests Welsh Government should invest in public and employer education and workplace dispute resolution and these are recommendations we endorse.

Many disabled people require adapted facilities and the lack of provision in this area often acts as a barrier to employment. The Equality Act requires organisations to make changes so disabled people are not disadvantaged, this is the duty to make reasonable adjustments. These include physical adjustments such as changing a workspace to make it accessible or alternative ways of working such as changing working patterns, flexible working, or altered responsibilities. However, a recent report by Disability Wales highlighted continued reluctance by employers in Wales to implement reasonable adjustments¹. We believe this is a crucial barrier that must be addressed to support disabled people to remain in work.

To highlight how crucial reasonable adjustments are, one person living with MND in North Wales said:

"Having a supportive employer is absolutely brilliant. When I had the provisional diagnosis of MND, I decided to send out an all-staff email to explain what was going on and why I might be grumpy at times, or why it might sound like I'm slurring in the afternoons. It had an amazing response across the organisation and they're now all aware of MND.

By telling my workplace about the condition, it has enabled them to put things into place to help. The desk I'm sitting at has a button that adjusts the height of it, so I can use it with my wheelchair when I need to. They've given me a very supportive chair to sit in, and are prepared to invest in things that will help me to contribute to the organisation's future rather than writing me off. They're also making adaptations to the role I'm doing so that I can continue to contribute in a positive way."

Though much progress has been made, accessibility of public transport in Wales varies widely depending on the region, the type of transport, and the specific needs of the individual. There is very limited data on disabled peoples' experiences of public transport in

¹ 0637-PS_DW-Report.pdf (disabilitywales.org)

Wales but particularly in rural parts of Wales, the availability of accessible buses remains low and many train and bus stations do not have step-free access². Further, there are inconsistencies about the accessibility of the information and availability of assistive staff which make using public services extremely difficult for disabled people³. As MND is a progressive condition affecting the brain and spinal cord, most people living with MND will be unable to drive and a functional public transport system is vital to their independence and to accessing employment.

How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.

As outlined above, we believe that despite concerted effort from the Welsh Government, progress against the core areas set out in Locked Out Report to reduce the barriers to employment and the employment gap between disabled and non-disabled people has been slow.

A key driver of this is the lack of available evidence. We welcome the establishment of the Equality, Race and Disability Evidence Units but their role in driving policy remains unclear. We urge Welsh Government to clarify the purpose and output of these Evidence Units, to progress on publishing more granular data more rapidly to support high-quality, evidence-based policy making. In their recent report⁴, the Equality and Social Justice Committee recommended the Welsh Government provide the Evidence Units with clarity regard their priorities and timescales and we endorse this recommendation.

Relatedly , we believe Welsh Government should continue to push for mandatory Disability Pay Gap reporting to support policy change in this area. The Trade Unions Council (TUC), a federation of the main Trade Unions in England and Wales, has suggested that mandatory

² https://d3cez36w5wymxj.cloudfront.net/wp-content/uploads/2024/04/29135634/TF_Information-and-infrastructure-barriers-to-bus-use-in-Wales_V4.pdf

³ https://d3cez36w5wymxj.cloudfront.net/wp-content/uploads/2024/04/29135634/TF_Information-and-infrastructure-barriers-to-bus-use-in-Wales_V4.pdf

⁴ [How we must all play our part: a public health approach to halting the epidemic in gender-based violence \(senedd.wales\)](https://www.senedd.wales/How-we-must-all-play-our-part-a-public-health-approach-to-halting-the-epidemic-in-gender-based-violence)

disability pay gap reporting would help highlight the barriers faced by disabled people in the workplace and improve inclusion⁵.

There are continued issues around funds that are available, particularly around the Access to Work scheme. Many do not know the scheme exists and the scheme itself is renowned for payment delays. Many organisations supporting disabled people have reported lengthy delays which undermine their ability to find and retain jobs^{6,7}. Welsh Government should continue to lobby the UK Government to increase funds for Access to Work to speed up the processing and implementation of solutions.

In addition to the above, we are concerned that the impact of Welsh Government policy is hampered by issues within the UK Government's welfare-benefits system overall. The MND Association supports changes to the welfare system which allow people with MND to access the support they need more easily. Specifically, we support changes to simplify the number of assessments needing to be undertaken by people applying for benefits. Far too often people with MND must have to contend with multiple layers of bureaucracy to receive financial assistance. This leads to a poor experience of engaging with the Department for Work and Pensions (DWP) and unnecessarily delays timely access to financial support.

We are also concerned about the blurring of the lines between work conditionality and access to benefits. The space between the Work Capability Assessment (WCA) and Personal Independence Payments (PIP) has existed for a reason. The former assesses someone's ability to work and the latter the impact of a disability on a person. Therefore, using only PIP as a passport to additional disability-related benefits within Universal Credit risks placing work conditionality requirements on those with a disability. Similarly, if there are work-related requirements within PIP, then people may risk being denied PIP because they are judged fit to work. The Labour Party manifesto committed to reforming or replacing the Work Capability Assessment and we urge Welsh Government to work with UK Labour colleagues to drive this change

Further, the earnings limit on carer's allowance often forces people to give up work when they do not necessarily need or want to, forcing many carers out of the workplace and into substantial levels of debt. Welsh Government should work with UK Government to reform the carer's allowance system and consider supplementary funding for both this and paid carer's leave.

⁵ [TUC Calls For Mandatory Disability Pay Gap Reporting | Disability Rights UK](#)

⁶ [Access_to_Work_delays_report_PDF_Version.pdf \(rnib.org.uk\)](#)

⁷ [Access to Work delays - RNID](#)

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

There is little targeted support for financial support for disabled people which complements their ability to work flexibly in a way that works for them. Welsh Government should consider establishing a dedicated, ring-fenced fund to support workplace adaptations for employers who cannot reasonably cover them.

The disability employment gap intersects with other protected characteristics including both ethnicity⁸ and gender⁹ so Welsh Government must consider developing a strategy to encourage more intersectional, inclusive practices and policies driven by Welsh-specific data from the Equality, Race and Disability Evidence Units.

Welsh Government should publish guidance for employers on the benefits of and implementation support for flexible and remote working. We believe this would help employers understand how and why to improve accessibility within the workplace and thereby bring down the employment gap in Wales.

To complement the above, Welsh Government should consider commissioning and delivering training on employment rights and reasonable adjustments for disabled people in the workplace.

As recommended in the Locked Out report, Welsh Government should consider the benefits of a change in the law to legally recognize home working as a reasonable adjustment. We strongly believe this would allow people living with MND and their carers to continue employment in a way that suits them for as long as possible or desirable.

Welsh Government should consider publishing guidance around and establishing better reporting mechanisms for discrimination in the workplace. Employment discrimination is disproportionately faced by disabled people and adequate reporting tools may prevent employers from engaging in discriminatory practices and thereby may help disabled people remain in the workplace.

There is a need for better communications about the support available for disabled people in the workplace. For example, we previously outlined the low take-up of the Access to Work

⁸ <https://www.disabilityrightsuk.org/news/understanding-intersection-unemployment-disparities-among-disabled-individuals-crossroads>

⁹ [https://www.tuc.org.uk/research-analysis/reports/jobs-and-pay-monitor-disabled-workers-23#:~:text=The%20pay%20gap%20has%20narrowed,per%20cent\)%5B3%5D.](https://www.tuc.org.uk/research-analysis/reports/jobs-and-pay-monitor-disabled-workers-23#:~:text=The%20pay%20gap%20has%20narrowed,per%20cent)%5B3%5D.)

scheme. Welsh Government should, alongside counterparts in UK Government, consider a public campaign to increase awareness of the funding available. We note the continuation of the Single Advice Fund¹⁰ and we hope Welsh Government will ensure the service(s) commissioned prioritise the promotion of employment support available for disabled people.

¹⁰ [Apply for the Single Advice Fund grant | GOV.WALES](https://www.gov.wales/apply-single-advice-fund-grant)

Senedd Equality and Social Justice Committee

Inquiry into Disability and Employment

Response from the Social Enterprise Stakeholder Group

The Social Enterprise Stakeholder Group is a multi-member consortium and partnership of organisations support the social enterprise sector in Wales and includes Cwmpas, the WCVA, Social Firms Wales, UnLtd and DTA Wales.

What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market? Why has progress to reduce the employment and pay disability gap has been so difficult to achieve?

We draw on the latest data, which suggests that at 32.3 percentage points the 'disability employment gap' in Wales is higher when compared to the UK as a whole (29.8 percentage points).¹ This gap has remained consistent over a number of years and suggests that much more needs to be done to ensure our economy and labour market is fully accessible for disabled people.

We also draw on research by Learning and Work Institute Wales, whose research found that there are 146,000 working-age people (or 7.7% of the working-age population) who are economically inactive because of long-term sickness or disabilities.² Wales has consistently has a higher rate of economic inactivity compared to the rest of the UK, and a part of the explanation for this is that our population is older and has a higher level of disability and ill-health. It is clear that Wales needs a specific strategy to support these people into work – for the benefit of their own well-being as well as reducing pressure on public services.

Disability Wales have identified that a key issue is the unwillingness of many employers to implement reasonable adjustments, and a lack of access to resources and legal aid make it difficult to challenge this and protect rights set out in legislation.³ Previous L&W research has shown that only one in ten out of work older and disabled people get help to find work each year across the UK.⁴

This is evidence of a structural problem within the Welsh economy that requires intervention. We need to develop an approach to economic development that is based on well-being – for every individual and our communities as a whole. Currently, the unwillingness of businesses to make reasonable adjustments as set out by Disability Wales can only be a result of an economy and business models that incentivises private profit above all else.

¹ [https://research.senedd.wales/research-articles/access-to-work-for-disabled-people-in-wales/#:~:text=At%2032.3%20percentage%20points%20the,Talbot%20\(44.5%20percentage%20points\).](https://research.senedd.wales/research-articles/access-to-work-for-disabled-people-in-wales/#:~:text=At%2032.3%20percentage%20points%20the,Talbot%20(44.5%20percentage%20points).)

² <https://www.learningandwork.wales/news-and-policy/146000-reasons-to-get-employment-support-right-in-wales-2/>

³ https://www.disabilitywales.org/wp-content/uploads/2022/03/0637-PS_DW-Report.pdf

⁴ <https://learningandwork.org.uk/resources/research-and-reports/understanding-benefits/>

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

We need to create a just, inclusive economy that is fair and accessible for people with disabilities. This requires models of business that embed fairness, sustainability, democratic ownership and the pursuit of mutual well-being. The 2022 mapping report of the sector in Wales found that social businesses are good employers, with the vast majority offering the Living Wage to all staff and employing people who are further away from the labour market. The survey found that 22 percent of employers who had taken on new employees in the last 12 months reported that these included individuals who were unemployed immediately before taking up the post, accounting for 65 full time roles and 141 part time roles. This reinforces the sector's role in providing employment opportunities for individuals who are further away from the labour market.⁵

What is social enterprise?

A social enterprise is a business with social objectives whose profits are principally used for a good cause, rather than being given to shareholders and owners. Their social, environmental, economic, or cultural purpose is at the heart of what they do.

This can include tackling social problems, fighting against the climate emergency, and improving the environment, building stronger communities, and providing training and employment for those furthest from the labour market. Social enterprises can come in many forms, including co-operatives, mutual organisations, community interest companies, community-owned businesses, trading charities and more. They aim to make a profit but unlike mainstream businesses the profit is reinvested towards business growth, and furthering their social, environmental, economic, or cultural purpose. This purpose is set out in their governing documents and doesn't rely on individuals making good decisions, but is embedded in what the business does and how it measures success.

This is not just an academic idea. There are already many social businesses across Wales creating sustainable prosperity for communities, and many specifically working to ensure access to work for people who were previously outside of the labour market through disability.

One inspiring example is **Elite Paper Solutions**, based in Merthyr Tydfil. They are an award-winning social enterprise and their workforce includes people who had previously been economically inactive, either due to their disability or other circumstances. Since they started in business in 2015 they have engaged with over 300 people with disabilities and those at a disadvantage, many of which have gained paid employment, work experience or volunteer opportunities. This is how they describe their work:

"Providing organisations throughout Wales with the provision of confidential destruction, archive storage, and document scanning, we also see ourselves as a stepping stone, allowing

⁵ <https://cwmpas.coop/wp-content/uploads/2023/04/CWMPAS-SBW-MAPPING-2023-English-FINAL.pdf>

people with disabilities and those at a disadvantage to gain valuable skills & experience at our facility before moving on and progressing within their local community.

The nature of the business ensures that there is a job that will meet every need, irrespective of the person's disability, making it a fully inclusive workplace. Our staff are of varying age, ability and equality of opportunity is a strong ethical focus.

We believe every citizen has a contribution to make, and, given the correct level of intervention and support, enable the improvement in their quality of life, where they are also contributing positively to their communities."

Social Firms Wales is a member of the Social Enterprise Stakeholder Group that has building an inclusive economy at their heart. A social firm is a business that aims to create employment for people with disabilities or other disadvantages in the labour market through the production of goods and services. Social Firms Wales is the National Support Agency that supports social enterprises that want to adopt Social Firms principles and values to create places of work that are inclusive, supportive, enabling and progressive. They want a thriving Wales where every person has access to work, and opportunities where they feel valued, included and useful. There are over 100 Social Firms now in Wales, providing inclusive employment, training and volunteering opportunities to hundreds of individuals, in particular people with disabilities and mental health conditions. Increasingly, Social Firms Wales are also supporting disabled and neurodivergent people with their self-employment goals, helping people to create a working life around their own specific needs.

Case Study

Carmarthenshire Emporium CIC

Liz is dyslexic, has polymyalgia, and has limited digital access. Social Firms Wales tailored its approach to suit her needs, including using WhatsApp and phone calls instead of e-mail and letters, explaining issues clearly, checking understanding at each stage of the process, and devising an innovative declaration method that satisfied requirements and empowered Liz.

"I would have given up without the support from Jan at Social Firms Wales. It has made all the difference to me and the people the Centre helps. Being involved has given unit holders a purpose and positivity, and reduced their reliance on the County's medical and social services"
Liz Green.

What can we do to support social enterprises and social firms to transform our economies to be inclusive of those with disabilities?

- Make social enterprise the business model of choice in Wales. Include the development of the social enterprise and social firms sector as a key part of the strategy to develop labour markets that are accessible to people with disabilities. Grow the number of social enterprises and social firms as a proportion of the wider economy.

- Expand specialist support to social enterprises to grow and maximise their impact across different sectors – whether to expand into providing services specifically for the number of people with disabilities within the labour market, or embedding inclusive practises across economic sectors. This support has been identified by social enterprises as being essential to their success. For example, this is a quote from Andrea Wayman at Elite Paper Solutions:

"The support from Social Business Wales has been invaluable in establishing our business focus, from their hands on practical support to their signposting skills in areas of expertise. Their accessibility has been second to none, assisting and often motivating us in our development. I believe their support is not only beneficial to new, fledgling business, but also those that are established facing challenges, aiding them to implement solutions".

- Embed a well-being economy approach across economic development policy, ensuring that the well-being of people and planet is at the heart of the economic agenda. Responsibility for creating a truly-inclusive economy sits with all government departments, and the Welsh Government and public bodies should be mandated to pro-actively explore how it can play a key role as anchor institutions in the mission of transforming our local and national economies.

Written evidence for the Equality and Social Justice Committee Inquiry into the Disability Employment and Payment gap

Debbie Foster, Professor of Employment Relations and Diversity, Cardiff Business School, Cardiff University; Co-Chair of the Welsh Government Disability Rights Taskforce (DRT); Chair of the Employment and Income Working Group of the DRT

Introduction

I wish to thank the Equality and Social Justice Committee for providing this opportunity to give evidence both written and oral on this topic. It is noted that the Committee issued 'Terms of Reference' for the Inquiry. Many of the topics included will be addressed in this submission, although some in greater depth than others. Other contributors will be able to provide more detailed evidence to the Committee in specialist areas.

The intention here is to provide an overview of the work that has been undertaken primarily by the Welsh Government's Disability Rights Taskforce (DRT), which was established to respond to the recommendations of the 'Locked Out Report' (2021). I was author of the co-produced Report and have had the privilege to Co-Chair the DRT (as chosen representative of the Disability Equality Forum (DEF) of Welsh Government), with the Minister(s) for Social Justice. As a Professor of Employment Relations and Diversity with a research interest in disability and employment at Cardiff University, I will also offer some brief reflections at the end of this written submission in this capacity.

Developments since the 'Locked-Out Report'

'Locked-out: Liberating Disabled People's Lives and Rights in Wales Beyond COVID-19' (Welsh Government 2021), known as the 'Locked-Out Report', was written and coproduced during the pandemic with a steering group of disabled representatives chosen by the DEF of Welsh Government. In many respects, however, the socio-economic and labour market problems faced by disabled people before the pandemic, which it argued were merely amplified by it, were the focus of its concerns. The Report referred to a 'long term persistent problem with employment' among disabled people, and a 'poor understanding of legal responsibilities to provide workplace adjustments' among employers and some disabled people.

The pandemic itself presented new challenges and opportunities for disabled people in the sphere of employment, most notably the potential to re-design and relocate work activities. For example, during the pandemic I was involved in research that examined the experiences of disabled people working in the legal profession of England and Wales forced to work from home, which has since reshaped working practices in that sector (Foster and Hirst, 2020b). During and immediately after the

pandemic, Wales appeared to be at the forefront of debate about the possible opportunities this change in working practices and attitudes towards remote working might bring. Several years on, it would be helpful to revisit these ambitions in depth to better understand whether the potential opportunities and benefits identified have been realised for disabled people.

The above themes were all discussed in the ‘Employment and Income Working Group’ of the Disability Rights Taskforce (DRT), which drew on the lived experiences of disabled people. To provide context a summary of how the Taskforce was established will be provided.

The DRT was established by the former First Minister Mark Drakeford in 2021. Part of the official Programme for Government it became fully operational by 2022, following the appointment of a secretariat of civil servants. It represents a significant investment by Welsh Government, not just of resources but also of ideas, in terms of developing a new more inclusive approach to policy formulation. To understand the significance of the latter it is important to understand the methodology and underlying philosophy of the DRT.

In a recent article (Foster, 2024, 411-12) the work and membership of the DRT and its relationship to the ‘Locked-out’ report is described. The DRT membership embraced “DPOs, Welsh Government policy leads, relevant external stakeholders (including some academics), and individual disabled people”. Detailed work of the DRT has taken place in eight (later to became ten) working groups. “After some discussion it was agreed that these would, among other things, address key areas of policy identified by the ‘Locked-out’ Report. Working groups examine existing evidence, including the way policy is currently experienced by disabled people. Recommendations they draw up are then presented to a full Taskforce meeting, at which the relevant Minister holding that policy portfolio, is invited”.

When the ‘Locked-Out Report’ was written, it was coproduced with a Steering Group of disabled people chosen by the Disability Equality Forum of Welsh Government. This provided a range of contributions from people with lived experience, most of whom had a wider understanding of the social model of disability and disabled people’s human rights. As author of the report, I brought my experience as an academic researcher with lived experience to the process of writing a document that used secondary evidence-based research and primary evidence from the experiences of participants. The co-production of the report was important but so too was the perspective shared by participants that many of the problems disabled people face in society are essentially interrelated. When considering one barrier faced by disabled people - e.g. employment, therefore, it is necessary to consider other barriers - e.g. housing, transport, poverty, education, access to healthcare, social exclusion, discriminatory attitudes. Some barriers are physical, nevertheless, the Report argued, many are attitudinal and, therefore, socially constructed. This includes the historically low aspirations social policy makers have attributed to disabled people and their prospects for employment and careers.

“The pandemic represented a watershed moment that exposed the consequences of systemic social and health inequalities, prompting some politicians to argue that

unless groups that bore the brunt of deaths were part of the re-building process, lessons would not be learnt. The demand of the Disability Rights Movement – ‘Nothing About Us Without Us’ – began to gain traction (Foster, 2024:412) This was reflected in the what became the guiding principles of the Taskforce, namely: “adherence to a social model of disability; respect for human rights detailed in the UNCRDP (UN 2017); the value of lived experience; and co-production as a way of working” (ibid, 2024).

Since the ‘Locked-Out Report, it is significant that the United Nations (UN) has undertaken a formal investigation of the “disproportionately negative impact of austerity on disabled people in the UK.” The UN took the “decision to launch its formal investigation in 2016 under Article 6 of its Optional Protocol. Drawing attention to ‘the cumulative impact of the legislation, policies and measures adopted by the State party relating to social security schemes and to work and employment’ (UN 2017: 3), the UN feared the basic right of disabled people to live independently, was under threat.” (Foster, 2024: 413).

The Employment and Income Working Group of the DRT

One of the Working Groups of the DRT focused on Employment and Income. The Group, which met 5 times, consisted of Welsh Government policy officials, DPOs, third sector organisations, individual disabled people, representatives from public sector organisations (e.g. health and local government), Wales TUC, Business Wales, Disabled People’s Employment Champions, the EHRC, Bevan Foundation and other stakeholders. A focus group on employment was also organised to ensure that the views of disabled participants were properly documented. Employment and Income are policy areas that are strongly influenced by UK Government policy and, therefore, there are limitations on actions at a devolved level. Consideration had to be given to the role of UK Government, specifically in the areas of employment law and policy as well as Social Security.

A range of evidence-based presentations from external and Welsh Government contributors helped to stimulate debate in Working Group meetings. A flavour of some of the topics discussed is provided below:

- Disabled people’s experiences of employment and employment rights, access to advice, representation, justice, and dispute resolution.
- An evaluation of Welsh Government training and employment initiatives, which included contributions from disabled people who had experiences of participation.
- A consideration of in-work poverty, pay and career inequalities including discussions of the role of social security benefits and work; disability pay gap reporting; the need for well supported opportunities for flexible and remote working; job re-design/ job carving; the role of volunteering.

- Disabled people's poor access to good quality jobs; low aspirational stereotyping; problems related to staying in work.
- Discussion of the UK Government's 'Disability Confident' scheme. While it was acknowledged that an employer scheme is needed, concern was expressed about current benchmarks in the scheme and inadequate scrutiny and accreditation of participating employers. The current scheme's association with the Department for Work and Pensions was also viewed as problematic by many disabled people. There was debate about whether an employers' kitemark for Wales might replace or complement any reformed UK scheme.
- The important role of the public sector as a large employer in Wales was discussed and the need to ensure that Public Sector Equality Duties, as well as the very distinctive Welsh tradition of social partnership could be better utilised to improve the employment of disabled people in this sector.
- The positive role played by the Disabled People's Employment Champions.
- The potential benefits of a disabled persons 'Universal Basic Income+' were explored with speakers from Sheffield University.
- The cost-of-living crisis and the potential for Wales to co-ordinate and strengthen its own Welfare strategy were explored with a speaker from the Bevan Foundation.
- How to embed the Social Model of Disability into the activities of Welsh Government and the potential to do so through public procurement standards. As well as the wider potential role of the Social Partnership and Public Procurement Act to advance equalities.

Outcomes from the DRT Employment and Income (E&I) Working Group

A range of suggested recommendations were put forward by the E&I Working Group for consideration by the full DRT and Minister holding the relevant portfolio, which at that time was Vaughan Gething. My understanding is that these are currently being reviewed and will need to be discussed by Cabinet before a decision can be made about whether they can become part of a proposed 10 year Disability Action Plan for Wales that would then go out for public consultation. The full and final recommendations are not yet in the public domain. The summary below, however, outlines many key areas considered:

- a) **The need for a campaign or public conversation in Wales** to raise awareness of the social model of disability, disabled people's employment rights, challenge limiting stereotypes, and build positive relationships with employers. It was felt that too often those the law is intended to protect are unaware that they have rights or, are unable to access support to exercise them. The consequence is that disabled people often feel compelled to exit the labour market because they cannot secure relevant reasonable adjustments. This loss of talent, experience, and skills represents a failure in the operation of law.

It was recognised that Wales needs a sustainable approach to work that takes account of changes throughout the life-course. Work can provide economic independence, reduce social isolation, and improve well-being, but only if accompanied by good working conditions. Strengthening education and accountability is required to improve the poor provision of legal advice in Wales to enable disabled people to access their rights (Articles 12 & 13 of the UNCRDP).

- b) **Reform or replacement of the current UK Disability Confident scheme** to address a lack of confidence among disabled people and employers in the current scheme. Subsequently, a piece of research is being co-produced involving Chairs of the DRT and Welsh Government Social Researchers, which is considering the feasibility of potential reforms to the scheme with key stakeholders. It was felt that any reform to the scheme should attempt to incorporate and celebrate distinctive Welsh values of social partnership, fair and decent work (Article 27 CRDP), commitment to a real living wage, and well-being. A reformed scheme could be a vehicle for providing education, training, and developing good employment practice. Currently, only 40 employers in Wales have achieved Disability Confident Leadership status, just 12 in the private sector.
- c) **The need for better representation of disabled people's interests in the application of the Social Partnership and Public Procurement of Wales Act.** Public procurement was identified as a potential lever for change and a means of embedding positive employment practices for disabled people and others with protected characteristics in Welsh Government contracts. For example, contractors might be obliged to demonstrate they have effective procedures to deal with reasonable adjustment requests, report disability employment data, procedures for recruiting and retaining disabled employees. Demonstrating good **dispute resolution procedures** to address grievances might also be a requirement. Too often non-disclosure agreements conditional on disabled employees exiting organisations, which also serve to hide the extent of the problems disabled people face, are used by employers.
- d) **Proactively Equality Impact Assess (EIA) procurement decisions co-productively.** Audit Wales has questioned whether EIAs had become 'tick

box' exercises. EIAs and the Public Sector Equality Duty must be used not only for 'eliminating discrimination' but to address the broader aims of 'promoting equality' and 'fostering good relations'

- e) **Ensuring that disabled people are prioritised in relation to flexible working arrangements.** It is poorly understood that disabled people occupy a different status in employment law. Disabled workers should always be treated differently, and it is often lawful to treat a disabled person more favourably than a non-disabled person. Employers and disabled employees need to be better supported to understand the law. The role of Employment Champions and Business Wales could be instrumental here.

Opportunities to work remotely and from home post-pandemic have provided some new employment opportunities for disabled people. Further detailed analysis is, however, required to understand to what extent potential has been realised and continued barriers. It was hoped that remote or homeworking would become an accepted reasonable adjustment. Concern was also expressed that homeworking must be supported, safe, and suitable. The choice not to work from home is essential because the home is not always a safe environment and concerns were expressed that revised DWP work capability assessments threatened this. Homeworking must never be used as a justification for failing to improve the accessibility of public workplaces, transport systems, or wider infrastructure.

- f) **Employment retention** is a dimension of the disability employment gap that is often overlooked. More data is needed on what steps employers are taking to retain disabled people in their workforces. In addition, proactive measures such as flexible working arrangements; redeployment; retraining; mentoring; creative job re-design/ job carving and case studies of where these have been successful, need developing.
- g) **Transitioning from Education to Employment** - The 'Inclusive Apprenticeships: Disability Action Plan for Apprenticeships 2018-21' recognised that too few disabled people are accessing apprenticeships and identified employers being insufficiently aware of the support available to them if they take on a disabled apprentice. A thorough evaluation of the objectives and impact of this Action Plan is needed, and a group established to build on its achievements and coproduce a strategy with disabled people for the next 10 years.

Other Welsh Government initiatives involving young people wanting to access work, such as 'Engage to Change' were discussed. It was, however, believed such schemes needed longer term funding to ensure existing programmes are maintained and future initiatives such as a Mentors and Ambassadors programme and a National Job Coaching model, are developed.

More tailored support is needed for disabled people wanting to return to education and training, some of whom may have fragmented education and employment histories. A distinctive 'disabled returners pathway' could be developed to allow for confidence and CV building. It was recommended that Welsh Government work with Further and Higher education institutions in Wales to establish appropriate pathways to re-skill and up-skill disabled people. A Welsh specific intervention is needed. This should not just be viewed as the responsibility of the UK Department of Health and Social Security.

- h) **An 'Anti-Ableism Network'** was discussed for **Welsh further and higher education sectors** to challenge stereotypes and monitor educational needs, provision, and achievements of disabled people and address their under-representation among staff in these sectors. The Network could also share good practice, collecting data on the disability pay gap and be responsible for promoting an anti-ableist culture in post-16 education. With a duty to report to Welsh Government and measure its progress annually, it was suggested the Network also develop the first Disability Equality Chartermark in the UK further and higher education, (to be co-produced with DPOs and groups/ organisations representing staff and students).
- a) **Self-Employment, Entrepreneurship and Freelancers.** Discrimination can force disabled people out of the labour market into self-employment, however, others make a positive choice to become self-employed or become freelance workers. Both situations can involve challenges. Better awareness of the support available to disabled people through Business Wales is needed. Business Wales reported that engaging with disabled people remains problematic. More coproduced research is needed in this area to address the reasons why.

Business Wales and Welsh Government Relationship Managers and Disabled People's Employment Champions have an important role to play in encouraging and promoting conversations with businesses on how to adopt and promote the Social Model of Disability in their organisations and employment practices. Social Model of Disability training is available through Business Wales and further engagement with DPOs might provide further tailored advice and training involving people with a range of lived experiences.

It was suggested that Business Wales consider developing a Disability Employer Hub, providing a central portal of advice, guidance, resources, and examples to support employers to employ disabled people. The Hub might signpost other support programmes and funding schemes, and should reflect the full pathway of recruiting, retaining, and supporting disabled employees of all ages, including those who become disabled while in the workforce. The content of this hub might be co-produced with disabled people and regularly reviewed/updated.

Discussions highlighted how freelancers as a distinctive group are poorly understood and their specific needs are often overlooked. Disabled people in the creative industries who play an important role in challenging stereotypes, for example, reported barriers including inaccessible venues, absence of procedures to reasonable adjustments and a benefits system that does not support short-term, unpredictable periods of work. Many public spaces like theatres and music venues, are insufficiently accessible and the status of disabled freelancers as self-employed, often mean their needs are overlooked and they find it difficult to access legal rights and work.

It was noted that freelancing as an employment status required better recognition and consideration within co-produced 'Fair Work' principles. More data is also needed to gain a better understanding of the number of disabled people in this group and how freelancing fits into debates about our understanding of disability pay and poverty gaps. Furthermore, freelancing requires greater recognition as a positive choice by some disabled people rather than negatively as casualisation.

i) Income

While acknowledging that Welsh Government has limited powers to act in areas of social security, it has however, introduced policies and discretionary payments to alleviate disadvantage. It also plays an important role in collecting data and evaluating the socio-economic circumstances of Welsh citizens, as well as lobbying for change in UK Government policy.

More and better data was identified as the basis for understanding how gender pay gap reporting has affected employer behaviour in Wales, so that positive benefits can be extended to include pay gap reporting on disability and ethnicity. (<https://www.equalityhumanrights.com/en/publication-download/measuring-and-reporting-disability-and-ethnicity-pay-gaps>).

The Working Group also identified a need for comprehensive publicly available data on the recruitment, retention, and progression of disabled people in Welsh organisations. The group discussed how Welsh Government might consider introducing a positive duty that requires employing organisations to track and report such data as part of its review of specific duties for Wales. This would include a requirement for public authorities to publish their analysis of why gaps exist and be required to set in place action plans to reduce them. By providing formal oversight of this process Welsh Government might adopt a leadership role, one that is compatible with its objective to place socio-economic disadvantage at the centre of strategic decision-making.

The introduction of a Basic Income (universal or otherwise) for disabled people was discussed. Potential benefits to disabled people might include improved access to education and training, as well as supporting disabled people in volunteering experiences. By providing a safety-net during disruptions in employment caused by ill-health, treatment, rehabilitation, or the

need to implement reasonable adjustments, a basic income could contribute to job retention and reduce the administrative costs associated with means-tested benefits. For the many disabled people in precarious forms of employment, a guaranteed basic income would also free them from a frustrating and often punitive social security system that can in some circumstances penalise them for working. Furthermore, disabled people unable to work at all would have a security of income to help them to live more independently and with dignity. Welsh Government are uniquely placed to apply learning from its current Basic Income Pilot to disabled people. It was, therefore, suggested when evaluating the current pilot (scheduled for 2026), it conducts a feasibility study and cost-benefit analysis of its application to this group.

The Working Group welcomed the Bevan Foundations presentation about proposals for a Welsh Benefits Charter, which Welsh Government have subsequently developed further. The commitment to use the Social Model of Disability in the design and delivery of Welsh Benefits is positive.

Additional Reflections

There was limited evidence from the participation of disabled people in the DRT to suggest that the social model of disability was being used to underpin employment and recruitment practices. My wider academic research would support this and suggests that existing law does not encourage this. The very concept of 'reasonable adjustments' encourages employers to adopt a defensive and reactive position, which is at odds with the social model of disability (Foster and Scott, 2015). The expectation that an employer will need to 'adjust' its practices inevitably conceptualises disabled people as 'other' and different from the 'norm'. The use of the concept of an 'ideal worker' in recruitment practices and job design thus continues to prevail and is based on ableist assumptions (see Foster and Wass, 2013).

It is often not appreciated, moreover, that the act of having to request an adjustment as a disabled person, places too much responsibility on individual employees in what is already an unequal power relationship: the employment contract (Foster and Fosh, 2010). Add to this the reluctance of many people who might benefit from workplace adjustments to self-identify as disabled because it is regarded as a stigmatised identity, and it suggests the law alone cannot deliver fair employment opportunities for disabled people.

The two critical questions that employment policy needs to address if the labour market opportunities of disabled people are to be improve are: how to get disabled people who are able, into work? Then, how to support them to stay in work. Historically, Governments have focused on the former to the detriment of the latter and see 'any work', however low aspirational, as suitable rather than focusing on developing flexible long term career opportunities. If this means benefits and grants are required to support disabled people through these different stages, this implies

that policymakers may need to think differently. For example, encouraging people to volunteer used to be encouraged by the benefits system but these opportunities have diminished. These opportunities might offer a pathway to paid employment but in themselves were valuable to the individual and to voluntary organisations.

In terms of paid employment, disabled people participating in the DRT consistently referred to a poor understanding of the realities of being a disabled person and lack of flexibility on the part of employers/ organisations. Many disabled people manage different levels of pain and fatigue in their daily lives, often caused by having to negotiate an ableist society. This can mean they experience fluctuating energy. Being able to manage the location of work can be important (e.g. having hybrid and home working options) but also having access to other flexible working arrangements and mentoring/ informed support.

A recurrent problem raised by disabled people participating in the DRT was the slow response of Access to Work, particularly since the pandemic. In terms of eventual outcomes, satisfaction with this service is generally high but criticisms that it is bureaucratic and slow in delivering essential equipment, widespread. Access to Work is essentially a *reactive* service and only supports disabled people who have already secured employment, not those undergoing recruitment processes or volunteering as a step towards getting back into paid employment. Research into the legal profession (Foster and Hirst, 2020a; 2022) found Access to Work services were also poorly understood by private sector employers and among self-employed disabled people.

Because of time and space in this written submission there are limitations on what I have included. Having conducted extensive academic research on disabled people and employment over many years I am happy to further discuss findings with members of the Committee. The intention here has been to primarily concentrate on aspects of the work I have been engaged in with Welsh Government.

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Submission to Senedd Cymru Consultation on Disability and Employment

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Required information

Our evidence is submitted in an individual capacity as university professors and founders of Disability@Work and the Disability Employment Charter. We confirm both are over 18 years old, we prefer our names are published alongside our evidence, and the Committee should not treat any of our written evidence as confidential.

In the below, we focus on two areas of the inquiry, the first of which is:

What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

We contend that little progress has been made in Wales in reducing and removing the barriers faced by disabled people who want to access the labour market, with progress having been difficult to achieve as very few employers have adopted progressive disability employment practices.

To demonstrate this, we conduct a unique analysis (undertaken specifically for this evidence submission) that explores all UK jobs advertised on the Find a Job and Adzuna online job websites available on 9th August 2024. Find a Job is the Department for Work and Pensions' own website that it recommends to benefit claimants seeking work (and is available in the Welsh language). Adzuna gathers job adverts from a wider range of sources including advertisements drawn from employer websites and LinkedIn. It is used by the ONS to develop experimental statistics on job vacancies.

Table 1 reports the proportion of job adverts that include disability recruitment and retention practices (information in accessible formats, guaranteed interviews for qualified disabled jobseekers, reasonable adjustments etc.), and Chi-square tests showing whether job adverts in Wales are more or less likely to include each of these practices than are job adverts in the rest of the UK.

Table 1: Disability recruitment and retention practices in jobs advertised in Wales and the rest of the UK (Find a Job and Adzuna jobsites)

	Find a Job				Adzuna		
	All jobs	Wales	Rest of the UK		All jobs	Wales	Rest of the UK
Number of jobs listed	134,845	5,390	129,455		850,457	25,855	824,602
Recruitment practices							
Alternative formats	419 (0.31%)	1 (0.02%)	418 (0.32%)***		1,476 (0.17%)	11 (0.04%)	1,465 (0.18%)***
Large print	264 (0.20%)	0 (0.00%)	264 (0.20%)		452 (0.05%)	6 (0.02%)	446 (0.05%)**
Braille	188 (0.14%)	1 (0.02%)	187 (0.15%)**		268 (0.03%)	3 (0.01%)	265 (0.03%)*
Easy read	72 (0.05%)	0 (0.00%)	72 (0.06%)		81 (0.01%)	3 (0.01%)	78 (0.01%)
Reasonable adjustments	4,708 (3.49%)	212 (3.93%)*	4,496 (3.47%)		28,326 (3.33%)	578 (2.24%)	27,748 (3.37%)***
Guaranteed interview	1,915 (1.42%)	38 (0.71%)	1,877 (1.45%)***		14,752 (1.74%)	896 (3.47%)***	13,856 (1.68%)
Access to work	298 (0.22%)	6 (0.11%)	292 (0.23%)*		581 (0.07%)	14 (0.05%)	567 (0.07%)
Retention practices							
Enhanced sick pay	447 (0.33%)	12 (0.22%)	435 (0.34%)		2,385 (0.28%)	37 (0.14%)	2,348 (0.29%)***
Critical illness cover	410 (0.30%)	8 (0.15%)	402 (0.31%)***		3,802 (0.45%)	68 (0.26%)	3,734 (0.45%)***
Income protection	388 (0.29%)	9 (0.17%)	379 (0.29%)*		8,782 (1.03%)	129 (0.50%)	8,653 (1.05%)***
Employee Assistance Programme	10,809 (8.02%)	218 (4.05%)	10,591 (8.18%)***		61,689 (7.25%)	1,286 (4.97%)	60,403 (7.33%)***
Healthcare plan	342 (0.25%)	2 (0.04%)	340 (0.26%)***		3,006 (0.35%)	81 (0.31%)	2,925 (0.36%)***

Source: Find a Job and Adzuna job listings, collected on 9th August 2024.

Chi² tests comparing advertisements for jobs in Wales and the rest of the UK: *** p<.01 ** p<.05 * p<.10

Information in accessible formats. Table 1 shows that barely any job adverts in Wales refer to the provision of information in alternative formats, large print, easy read, or braille. In Find a Job, out of 5,390 job adverts in Wales just one refers to alternative formats, none refers to large print or braille, and just one refers to easy read. While few job adverts in the rest of the UK offer these formats, they are nevertheless more likely to do so than are job adverts in Wales. Hence, while employer efforts to offer these formats to meet the

requirements of the Equality Act 2010 are limited across all the UK, they are particularly limited in Wales.

Recommendation 1: The Welsh Government should encourage employers in Wales to offer information in job adverts in accessible formats.

Reasonable adjustments. There is weak evidence in Find a Job that job adverts in Wales are more likely than those in the rest of the UK to offer reasonable adjustments, but stronger evidence in Adzuna that they are less likely to do so than are job adverts in the rest of the UK. However, both databases suggest that fewer than 5% of job adverts in Wales offer reasonable adjustments, again questioning employer proactivity in meeting their legislative obligations.

To illustrate this further, Table 2 breaks down the reasonable adjustment figures by Welsh region, demonstrating that in many Welsh regions reasonable adjustments are mentioned in very few job adverts.

Recommendation 2: The Welsh Government should encourage employers in Wales to (a) offer reasonable adjustments, and (b) refer to this in their job adverts

Guaranteed interviews. Find a Job suggests that job adverts are less likely to mention a guaranteed interview for qualified disabled applicants in Wales than in the rest of the UK, though the Adzuna data suggests the opposite. Either way, the proportion of job adverts in Wales that offer a guaranteed interview is extremely low (0.71% on Find a Job and 3.47% on Adzuna).

Table 2 breaks down the guaranteed interview figures by Welsh region, demonstrating that in many Welsh regions guaranteed interviews are mentioned in very few job adverts.

Recommendation 3: The Welsh Government should encourage employers in Wales to (a) offer a guaranteed interview to qualified disabled applicants, and (b) refer to this in their job adverts.

Table 2: Number of job advertisements including reasonable adjustments and guaranteed interviews by region in Wales (Find a Job and Adzuna jobsites)

	Reasonable adjustments		Guaranteed interview	
	Find a Job ^a	Adzuna	Find a Job	Adzuna
Powys		5		126
Gwynedd	52	7		117
Ceredigion	33	8		49
Cardiff County	29	158	15	35
Pembrokeshire	26	9		85
Denbighshire	18	21	2	72
Bridgend County	9	24	3	
Flintshire	9	5		58
Swansea	6	22	1	9
Carmarthenshire	5	24	2	92
Conwy County	5	20	15	77
Caerphilly County	4			3
Monmouthshire	3	14	3	37
Newport	3	43	2	10
Rhondda Cynon Taff	3	19	2	3
Blaenau Gwent	2			43
Merthyr Tydfil County	2	9		
The Vale of Glamorgan	2			
Wrexham	2	5		15
Isle of Anglesey	1			49
Torfaen	1	9		
Neath Port Talbot		5	1	5

^aTotals for each column do not match those in Table 1 because both Find a Job and Adzuna are continually changing as employers post and remove jobs, and not all jobs in Wales specify the region of Wales.

Note: Blanks indicate there are no job adverts in the region with the characteristic, although the online database might classify jobs in the region into one of the other regions.

Access to Work. This is generally considered a good but underused scheme in helping disabled people into employment. However, Access to Work is mentioned in less than 1% of job adverts in Wales. There is weak evidence in Find a Job that job adverts in Wales are less likely to refer to Access to Work than are job adverts in the rest of the UK.

Recommendation 4: The Welsh Government should encourage employers in Wales to (a) engage with Access to Work, and (b) refer to this in their job adverts.

Retention practices. Both Find a Job and/or Adzuna show that job adverts in Wales are less likely than job adverts in the rest of the UK to offer enhanced sick pay, critical illness cover, income protection, employee assistance programmes, and healthcare plans. Each of these practices might help disabled employees retain their jobs. Therefore, it is concerning that

less than 1% of job adverts in Wales offer enhanced sick pay, critical illness cover, income protection and healthcare plans, and less than 5% offer employee assistance programmes.

Recommendation 5: The Welsh Government should encourage employers in Wales to (a) provide disability retention practices such as enhanced sick pay, critical illness cover, income protection, employee assistance programmes and healthcare plans, and (b) refer to this in their job adverts.

The second area of Senedd Cymru's inquiry on which we focus is: **What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere?**

Beyond exhorting employers to improve their recruitment and retention practices (as above), the Disability Employment Charter (www.disabilityemploymentcharter.org) outlines ways in which government might encourage employers to do so. As such, our view is that ***the Disability Employment Charter outlines the key policy measures needed to support disabled people, young disabled people and employers to increase disabled people's participation rates.***

Although the policies the Disability Employment Charter outlines are UK-wide, and therefore require action from the UK Government, the Welsh Government can play a critically important role in expressing its support for the Charter, and pressing the UK Government to adopt its proposals.

By way of background, the Disability Employment Charter was launched in 2021 by Disability Rights UK, Disability@Work, Leonard Cheshire, Scope, the DFN Charitable Foundation, the Shaw Trust Foundation, UNISON, and the University of Warwick.

It calls on the government to implement proposals in nine key areas including in relation to: mandatory disability employment and pay gap reporting; reform of Access to Work and Disability Confident; leveraging of government procurement expenditure; enhanced access to reasonable adjustments; improved statutory sick pay; and support for trade union equality representatives and disability champions.

Disability@Work played a lead role in writing the charter, and several of the charter's proposals are underpinned by our research.

The Charter has now been signed by approaching 220 organisations including all the UK's large disability charities (e.g., Mind, National Autistic Society, Mencap, Sense, RNIB, RNID), large corporates (including Adecco, McDonalds, Herbert Smith Freehills, PageGroup, Schroders, Publicis Groupe, the Clear Company, the Post Office), and other leading organisations including the Trades Union Congress, the Runnymede Trust, the British Medical Association and the British Paralympic Association. A growing number of local authorities and NHS Trusts have also signed.

The change of UK Government provides new opportunities for the Charter, given the support the Labour Party expressed for it while in opposition. For example, Vicky Foxcroft MP (then Shadow Disability Minister) outlined Labour's commitments to several of its proposals (employment and pay gap reporting, reform of Access to Work, introduction of statutory rights to time off for trade union equality representatives, and improved access to reasonable adjustments) in a speech at a UNISON event on the Charter in December 2023. Baroness Sherlock (Labour Work and Pensions Spokesperson in the Lords) reiterated several of these commitments in a debate in the Lords in May 2024. Also extremely positive is that Sir Stephen Timms MP (Minister of State for Social Security and Disability) has shown his support for the Charter, in particular by hosting the aforementioned December 2023 UNISON event in Parliament.

Also positive is that Labour's general election manifesto included several of the Charter's proposals, including mandatory pay gap reporting, reform of Access to Work, improved employment support, and easier access to reasonable adjustments. However, support from the Welsh Government in pressing the UK Government to also implement the proposals within the Charter that were not mentioned in Labour's election manifesto would be extremely welcome.

Recommendation 6: The Welsh Government should press the Westminster Government to implement all the Disability Employment Charter's proposals.

There are several particular areas of the Disability Employment Charter for which support from **the Welsh Government** would be extremely welcome. The first relates to **disability employment and pay gap reporting**. The UK Government announced in the King's Speech it would include disability pay gap reporting in the draft *Equality (Race and Disability) Bill*. However, the Charter argues that the UK Government also needs to introduce mandatory employment as well as pay gap reporting. This would involve requiring employers with 250+ employees to provide data to government on the percentage of their workforce that is disabled.

There are several reasons why this is important. First, organisations may have very small disability pay gaps, but this should not be viewed positively if they employ only very few disabled people. Second, the pay gap is only relevant to disabled people who are already in employment. The main barrier facing disabled people is the approximately 30 percentage point disability employment gap. Disability employment reporting focuses attention on the need to get more disabled people into work to close this gap. It therefore comprises a key metric by which organisations' disability employment outcomes should be judged.

As well as the approaching 220 signatories to the Disability Employment Charter, several other organisations including the Centre for Social Justice, the Confederation of British Industry, and the Institute of Directors, have publicly expressed their support for disability employment reporting. The Welsh Government has a key role to play in reinforcing this argument, highlighting to the UK Government the importance of including employment as well as pay gap reporting in the draft *Equality (Race and Disability) Bill*.

Recommendation 7: The Welsh Government should press the UK Government to include employment as well as pay gap reporting in the UK Government's draft Equality (Race and Disability) Bill.

A further proposal within the Disability Employment Charter on which the Welsh Government's support would be particularly welcome is regarding ***support for trade union Equality Representatives and Disability Champions.***

Our research highlights the effectiveness of these representatives, showing that more than three-fifths of Equality Representatives impact their employer's disability equality practices positively.¹ Regarding Disability Champions, the majority have impacted positively on employer willingness to conduct disability audits and to amend and improve employer disability equality practices.²

However, our research also shows the impact of these representatives is dependent on them spending at least five hours per week on their role.

As such, the Disability Employment Charter argues that Equality Representatives and Disability Champions should be provided with statutory rights to time off, equivalent to the rights provided to Union Learning Representatives. This would also help trade unions recruit representatives into these roles in larger numbers. Vicky Foxcroft MP outlined Labour's support for these rights in her speech at the UNISON reception on the Charter in December 2023, yet this was not included in Labour's general election manifesto (despite being in its 2019 manifesto). There is a key role for the Welsh Government in pressing the UK Government to introduce these rights.

Recommendation 8: The Welsh Government should remind the UK Government of its prior support for statutory rights to time off for equality representatives and disability champions, and press it to introduce these rights.

A further key proposal within the Disability Employment Charter on which the Welsh Government's support would be extremely welcome is regarding ***public sector procurement.***

Gross spending on public sector procurement was £393 billion in 2022/23 across the UK.³ As outlined in the Disability Employment Charter, this can be leveraged to improve disability employment outcomes by requiring employers bidding for public contracts to compete for these contracts in part on the basis of their disability employment metrics.

This already happens to an extent within PPN06/20, which came into force on January 1st, 2021. This stipulates that social value should be explicitly evaluated in all central government procurement, rather than just being "considered", and also (positively) makes specific mention of disability (disability is the only protected characteristic mentioned).

¹ Bacon, N. & Hoque, K. (2012). The role and impact of trade union equality representatives in Britain. *British Journal of Industrial Relations*, 50(2): 239–239.

² Bacon, N. & Hoque, K. (2015). The influence of trade union Disability Champions on employer disability policy and practice. *Human Resource Management Journal*, 25(2): 233–249.

³ <https://commonslibrary.parliament.uk/research-briefings/cbp-9317/>

However, PPN06/20 has certain shortcomings. For example, while contracting authorities can choose disability employment as one of the social value criteria on which they ask tendering organisations to compete, there is no requirement for contracting authorities to do so. Also, even if contracting authorities include disability employment as one of the social value criteria, PPN 06/20 does not stipulate explicitly that firms should be evaluated based on their disability employment metrics (such as the proportion of their workforce that is disabled).

As such, the Disability Employment Charter argues that the government should: ensure award decisions for all public sector contracts take into account the percentage of disabled people in the workforce of tendering organisations; require government contractors to work towards a minimum threshold regarding the percentage of disabled people in their workforce; and take failure to achieve this threshold into account in future contract award decisions.

Labour expressed its support for the principle of using government procurement to engender social value outcomes in its National Policy Forum document prior to publishing its manifesto. However, it did not then include this in the manifesto itself. There is a key role, therefore, for the Welsh Government in reminding the UK Labour Government of its earlier support for leveraging government procurement expenditure to secure social value outcomes, and in particular to press it to strengthen PPN06/20 as outlined above.

Recommendation 9: The Welsh Government should press the UK Government to leverage government procurement expenditure to address the disability employment gap via a strengthening of PPN06/20.

Another area on which the Welsh Government's support would be extremely welcome concerns ***reform of Disability Confident***. Our understanding is that the UK Government will comprehensively review the scheme imminently, hence this represents an opportunity for the Welsh Government to influence a key area of disability employment policy.

Our recent research⁴ demonstrates that Disability Confident has not improved disabled people's employment outcomes. Drawing on responses from 127,890 UK employees – of whom 5,676 (4.4%) are disabled – we found that, overall, the percentage of the workforce that is disabled is no higher in Disability Confident Level 1 or Level 3 organisations than in non-Disability Confident organisations. The Level 1 finding is concerning given that 75% of Disability Confident organisations are at this level. Workforce disability prevalence is higher in Disability Confident Level 2 organisations than in non-Disability Confident organisations, but the difference is small (4.7% vs. 4.3%) and only holds in the private (and not the public) sector.

We also find that disabled employees in Disability Confident organisations do not report better job discretion, fairness perceptions, job-related mental health or job satisfaction than

⁴ Hoque, K., Bacon, N., & Allen, D. (2024) Do employers' equality certification improve equality outcomes? An assessment of the UK's Two Ticks and Disability Confident schemes. *British Journal of Industrial Relations*, <https://doi.org/10.1111/bjir.12799>

disabled employees in non-Disability Confident organisations (at any Level). Disability gaps in these outcomes are also no smaller in Disability Confident than non-Disability Confident organisations.

In many instances, therefore, Disability Confident certification appears to represent little more than window-dressing that masks ongoing disadvantage.

The UK Government is aware of this research (we have discussed it in depth with DWP officials and presented it at Vicky Foxcroft MP's roundtable on Disability Confident earlier this year).

In seeking to boost the scheme's effectiveness, the Disability Employment Charter argues that Disability Confident certification criteria should be reformed to focus on the achievement of disability employment outcomes rather than the adoption of certain policies and practices (as is the case currently). As such, organisations applying for Levels 2 and 3 should demonstrate (and maintain) adherence to minimum thresholds regarding the percentage of their workforce that is disabled. The Charter also argues that accreditation should be removed from employers that do not move up within 3 years from Level 1 to Levels 2 or 3.

Recommendation 10: The Welsh Government should press the UK Government to adopt the reforms to the Disability Confident scheme outlined in the Disability Employment Charter.

September 2024

Disability and Employment

Recipient: Equality and Social Justice Committee, Senedd Cymru

Authors: Luke Nicholas, Joseph Lewis, Paula Walters, Angharad Hobson

Cleared by: Cllr Anthony Hunt, WLGA Spokesperson for Workforce

Introduction to the WLGA

the Welsh Local Government Association (WLGA) is a politically led cross-party organisation that seeks to give local government a strong voice at a national level. We represent the interests of local government and promote local democracy in Wales.

The 22 councils in Wales are our members and the three fire and rescue authorities and three national park authorities are associate members.

We believe that the ideas that change people's lives, happen locally.

Communities are at their best when they feel connected to their council through local democracy. By championing, facilitating, and achieving these connections, we can build a vibrant local democracy that allows communities to thrive.

Our ultimate goal is to promote, protect, support and develop democratic local government and the interests of councils in Wales.

We'll achieve our vision by

- Promoting the role and prominence of councillors and council leaders
- Ensuring maximum local discretion in legislation or statutory guidance
- Championing and securing long-term and sustainable funding for councils
- Promoting sector-led improvement
- Encouraging a vibrant local democracy, promoting greater diversity
- Supporting councils to effectively manage their workforce.

As the Employers organisation for local government in Wales, we work to ensure the vital contribution made by local government employees to improving the social and economic health of their communities is protected, and to maintain positive industrial relations within our workforce. The WLGA has worked with our



Local Authorities and the local government HR Directors Network (HRD Network) to inform this response.

Introduction to the Consultation Response

The WLGA welcomes the opportunity to respond to this consultation as part of the Equality and Social Justice Committee ('the committee') inquiry into **the disability employment and payment gap**.

Local Government in Wales a significant employer and an enabler of local and regional economic development and job creation. Our response therefore encompasses the WLGA's direct experience (as the collective voice of our member councils and authorities) as an employer, as well as reflecting local government's role as an actor in the wider economy.

In alignment with the committee, references to disability in this consultation response encompass the definition within the Equality Act 2010.

This WLGA submission proceeds in line with the inquiry's terms of reference.

What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market. Why progress to reduce the employment and pay disability gap has 'been so difficult to achieve.

The 'Locked Out' report highlighted important areas for action by the Welsh Government and its partners. The bulk of the report's recommendations are directed to the Welsh Government, but local government is committed to working in partnership with Welsh Government and to playing its role in removing barriers faced by disabled people to access work.

Welsh councils operate on the basis of a strong commitment to equalities and inclusion, and while recognising that this commitment cannot overcome all societal barriers, local government has taken action to ensure that councils are attractive potential workplaces to disabled people.

The WLGA received evidence from councils that, as employers, they have established and/or revived their staff networks. For example, Disability Networks, a Neurodivergent Employee Community Group (in the case of Newport Council) and senior management leads for championing those networks. In several cases these types of networks are involved in shaping and co-producing workplace policy, for



example at Cardiff Council where the Disability Network has informed the latest Reasonable Adjustments guidance.

In ensuring that local government workplaces (both in the physical sense but also as a remote/virtual employer) do not disadvantage potential or current employees, Welsh councils promote hybrid models of working, clear policies on managing attendance and medical or other leave (where that is relevant for employees regardless of whether they are considered to have a disability or not), and risk assessments as a matter of policy. Hybrid models of working have been widely adopted since the Covid-19 pandemic and are attractive to a range of potential and current employees.

The WLGA would note the potential role of supported employment schemes in directly increasing the numbers of disabled people who are employed. Where funding is available outside of existing local government budgets, and particularly when multiple partners and funding streams can be brought together, supported employment schemes are an additional tool that can be used as part of implementing a wider disability strategy. An example is Pembrokeshire Council's supported employment programme (now employing 75 people, an increase in the 65 stated below)¹. Disabled members of the community highlighted the value of such a programme during consultation on the council's disability strategy, meaning it was not imposed on them by the local authority. The resulting programme supports not only paid employment but also work experience and training. A similar approach in North Wales led by local government in partnership with the health board has led to a new supported employment strategy which subject to funding will establish a scheme across the region².

It is important to note that supported employment is not a substitute for the routine employment of disabled people, but instead provides a targeted intervention that seeks to improve the diversity in the composition of council workforces.

The size of the disability pay gap remains volatile. The Welsh Government states that the disability pay gap "rose between 2014 and 2019 now appears to be reducing"³. In April 2022 the disability pay gap stood at 9.7% or £1.32, a slight

¹ WLGA, *Pembrokeshire Supported Employment – A Programme for All*, June 22nd 2022, <https://www.wlga.gov.uk/pembrokeshire-supported-employment-a-programme-for-all-pembrokeshire-cc>

² North Wales Together, *North Wales Supported Employment Strategy for people with Learning Disabilities 2024 to 2029*, April 2024, <https://northwalestogether.org/wp-content/uploads/2024/06/North-Wales-Supported-Employment-Strategy-for-people-with-learning-disabilities-Eng-FINAL-VERSION.pdf>

³ Welsh Government, *Wellbeing of Wales, 2023: The goal for a more equal Wales*, September 28th 2023 <https://www.gov.wales/wellbeing-wales-2023-more-equal-wales-html#129735>



decrease from 11.4% or £1.45 in 2021. No significant research exists in Wales to explain or analyse how the gap might be impacted by labour market changes, the Covid-19 pandemic or either UK or Welsh policy interventions. Given that local government is a significant employer of people with disabilities, the lack of any real connection between this published national indicator and an assessment of policy impact (at the national level) might limit the strategic understanding that different layers of government have of disability and employment.

The disability employment gap currently stands at 33.1% for 2023, with the Welsh Government suggesting a trend of long-term progress “compared to 7 years ago when it was 35.4 percentage points”⁴. But as noted by Disability Wales, research into disability employment gaps remains limited⁵. Closing the employment and pay gaps more decisively will be difficult until a firm research base is in place to inform major policy changes to labour market access and ultimately, societal change.

An important consideration that has been raised by one of our members is whether some neurodivergent employees might identify as being disabled or not, and might not be represented in any reporting or monitoring of pay gaps within employers.

In the meantime, local government is well-positioned within the public sector and wider economy to continue to remove barriers to employment and continues to be at the forefront of implementing the main Welsh and UK Government schemes. Welsh councils have a track record of responding to initiatives aimed at improving employment policies and would react positively to the development of a “new employment strategy for disabled people” as advocated in the ‘Locked Out’ report⁶.

How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

The social model of disability underpins Welsh local government’s approach to employment and recruitment practices. All local authorities have either made formal declarations of adopting the model as the basis for policy, or utilise the model without having made a declarations or statement of doing so.

⁴ Welsh Government, *Wellbeing of Wales*, 2023, September 28th 2023, p122, <https://www.gov.wales/sites/default/files/pdf-versions/2023/9/4/1695889848/wellbeing-wales-2023.pdf>

⁵ Disability Wales, *What Works in Wales: Addressing the Disability Employment Gap*, December 8th 2022, <https://www.disabilitywales.org/what-works-in-wales-addressing-the-disability-employment-gap>

⁶ Welsh Government (Disability Equality Forum), ‘Locked Out’ report, Updated April 19th 2022, p72, <https://www.gov.wales/sites/default/files/pdf-versions/2023/6/3/1687949221/locked-out-liberating-disabled-peoples-lives-and-rights-wales-beyond-covid-19.pdf>



The WLGA sought feedback from Welsh councils on current and ongoing examples of workplace practices which use the social model and which focussed on removing the artificial barriers that are imposed by society in our workplaces. We received evidence of successful roll out by councils of the TUC Disability Passport and of another authority developing its own Reasonable Adjustments Passport and guidance in collaboration/co-production with employees.

The wide range of activity indicated in the consultation question above (co-production, employee forums, job application policy) is also guided by the principle that Welsh councils will identify (or have identified to them) barriers and work to remove them for the employee or job applicant, rather than the employee or applicant themselves having any expectation placed upon them.

The most well-known policy that links workplace practices to the recruitment process is that of the Disability Confident Employer scheme, to which the WLGA and all of its members are signed up.

Importantly, where councils have communicated with us in developing this evidence, it has been stated that “the employment aspects have not been difficult to achieve”, referring to changes made to recruitment processes and removing workplace barriers – implying that where a clear public sector understanding is in place, progress can be made.

Barriers continue to exist throughout society which directly impact on the range of people who apply for roles in local government or other sectors. The Welsh Government commits in its *Learning Disability Strategic Action Plan 2022 to 2026* to ensure that public transport “meets the needs of people with learning disabilities to fully engage in their communities”⁷. This should include greater opportunities to travel to places of work. There also remains further progress to be made across Welsh society on changing attitudes towards the contribution disabled people at work, with a focus needed on the potential for losing skilled workers if barriers to labour market participation remain in place.

How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.

The creation of the network of Disabled People’s Employment Champions was a welcome step by the Welsh Government and interactions with the scheme by local

⁷ Welsh Government, *Learning Disability Strategic Action Plan 2022 to 2026*, May 24th 2022, <https://www.gov.wales/learning-disability-strategic-action-plan-2022-2026-html#98021>



government have been positive. Initiatives include the *Tap into Talent* programme in North Wales involving the six local authorities, the health board, the UK disability charity Hft and the Employment Champions network⁸. We do not have significant information on the activities of the network or its impact on employment outcomes, though would reiterate that the network represents a positive and distinct initiative.

The 'Locked Out' report recommended that the launch of the Employment Champions schemes "should coincide with the development of a new employment strategy for disabled people"⁹. The Welsh Government's wider employability and skills plan subsequently committed to improve access to work for disabled people, and actions undertaken as a result of this would support employers to improve their recruitment of disabled people¹⁰. That plan gives serious weight to measures which would have a positive impact on local government.

The employability and skills plan suggests that legislation to address pay gaps including on disability might be explored, notes the importance of the Disability Rights Taskforce, and commits to guiding employers on improving their support for disabled people at a workplace level. The effectiveness of these actions are as yet unclear, although more broadly, having a sharp focus on disability employment and skills can only be positive, and a progress report might be welcome. As noted under 'further policy measures' later in this evidence, the employability and skills plan arguably does not constitute a dedicated and holistic employment strategy for disabled people.

Further delineation between the roles and responsibilities of the UK and Welsh Governments in this area could be improved. For example, in 2023 Welsh Government facilitated local government engagement with the UK Government's own Disability Action Plan, however it was unclear how this UK government plan would reflect the devolution landscape in Wales, as the plan's priority areas (transport and employment) were devolved.

Whether disabled people are accessing apprenticeships and if any further support is needed to ensure any schemes are inclusive.

Data is limited on take-up of local government apprenticeships by disabled people. Welsh councils are aware of apprenticeships being taken up by disabled people but at the time of writing could not provide comprehensive data. This itself reflects the

⁸ Hft, *Toolkit launched in north Wales to advise companies on employing learning disabled adults*, May 9th 2023, <https://www.hft.org.uk/press-releases/toolkit-launched-in-north-wales-to-advise-companies-on-employing-learning-disabled-adults>

⁹ 'Locked Out', p72

¹⁰ Welsh Government, *Stronger, fairer, greener Wales: a plan for employability and skills*, March 8th 2022, <https://www.gov.wales/sites/default/files/publications/2022-05/stronger-fairer-greener-wales-plan-employability-and-skills0.pdf>



fact that more needs to be done to assess the relevance of our existing employment policies to disabled people.

Welsh councils, as Disability Confident Employers, utilise inclusive recruitment policies including on apprenticeships, and authorities have confirmed to us that the potential attractiveness of apprenticeship roles (including hybrid working and other benefits) are included in apprenticeship notifications and adverts, which also signpost applicants who need support to council Into Work services. Apprenticeships are promoted across local communities including at special schools and colleges.

We received feedback from a council that advocated for further support being needed to review apprenticeship schemes, specifically to analyse Candidate Equality Recruitment Data (for all roles) to help determine levels of engagement, access and outcomes.

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

The WLGA and local government would welcome a renewed focus from the Welsh Government on support for disabled people and for narrowing the employment and pay gaps, based on policies underpinned by the social model of disability.

The WLGA is committed to social partnership and fair work as a channel for supporting disabled people and increasing participation rates in employment, and local government is a partner in the Social Partnership and Public Procurement Act 2023. In the spirit of social partnership, Welsh councils already work closely with the trade unions on employment issues linked to equalities and inclusion. Discussions at the statutory Social Partnership Council have noted that the duties and structures created by the Act could be maximised to achieve positive impacts on equality and diversity, including specific reference to disability¹¹.

Further consideration should be given to whether legislation will be taken forward on pay gaps. The WLGA does not take a position on this at this stage but the reference to potential legislation in the employability and skills plan seems significant, and would have large impacts on monitoring, data collection and reporting. It remains the case that a more comprehensive research and evidence base is required on disability employment across the public and private sectors.

¹¹ Welsh Government (Social Partnership Council), *The potential for the Social Partnership and Public Procurement (Wales) Act 2023 to support equality and diversity*, May 22nd 2024,
<https://www.gov.wales/potential-social-partnership-and-public-procurement-wales-act-2023-support-equality-and-diversity>



The Welsh Government should consider ways it can embed new and emerging policy measures in existing strategic equality frameworks that the public sector operates within i.e. the framework provided by the Equality Act, and its specific Welsh regulations. A holistic approach to policy making at a Welsh Government level, which takes account of statutory reporting and planning cycles, could further support local government to ensure that key strategic policies (such as Strategic Equality Plans) are given the opportunity to be aligned to Welsh Government priorities.

The Welsh Government may also wish to consider the degree of congruence between its various equality priorities, such as the Anti-Racist Wales Action Plan, LGBTQ+ Action Plan and the Socio-economic Duty. At present it could be argued that these agendas are somewhat siloed, with little evidentiary overlaps in their actions and governance.

The Welsh Government should further consider how successful they and partners have been in taking forward the actions in the skills and employability plan published in 2022. That plan arguably does not constitute a dedicated employment strategy for disabled people as advocated in the 'Locked Out' report, and consideration of such a strategy, to include an emphasis on the current and potential role of local government (including the role of supported employment schemes), would be welcome.

As highlighted above, the WLGA would note the role of supported employment schemes in directly increasing the numbers of disabled people who are employed. Where funding is available outside of existing local government budgets, and particularly when multiple partners and funding streams can be brought together, supported employment schemes are an additional tool that can be used as part of implementing a wider disability strategy. s

The Welsh Government should work with local government and other public and private sector representative bodies, to review supported employment services and make recommendations for their future funding and sustainability.

As Welsh local government, we note that there is scope to collect a more systematic data-driven understanding of disability employment levels across the board, within organisations and the wider economy including the private sector. This would help policy makers and the public understand components of the pay and employment gaps, and differences in age, gender, working patterns and skills.

What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).



Welsh councils have the ability to provide work experience opportunities including virtual/online placements. Welsh Government actions as part of a properly funded, strategic approach to disability employment might support local government to expand these opportunities and to target them at different sectors of our communities.

Good practice also currently includes the policy at Cardiff Council to refer work experience candidates to Hubs/the Into Work Service where (Cardiff residents) need support to overcome Digital Exclusion barriers to access online work experience placements. These kinds of interventions during the process of obtaining work experience open up further opportunities and should be encouraged and promoted.
