

Written Evidence to the Equality and Social Justice Committee Inquiry into Disability and Employment

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As this is part of an ongoing research project that is unpublished, any citation would be, Nortey, R. (2024) 'Written Evidence to the Equality and Social Justice Committee Inquiry into Disability and Employment'. Based on unpublished PhD research, Cardiff University.

Introduction

I wish to thank the Equality and Social Justice Committee for the opportunity to present my oral evidence at the evidence session on 30th September. I would like to use this written submission to provide supplementary evidence, that I feel would be useful to the committee's inquiry into employment of disabled people in Wales. My PhD research explores the disability employment gap in Wales, specifically looking to create an evidence base to inform a Wales specific kitemark for employers to address the disability employment gap. My fieldwork has included:

- Focus groups of disabled people and key stakeholders including disability employment advisors, disabled people's organisations (DPOs) and employment support workers (29 participants)
- Interviews with 10 Disability Confident Leader employers in Wales
- Interviews with disabled people's representatives across Wales
- Observations of the Disability Rights Taskforce working groups

My intention with this written submission is to present findings from my research focused on understanding employer's and disabled people's perspectives of the Disability Confident scheme to understand how the scheme could be built upon in Wales. I thought that these findings would be useful to you following the evidence related to Disability Confident that you have recently heard during the committee sessions.

The current Welsh Government disability policy Action on Disability: The Right to Independent Living Framework included an action to,

“Develop a Welsh disability award scheme for employers which might either build on Disability Confident or be a new scheme to encourage employers to aspire to be more supportive of disabled people. We will work with Disability and Voluntary organisations to explore the specific needs of Wales in developing a scheme, maximising existing levers to encourage employers to take action through the Economic Contract”.

This action to explore the feasibility of developing a Welsh specific scheme or building upon the existing Disability Confident scheme has not been realised. My intention with this submission is to provide evidence on current perspectives of the Disability Confident scheme informed by lived and learnt experience and present suggestions on how an employer’s kitemark scheme could be developed in Wales.

Disability Confident Take Up in Wales

	Disability Confident Level	UK (%)	Wales (%)
	1 - Committed	13983 (75)	929 (77.5)
	2 - Employer	4124 (22.1)	203 (16.9)
	3 - Leader	524 (2.8)	34 (2.8)
Total		18637	1198

Employers signed up to Disability Confident in UK and Wales by level. Figures adapted from Department for Work and Pensions, 2023.

The above table displays the number of organisations signed up to the Disability Confident scheme. The table shows that the majority of employers are accredited at the lower levels of the scheme, with a small percentage of employers registered at the highest level 3. Accreditation at level 3 requires an employer to undergo an independent assessment.

Research Findings

Employers Motivations for Joining Disability Confident

- Employers gave a mixture of moral and business case arguments for joining Disability Confident. Some employers were motivated by lived experience of living with an impairment or health condition. Whereas other employers saw the scheme as a way to increase the diversity within their workforce, driving creativity and performance.

What worked for Employers

- Employers liked having a visible badge that they could use to promote their commitments to developing inclusive practices for disabled people.
- Employers liked the simple and easy application for the first level – Disability Confident Committed. For this level employers complete a simple online form, within which employers are required to consider the five Disability Confident commitment and commit to carrying out at least one activity that will make a difference to disabled people. An organisations progress on these activities are not monitored during this stage.

Employers Issues with Disability Confident

- All employers were dissatisfied with the lack of tailored information and advice provided by the DWP.
- Employers were dissatisfied with the lack of local networking and knowledge sharing opportunities to learn best practice.
- Level one and two of the current scheme were not robust due to the lack of measurable outcomes, external monitoring and assessment of the self-assessment.

The Effectiveness of Disability Confident

- All of the Disability Confident Leader employers that contributed to this research disclosed that they were already doing almost all or all of the criteria required to achieve Disability Confident Leader status when they entered the scheme. Employers described the general journey to leader status as 'easy', 'not challenging enough' and 'disappointing'. Disability Confident had a limited impact on employers creating more inclusive workplaces for disabled people.
- Employers disclosed that although the current Disability Confident scheme provided a framework and an emphasis on implementing inclusive practices within their organisations. The current scheme did not meet their expectations. Alone the scheme's guidance and framework was not enough to drive forward transformative inclusive change within their organisations.

Issues Related to Validation

Currently within Disability Confident, employers at Leader level can assess another organisation hoping to become a Disability Confident Leader. Some employers that have verified other organisations expressed concerns at the current process.

- There is very little guidance from the DWP on how organisations should be assessed. This means that each assessor has developed their own style of assessment. Resulting in a lack of standardisation in the assessment process.
- Employers were also concerned that the self-assessments are not reviewed by the DWP or another external auditor to quality check the assessments.

Suggestions to develop a more effective employer kitemark.

- Tailored advice, information and support delivered at a local level.

- Local events to provide networking and knowledge sharing opportunities.
- Employers called for the inclusion of measurable outcomes at each level of the scheme including a shorter independently assessed self-assessment at level 2.
- One employer suggested introducing an exemplar fourth level to the scheme in Wales. This exemplar level would encourage employers to drive change across their organisation and be role models to other organisations in their local area.

Disabled People's Perspective on Disability Confident

As well as gathering the reflections of Disability Confident employers on the scheme, the views of disabled people were captured in this research project. This included disabled people representing DPO's, disabled employers employing disabled people and disability rights activists.

Although the DWP stated that Disability Confident was developed with disabled people's representatives, anecdotally disabled people do not have a high level of confidence or trust in the current scheme (only 1.5% of employers accredited under Disability Confident in Wales are from disability related organisations). As the main beneficiaries of a kitemark to reduce disabling barriers to the labour market, it is important that the lived experience and priorities of disabled people are central to any disability related scheme. Therefore, it was essential that this research included the views of disabled people on the existing Disability Confident scheme.

Perceptions of Disability Confident and an employer scheme

- For some disabled people the actions taken by the DWP under welfare reform, created a lack of confidence and trust in the Disability Confident scheme.

- The lack of a robust evidence base for Disability Confident and its connections with the DWP has resulted in mistrust and a lack of confidence in the scheme.
- All of the disabled people interviewed for this research were in favour of an employer focused scheme to reduce disabling barriers in the workplace. They wanted to see a more robust scheme that addressed the barriers they experience.
- Disabled activists welcomed a scheme that was tailored to Wales and that was co-produced by disabled people.
- Disabled people wanted to share their lived and learnt experience with employers. However, due to a lack of capacity in their organisations did not have the resources to consistently engage with employers. The current Disability Confident scheme does not facilitate connections between DPOs and local employers on the scheme.

Conclusion – A Wales Standard for Employers

The findings presented in this submission have shown that both employers and disabled people are in favour of an employer standard to address the disability employment gap. However, they are concerned with the quality of the current Disability Confident scheme. These concerns present an opportunity for Welsh Government to build upon the existing Disability Confident scheme to develop a Welsh standard for employers to address the disability employment gap.

In 2019 the Welsh Government published an action to explore the idea of a Welsh disability standard for employers. The findings presented in this submission suggest that there is still a need for this action to be explored with the aim of developing a standard that is co-produced by disabled people and employers in Wales.

Both employers and disabled people were in favour of developing an evidence-based employer standard for Wales that supported employers and improved the employment experience for disabled people in Wales. A tailored standard in Wales could help to address the local factors that contribute to the persistent disability employment gap in Wales. This framework could be developed building upon the co-production approach used within the Disability Rights Taskforce involving key stakeholders in the design of an employer standard for Wales.