



Work and Pensions Committee

Oral evidence: The work of the Minister for Disabled People, Health and Work, HC 671

Wednesday 15 September 2021

Ordered by the House of Commons to be published on 15 September 2021.

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Members present: Stephen Timms (Chair); Debbie Abrahams; Shaun Bailey; Siobhan Baillie; Steve McCabe; Nigel Mills; Selaine Saxby; Dr Ben Spencer; Chris Stephens; Sir Desmond Swayne.

Questions 1 to 70

Witnesses

I: Justin Tomlinson, Minister for Disabled People, Health and Work at Department for Work and Pensions; Hannah Rignell, Deputy Director, Disability Unit at Cabinet Office; and James Wolfe, Disability and Housing Support at Department for Work and Pensions.

Examination of witnesses

Witnesses: Justin Tomlinson, Hannah Rignell and James Wolfe.

Q1 **Chair:** Welcome to this meeting of the Work and Pensions Select Committee, and I particularly welcome the Minister, Justin Tomlinson. Thank you very much for joining us this morning. Can you introduce your colleagues to us?

Justin Tomlinson: I have Hannah Rignell, who has led the work pulling together the National Disability Strategy, which is no mean feat as it covers every single Government Department. I have never seen somebody so impressive at juggling competing diary demands. I also have James Wolfe, who covers most of our operational disability benefits side of things.

Q2 **Chair:** Thank you all for being here. Can I start with the first question around the disability employment target? You told us in when you came to the Committee in May, that the Green Paper would consult on a new, more ambitious target for disability employment, but the Green Paper is silent on that subject. Why is there not the new, more ambitious target



that you envisaged?

Justin Tomlinson: No, I said that we would have a new target once we reached the first target. The target is 1 million more disabled people in work by 2027. As soon as we have done that we will consult for an ambitious new target that keeps us absolutely focused on creating additional opportunities going forward. We are not quite there yet.

Q3 **Chair:** Speaking to us in May you said absolutely there will be a new target and you said this: "In the forthcoming health and disability Green Paper, part of the consultation that we will be carrying out is what the appropriate target is. It will go beyond what will be the 1 million."

Justin Tomlinson: Okay. Well, I thought I had said, and I am trying to recall, that as soon as we had met that target we will have a new target. There was a debate because we had in effect achieved 800,000 of the 1 million, that we were very close and we were expecting to get to the 1 million before 2027. I very much hope that is the case. Even with the unprecedented challenges of Covid, I made it crystal clear that that ambition was not changing, that target was not going to be revised downwards or take into account the challenges. I still felt 1 million by 2027 was achievable and rightly so.

In the Green Paper we have four sections that focus around disability benefits and the fifth section around disability employment, recognising that if we are going to continue to make significant progress we will have to do lots of different things. You as a Committee have produced a very good report following that hearing, and I think that covered many of those main points but we must reach that target before we set a new target.

Q4 **Chair:** The National Audit Office has said that the existing target "cannot be used to measure the success of the Government's efforts." Should there not be a target that can be used to measure success?

Justin Tomlinson: We discussed this at length at that last Select Committee hearing. First, taking a step back from what measure you use, the one that matters is: is an individual able to fulfil their potential? I have said this at many Select Committee hearings. When I am on visits I always play "fantasy Minister" and ask people on the visit, "If you were me what would be the one thing you would want to do?" and nearly always the answer is, "To have the same opportunities that my friends take for granted." That is primarily about getting into work; it is about retaining in work and it is about career progression. That is absolutely the focus.

There is a debate about the various ways you can measure, and if I recall correctly at the Select Committee and I think this was reflected in your report, I acknowledge you probably need a range, so you have the absolute figures, because that represents the absolute number of people whose potential is being fulfilled. You can then look at measures around



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the disability employment gap, and this is then covered in the National Disability Strategy.

We do need more data because we need to know more around the retention. While one in five people in this country have either a disability or a long-term health condition the vast majority will get it during their working age. We know we lose around 300,000 people a year from the workplace. We need a lot more data around that, so we can provide more targeted support to keep people in work and then crucially around career progression. It is one thing getting people into an entry level job; going back to that ask of particularly young disabled people, "I want to have the same opportunities my friends take for granted" extends to career progression as well. Do they have the same opportunities to get to the top of the ladder that their friends will take for granted? There are the three strands.

I said at that Select Committee hearing we have to take them in the round and we have to look for trends. We need more data on specific disabilities, again so we can look at more personalisation, more targeting. I am sure we will talk in more detail about some of the support that is provided to open up employment opportunities, but clearly across the pan-disability there are different things that work in different areas. We need more data on that. There is a whole section on the National Disability Strategy around data. It is probably not the most exciting chapter of it, but it is arguably the most important part because that is what then guides policy development and targeted initiatives.

Q5 Chair: Thank you for what you said about our report. We recommended there renewing the previous target of halving the disability employment gap and also committing to get an extra 1.2 million—as you said, looking at more than one thing.

Justin Tomlinson: I think your report also acknowledged the importance of why you needed a menu. I described the scenario where during Covid it could have been the case that disability employment fell, so that absolute number of disabled people who are in work could have been lower. So going back to that individual there will be people who then would not be in work and that is the bit that matters to them, but the disability employment gap could have closed, so in theory I would have then been able to take the plaudits for closing the disability employment gap, yet I have more people not fulfilling their potential.

As it happens, we have increased disability employment by around 300,000 over the last year and the gap has closed by 0.7%. What you have to do is have a wide range and you are looking at trends. The more you can drill down into specific disabilities or menus of disabilities the more we can do more personalised, tailored and targeted support so that people can fulfil their opportunities. Arguably it would make my job harder by having a menu, but I think it is important for policy development.



Q6 **Chair:** There is nothing about this in the Green Paper, so how do you propose to take forward that work on a future target?

Justin Tomlinson: Once we are getting close to passing that target we are then going to have to widely consult on what is the best way to do it. We will look at what extra data we can gain through the work that the National Disability Strategy is giving. The more data we can have, the broader the range of measures that we can have around this.

Q7 **Chair:** Will that be another Green Paper?

Justin Tomlinson: No, because all of the targets we have announced, so we will work with our stakeholder network including the disability business leaders' forum around what we have, but the more data we can garner and that is as I said the second chapter in the National Disability Strategy, the broader the range of measures that we can have. Again, we are digesting your very good report, which has suggestions in there, and we will take all of that on board. It has to be an ambitious target because, as I said, by a long way the single biggest ask is around disability employment when I am on visits, and I will never forget that.

Q8 **Nigel Mills:** The strategy says that the Cabinet Office will launch a consultation on mandatory reporting of disability employment data later this year, I think. When do you think that will be and what do you think that consultation will look for?

Justin Tomlinson: We accept this could be an important part of the menu of options to focus employers to help play their part in providing those opportunities for people to fulfil their potential. If there are no jobs available, it becomes very hard to increase those numbers. We think it has an important part to play.

As we discussed at length at that last Select Committee hearing, and again your report reflects this, it is complex because you do not want to have unintended consequences around driving different forms of behaviour.

We talked about examples of where, if an organisation was particularly helpful in providing entry-level jobs, but at the same time you had a crude disability pay report that purely looked at the average wage of somebody with a disability compared to somebody without a disability, you could end up skewing the results by offering more job opportunities if they were not balanced across the organisation. You need to have quite intelligent reporting and everybody accepts that, because what you want to do is drive good behaviour and you want to focus attention. We will do that with larger employers who are best-equipped to do that; they have the HR and personnel teams and we have a disability business leaders' group, major employers such as Microsoft, Sainsburys and so on, who meet bi-monthly, who will help guide us on how we will do that.

In terms of the timing, Hannah, do we have any details on that?



Hannah Rignell: By the end of the year, we will consult.

Q9 **Nigel Mills:** At one level you could just have employers reporting how many of their employees had voluntarily self-reported that they have some kind of disability and that would be a pretty neutral measure on this. You are saying it would give some data on who is employing who in effect, would it not?

Justin Tomlinson: Yes, but we want more than that, because there are the three themes. There is the recruitment, the retention and the career progression. That is where there is a strong case for looking at exploring how you could do disability pay reporting because arguably that would be the way to check that people are getting that career progression. You must balance that, to make sure that that does not then stop employers offering jobs where perhaps there is not the potential for full career progression and therefore you then end up reducing opportunities.

Everybody should be able to fulfil their potential and we need to find a way to report that that is happening. We are very keen to get this right. We think it is an important part, which is why both in the Green Paper and the National Disability Strategy it was a key part of it, but we need to make sure we get this right.

Q10 **Nigel Mills:** I hope we accept that not every employee would ever want to disclose to their employer that they had some kind of disability.

Justin Tomlinson: Yes, and again that is something that you must test over. Not everybody is aware. Again at the last Select Committee there was a lot of talk around that there is an increasing prevalence. That is partly because there is an ageing population, people working longer in life, and invariably while the majority of long-term health conditions and disabilities come in working age it is towards the latter part of working age, but also our society's awareness particularly around hidden disabilities, such as mental health issues, which people are more comfortable declaring.

I do not think we ever want to get to a position where we mandated people as part of the reporting mechanism. Often there is another way; not only will people sometimes be comfortable to declare but sometimes the way the questions can be asked is, 'Would your disability or health condition impact on your day-to-day working life?'

There are exemplar employers and I have done many visits who have been so fantastic on their reasonable adjustments that their disability or health condition has zero impact on their working lives. Again, that can do that so it needs to be very intelligent reporting, but I emphasise this: we do need to find a way to get it right, because in the same way that gender and race reporting work has been doing, it is an important mechanism to focus minds so that organisations are proactive on their recruitment and their retention—remember the 300,000 a year we lose from the workplace.



There is nothing harder than somebody crashing into a jobcentre having to navigate their changing health conditions at the same time as they have had their confidence shattered because they have lost their job, and then the career progression. So all people have the opportunity to fulfil their potential.

Q11 Sir Desmond Swayne: There have been a raft of complaints about the way that the Department engaged with disabled people before the strategy: that some of the questions were offensive, that it disadvantaged disabled people without access to the internet. Some organisations complained that they were basically excluded and that you cherry-picked the large charities that were not led by disabled people.

In view of all those complaints, is there anything that you have learned from the process about how you should engage with disabled people? Will you change the way that you engage with disabled people's organisations in the reviews that follow the strategy and will you adopt the protocol that the Social Security Advisory Committee has recommended?

Justin Tomlinson: First, I think that is a very fair question. The Social Security Advisory Committee did a very good and fair report and they did recognise that we have made significant progress, but let me just take a step back.

First, we were in unprecedented times. The plan had been to launch both the Green Paper and the National Strategy last summer and had that been the case we would have announced them before the summer—we would have spent the summer doing a road tour around the country, a series of public meetings, some organised by us and the majority organised by stakeholders.

Because Covid came in we had to pause it and throughout the process of both we, like the rest of society, were under the presumption that these were temporary pauses and therefore we kept putting on additional consultation opportunities. The one that attracted public criticism from some was around the additional engagement exercise we did for the National Disability Strategy in January because again we had worked on the assumption that once we had got through into the New Year we would start to return to normality.

Once it became clear that was not the case—I think that was the second lockdown then—we were worried that organisations were not getting an opportunity to feed in, so we did a very detailed online survey, which to be fair had over 16,000 responses. That is, by any stretch of the imagination, a significant return. That was in addition to stakeholder-led engagement sessions where we asked organisations to host them, to chair them, to set the agenda. Some would focus on the Green Paper, whether that was the disability benefit side, whether that was the employment side, or the wide range of issues that can come up as the National Strategy, so there was a huge amount of work done.



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Are there lessons that can be learned? There always will be. There was a particular question around one of the questions that we had asked and I know that is what you have alluded to and I will let Hannah give you the technical reason for why that was an important question to raise.

In conclusion, one of the things that we have learned from the Social Security report is about putting a formal structure in place. I am a Minister who enjoys stakeholder engagement. I spend a considerable amount of my diary meeting with stakeholders for which I always let them pick the agenda. They can use that time however they want.

To balance that out, one in five people in this country has a disability or a long-term health condition. That equates to 12 million people. As enthusiastic as I am for stakeholder engagement, there is a limit to how many and how often I can meet different stakeholder groups.

We now have a formal structure in place. First, there is the Disability Charities Consortium. They are all the household health and disability charities and meet bi-monthly. I attend all those meetings and where possible an additional Minister will attend on a topical issue.

During Covid, unsurprisingly, the Minister for Covid Vaccine Deployment came to talk about the vaccination priority rollout. You would expect the Minister for Adult Social Care to attend future meetings to talk about the impacts on working-age disabled people around the proposals for adult social care and so on.

Those are predominantly those larger organisations and there was an understandable criticism that they had the majority of access. To balance that out we have now the Regional Stakeholder Network that has been in place I think for about nearly two years, so there are nine regional stakeholders. They meet monthly.

I will attend at least one of each of those meetings, and senior officials are there at every other one and other Ministers are invited on a topical basis. They set their own agenda. They select the people to be members of the Regional Stakeholder Network. I have two regional stakeholder chair meetings a year and we will also have a mix of regional stakeholder members' meetings on a rotation basis. We have the disability business leaders' forum that meets bi-monthly and as you would expect I have ad hoc meetings—one suggested by MPs for example from their own constituency, visits and then work connected to policy.

For example, I have done a lot over the last 18 months around the changes to special rules terminal illness, so unsurprisingly I have spent a lot of time with organisations like MND and Marie Curie, whose policy teams bring a level of expertise, the same around disability employment, Mencap and Scope, and Leonard Cheshire for example I will have met on many occasions specifically on those particular topics.



Finally, around disabled people's organisations. There are thousands of them so again it is difficult to meet all of them as often as they would like. But there is an organisation called Disability Rights UK, who are a fantastic equivalent of a trade body for the disabled people's organisations. Until recently they were part of the Disability Charities Consortium. They have stepped apart from that, so what we will ask them to do is to organise events throughout the year where they choose which of their DPO members will attend. Again, they will be empowered to set the agenda and I or other topical Ministers of interest will then attend those meetings.

That gives us, in my mind, a formal, regular opportunity to engage with those with real lived experience. On the specific question?

Hannah Rignell: There was a question in the UK disability survey on relationships. That was included to gain insight into perceptions and attitudes towards disabled people including variations between the different groups who responded to the survey, so disabled people, carers and the general public.

The specific question that we asked was based on some Equality and Human Rights Commission research on prejudice and perceptions, which showed that different protected characteristics and differences that might not be so obvious when people are asked directly become a bit more obvious when they are asked in a specific social context—for example, "Would you be comfortable having a relationship with a disabled person?" So that was the analytical rationale for including it, to gain some insights into the perceptions and attitudes that disabled people face in their everyday lives.

What we have gone on to do in the strategy is include the first chapter on rights and perceptions and within that we include a number of actions around changing perceptions of disabled people in society, including a new campaign. That takes you through the analytical rationale.

Q12 **Sir Desmond Swayne:** Several organisations have asked that the consultation that you launched at the same time as the strategy should be extended by six weeks. Will you accommodate that request?

Justin Tomlinson: This is in reference to the Green Paper. We have had already about 2,400 responses and I am very grateful to all the individuals and organisations who have taken the time to feed that in. There are still several events, including face-to-face events. We have events across the nine regions and we have a number of stakeholder events still to go forward, so there will be many more pieces added in there.

At the same time, I am conscious that the Green Paper should have been launched last year and that during that time we did a huge amount of pre-consultation events, mostly led by our stakeholders, so again where they chaired and selected the audience. I am also grateful for the 50-plus



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cross-party MPs who hosted organisations from their own constituencies on whichever strand they wished to cover.

We are keen to take those lessons to then bring forward a White Paper in early 2022, and to do that I need to crack on. I understand that some would like the consultation to go on longer, but I think over the whole time we have been working on that Green Paper there has been ample opportunity to feed in.

Also, that is not the end of it. A lot of this will be continuous improvement, so the engagement as I have set out in detail on the formal structure will allow people to continue to feed in around changes. Bearing in mind the Green Paper covers disability employment, the ability to get supportive evidence, the role of advocacy, how the assessment process itself works and how the appeals work, understandably the millions of people who use and access our disability benefits and seek our help around disability employment want us to crack on with this. It is a difficult balancing act but I think, and it is reflected in the numbers we have had on engagement, there has been ample opportunity and there will continue to be, beyond this.

Q13 Chair: Can I put a point to Hannah? In our disability employment gap report, we reported—I am reading from the report: “The RNID told us that it had not seen any evidence of the Cabinet Office, which is home to the cross-government Disability Unit, ‘engaging in substantive consultation’ with disabled people on the Strategy.” What would your response to the RNID’s observation be?

Hannah Rignell: We have certainly done substantial engagement, so I would point to the activities carried out by the Cabinet Office Disability Unit during the development of the strategy. I would point to the UK Disability Survey, which the Minister has already highlighted. That was one part of quite a substantial engagement programme alongside that.

In the introduction to the strategy, we list in detail some of that engagement. It includes about 42 regional meetings with the regional stakeholder network, of which there are 225 individual members and organisations who are members as well, 10 meetings with the Disability Charities Consortium, so the larger charities as well. Then on top of that we had a series of round table discussions with disabled people. We set up about six cross-cutting thematic groups with about 130 attendees. Alongside that 16,000 people who responded to that UK Disability Survey there was also a substantial programme of engagement around the disability strategy as well.

Q14 Shaun Bailey: Minister, the commitments in the strategy are due to be reviewed annually. When it comes to the first annual review of the commitment what place would you like to be in, when you come to do that review?



Justin Tomlinson: I am very proud that I was able to get confirmation that this would be an annual exercise, not a one-off document. The reality is you could have produced a 70,000-page document and you would only start to scratch at the surface of the challenges that people with disabilities or long-term health conditions will face in their day-to-day lives.

The broad perception from stakeholders is that this was a significant first step, that focuses the minds cross-Government and outside of Government in terms of local authorities, agencies, the private sector and individual members of society, which goes back to those earlier questions about society's perception of disability and health conditions.

The advantage of being an annual document is that the 105 immediate commitments in black and white allow Select Committees, individual MPs, and stakeholder groups to hold those respective Ministers and Departments to personal account. We will publish in those annual reports the progress on those commitments.

Secondly, and this is something that the stakeholders very much support, each Department and ministerial Disability Champion has to come up with new content, so it is not job done. We have made a start. This is the beginning of a journey as we collectively work towards removing barriers in society to deliver a fully inclusive society.

Some Departments are already well-engaged and probably will find coming up with annual new content a relatively straightforward exercise, but some will struggle. The only way to overcome that is by working with those with real lived experiences, by empowering those stakeholders, the health and disability charities and disabled people's organisations to be part of the policy development. This embeds disability voices across Government.

I can tell you, particularly on a day when there might be a potential reshuffle, that because the Prime Minister has a personal interest in the National Disability Strategy, and he personally launched it at No. 10, nothing focuses the minds of Ministers across Government more than that which empowers Hannah when she chases different Departments to make sure that they are sharing the task of removing barriers. They are quick to agree to meet and engage with those who can help them.

Q15 **Shaun Bailey:** On that engagement point, you have tailed off quite nicely and that leads into the next question. The engagement exercise, and I know Sir Desmond picked up on it more broadly when formulating strategy, but does there have to be a different type of approach in how we engage in the reviews? You say it has to be a bit more refined in terms of what you are trying to do, in terms of maybe nailing down those pinch points. How do you see that developing going forward?

Justin Tomlinson: In part the immediate task is that Hannah, I and the team will be doing a regular audit of the 105 commitments. They are in



black and white. At any point no doubt Select Committees will call those respective Departments or Ministers to give an update on how they are doing.

Many of those commitments are particularly important to the health and disability stakeholders. There will be a lot of public holding to account. In effect there will be a traffic light system around those 105 commitments.

We hold the pen over the future editions. We are already beginning those conversations with the respective Departments towards next year's publication. We can then identify which Departments are going to need support to come up with the next wave of improvements that they are going to do and then match them up with the relevant stakeholders that can help equip them.

I have regular ministerial Disability Champion meetings, which I chair. Every single Department has a senior Minister who is the ministerial Disability Champion. That includes in some cases the most senior—so for example in the Ministry of Justice that is the Lord Chancellor. We then as a round table will compare notes about which Departments are doing what, which again allows those Departments who have to do a bit more work and we are not losing any time in doing that. I think it is in a very good place.

One of the things I was very keen to do was put all of these things into a formal structure so if people change it still carries on and it is not then wedded to us as individuals.

Hannah Rignell: The additional accountability mechanism that I just point to in part 2 of the strategy that we outline is a dashboard of indicators on the progress that we are making on the strategy. I think we say that our key measure of whether the strategy is a success will be where the disabled people tell us that their lives have improved, so one of the additional measures that Ministers asked us to include in the strategy was around co-developing that dashboard with disabled people. That chapter of part 2, putting disabled people at the heart of Government policymaking and service delivery, is also reflected in the annual review process.

Q16 **Shaun Bailey:** If I could just change tack slightly, Minister, the Government committed £1.6 billion in spending pledges towards helping disabled people. Could you talk through a bit of the breakdown on that? Some criticism around that is that some of that money has been pre-existing pledges. I want to understand how that is going to operate.

Justin Tomlinson: Yes, I understand that, Shaun. I have seen bits of that, but it misses the point of the National Disability Strategy, because this is about removing barriers within society. You cannot put a financial cost around, for example, perceptions and it was very clear from the data that we received back on that, that there is a long way to go. Society is better than it has been at any point before but there is an incredibly long



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way to go before people with disabilities or health conditions feel that they are not having negative perceptions.

I will give you an example. There are various parts to the National Strategy but the one that I was most personally invested in was around inclusive play equipment. I have an inspirational mother in my constituency called Becky Maddern and she met with me and she said, "I have three boys, one of which is paraplegic, and it breaks my heart that there is next to no inclusive play equipment across the parks in Swindon, and that my three children cannot play together." She set out the scene of the two non-disabled people being able to play and the paraplegic son being left at the side. It was quite an emotional thing to have that explained.

I wrote to all our parish councils who are responsible for parks in Swindon and asked if they would meet with Becky. Becky met with each of the parish councils and they all agreed that in all future refurbishments and new build parks they would add at least one piece of inclusive play equipment. It transpires that equipment does not cost any more money and can be used by disabled or non-disabled children. The first few parish councils did it and we got to see what a difference that made.

We then met with Minister Luke Hall as ministerial Disability Champion in MHCLG. She explained the same again. Luke immediately said, "I am a father of three children; I get it" and he then agreed to do two things. First was to write to every local authority in the country. I met with Becky last week and she said some local authorities had already been in touch so across the country other families are now getting an opportunity to have fully inclusive play.

We are going to then have, as part of the stuff going forward over this year, a round table of representatives of local government, the play equipment manufacturers and providers and other keen things to potentially look at changes to planning. Rather than sharing best practice it becomes a given in all refurbishments or new play park designs that a percentage of play equipment is inclusive.

I had the sheer joy of joining Benjamin and his brothers in using fully inclusive equipment. Again, that does not technically have a cost, but arguably it is life-changing to a family who have to juggle with so much. I get the point raised where people were trying to equate the costs but it goes back to my point around disability employment and how we measure things.

What matters is what matters to the individual. These societies are not hypothetical things. There are barriers in society that are preventing people from going about their everyday lives, and there are many examples across the National Strategy where we have identified what are frankly common-sense things, but they are only common sense when they have been explained to us, the decision makers, and we can get the



left and the right hand to join together, whether that is Government or outside of Government. Collectively, we can make a difference.

Q17 **Chair:** On that, that headline figure was the £1.6 billion of funding. One estimate was that only about £4 million of that was new funding that had not previously been announced. Is that correct?

Hannah Rignell: The £1.6 billion is all funding within the 2021 financial year, so it is all within the Spending Review envelope that has already been announced for this financial year, but it sometimes relates to new actions. For example, we say that we are going to set up and explore a world-leading centre for assistive and accessible technology that is £1 million. That would have been included in the Cabinet Office baseline amount within 2021, but that is a new action from within that existing baseline.

Justin Tomlinson: Aside from the fact that many of these things do not have a Treasury cost, there is the other issue that it equips Departments ahead of their Spending Review bids.

First, as part of the commitment we have had the letter go out to each Department to remind them to try to prioritise disability bids. As you will recall from your time as a Minister, Chair, all Ministers put in bids, every Minister thinks their bids are particularly important and the reality is that the Treasury is not going to say yes to every bid. A bid is more likely to be successful if you have supportive evidence and you can back up your bid. Again, using the play equipment one, if hypothetically it became clear that you would need additional funding to provide certain inclusive play equipment further down the line, you could put the bid in and say that would be a jolly nice thing to do, but would that be a successful bid?

One of the things we have already done is included the Activity Alliance, which is the leading disability sports charity, who are providing supportive evidence to why this work is important—not just for the enjoyment of families and removing barriers, but because we have an obesity crisis in this country and that also extends to those with disabilities. They can provide the Ministers with factual supportive evidence that links to cross-Government priorities, which increases your chance of your bid being successful in future Spending Reviews and Budgets.

A huge amount of our work in the next few weeks is equipping the Departments with that extra evidence and support provided by our health and disability stakeholders of which many have exceptional policy teams, to strengthen the likelihood of disability-focused bids being successful. You should then start to see in future publications of the National Disability Strategy tangible examples of where our collective work is unlocking additional funding.

Please do not lose sight of the fact that the majority of things we need to do across society are about common sense—the left and right hand



joining up together—that does not have an arbitrary Treasury cost, but matters incredibly to people who have to deal with that in their everyday lives.

Q18 Chris Stephens: Good morning, Minister. I want to ask you some questions about Statutory Sick Pay. The “health is everyone’s business” consultation contained proposals reforming Statutory Sick Pay. Why in their response did the Government decide not to change the rates or the eligibility for Statutory Sick Pay?

Justin Tomlinson: We have acknowledged that reform does need to happen, so there is no dispute there. We felt collectively—this is across different Departments because it was a joint publication by DWP and DHSE and understandably BEIS and Treasury have a vested interest in this—that it was not the right time to determine what we should or should not do with the emergency changes that we made to Statutory Sick Pay in the midst of a furlough scheme and the Covid pandemic.

As we return to normal, that part of the report we would then consult on, and that will be with trade unions, with businesses and employer representatives. We have accepted that we need to reform. There is the argument around the rate, the lower earnings threshold. We agree that all employers and employees should have a link, regardless of whether they are working one hour a week or 30 hours a week.

There needs to be a link because that drives better behaviour from employers, and also the perverse oddity in the system at the moment—and this goes back to our point around the 300,000 people who drop out of work every year—is that you are presumed in the system to be 100% well or 100% sick. The system does not allow phased returns to work and for people with fluctuating health conditions or a sudden change that arbitrary line is what can nudge some of that 300,000 out of the workplace. We must address that.

What we have immediately acknowledged and are now going to crack on with is around both the information advice and guidance to employers and employees, but also around in-work support. I work on the assumption that most businesses do not wake up in the morning and think to themselves, “I want to drive people out of my organisation”, but many businesses do not have the skill set or the confidence to deal with people who have changing health conditions. They do not plan for it. They need to plan for it because most people with long-term health conditions or disabilities will get them during their working age.

We did a pilot where, for the first time ever, people identified—this was through an organisation called Working Win in Sheffield; we are analysing the results now—that where they could identify somebody who was at risk of dropping out of work, so a mechanism might be a flag at the fit note stage, they offered to go in to talk to the employee, to talk to the employer and then to have a joint meeting to come up with a plan.



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That is in effect looking to replicate in small and medium-sized businesses what would happen in a larger business with an HR or personnel department that has highly-trained people. It increases the chances of allowing people to manage their changing health conditions while staying within that workplace. That is not just good for the employee around avoiding the crash in confidence when they lose their job, but in times of structural full employment where it is difficult to fill skills gaps it makes sense to employers as well.

We are commissioning work around the information advice and guidance. I am seeing the work on Monday and how we are going to link it to the Health and Safety Executive, because they have fantastic business engagement. Their title is Health and Safety, and on the safety side we are world-leading. International countries and businesses pay us huge amounts of money for our technical advice around safety in the workplace; it is a well-trusted brand that proactively provides good quality information advice and proactively enforces where businesses for whatever reason choose to ignore that advice. I think that is the lesson that needs to be replicated on health because of that 300,000.

Seriously, if we are going to close the disability employment gap and we are going to meet not just the 1 million target but the next ambitious target, you cannot just focus solely on recruitment—you have to address the retention. Work is happening, but there is more work to do.

Q19 **Chris Stephens:** Thanks, Minister. Let us just explore that a bit further because it was a helpful response. In the Taylor Review of Modern Working Practices the Government did appear to accept the recommendation in relation to those below the lower earnings limit. Is that the Government's position? It does look like a small U-turn has developed here, or are we being unfair?

Justin Tomlinson: As I said, we moved the SSP-specific part to as we return to normality, because to get good consultation engagement from employers at a time when you have furlough and emergency powers it was not the right time to do that. We need that period of normality to then say, "This is the current structure. What does and does not work?" in a tight consultation, so we can then crack on with that.

We absolutely accept the point made in the Taylor Review that all employees and all employers should have a link. Just because you are working below the average of £120 does not mean that an employer should be free to wash their hands of their responsibilities. It is an incredibly important point, and we absolutely accept it.

Q20 **Chris Stephens:** The argument that the Government have represented this, as I understand it, is that with furlough, with the other financial support, it would be more efficient to get support to people during the pandemic. Is it the case, Minister, that at the very least the lower earnings limit change will happen once furlough ends?



Justin Tomlinson: Not that quickly, but we accept the principle, and this is something that we want to get on with as the economy returns to normal, but it will be part of the whole reform around SSP that could include looking at the rates, the lower earnings threshold, addressing issues around the phased returns, “100% sick or 100% well” and perhaps other issues that have come out of this report. It is very important that it should be happening in this Parliament.

Q21 **Chris Stephens:** Thanks, Minister. The Government’s position says that the questions posed in the consultation require further consideration. What will that look like and what specific topics?

Justin Tomlinson: As I have raised, covering all those areas. The information advice, further testing of the direct in-work support is happening. There is no debate over that. The specifics of the wider reform: we have publicly accepted the principles, so it is going to happen, but we wanted to do that consultation as we are back to normal, so that businesses and employees and employee representatives, including trade unions, can then look at the position and say, “These bits work, these bits do not work, this is what we have looked at internationally, lessons that can be learned.”

At the moment, it would have been very difficult to do that engagement when employers’ default setting is furlough as the obvious way, rather than necessarily using SSP. We need to be back in that position where you have your normal, stable working conditions and we can then review them.

Q22 **Chris Stephens:** A final question from me on SSP. What lessons have the Government learned from the pandemic about how well the system of Statutory Sick Pay is working?

Justin Tomlinson: It is difficult. We made emergency changes to powers in terms of removing the waiting days, the rebates for small businesses, the advice, but again it is muddled by the fact that then arguably furlough trumped that in many cases. We will be looking as part of that consultation to see what needs to change. Particularly I think it focused our mind around the importance of information and guidance.

One of the things we saw with Covid was how quickly circumstances changed. If you are a larger business your personnel or HR departments can read through all the Government guidelines. We all know that as constituency MPs we were bombarded with emails from employers and employees asking what the rights are, and what they should or should not be doing.

As we do with safety through the Health and Safety Executive, we have to make sure that all the information and guidance is easily accessible. They should not have to go hunting for it; there should be a sole point of it and where you have smaller and medium-sized organisations there should be an opportunity to get professional in-work support.



Frankly, I think it would be a lot cheaper to provide that in-work support than wait for things to unravel and somebody to crash into the jobcentre and then have to navigate all of that process. That comes at a cost and I think it would be a lot cheaper. That is why I was very excited by the Working Win pilot. We just have to check that it has made a difference and it is not just a hoax, but again that will all be shaped on it, because 300,000 doesn't half focus the mind.

Q23 Selaine Saxby: Good morning. The Green Paper on health and disability support, so I am moving on to the area of employment support, says that the Department wants to "provide more support in local services" and "build on the experience of local providers, including the voluntary sector". How do you plan strength in the DWP's work with local partners and as part of that consultation what role might local authorities take in commissioning and delivering employment support?

Justin Tomlinson: Again, this was a good piece of your Committee's investigation into disability employment. We all have some fantastic best practice examples in our constituencies who with the all the will in the world are not interested in bidding for regional or national contracts. They are often small organisations with inspirational people involved in them, but the way that national contracts are predicated is they would often miss out.

We absolutely accept the principle of how we need to find a mechanism that allows those to access funding, to increase capacity within those areas. To be fair to our regional providers of the Work and Health Programme, they would not disagree with that, and many of them will already commission them. If I had my old Public Accounts Committee hat on, it does not take a brain surgeon to realise that if you are paying one provider to then pay another provider there is some money being lost from the front-line provision.

I think we must continue to look at how we can empower those local organisations without ending up with a postcode lottery. If you only did local provision, you would get some good local ones working very well and some not so well. The regional work spreads that out, but you could set aside some of the contract spend and either give that to the individual local authorities, to the jobcentres, to the individual work coaches, or you could in the contracts to the regional providers—bearing in mind these are all social enterprises, not private sector: these are your Shaw Trust plus and Remploy organisations, so they are good people.

I have been impressed with their collaborative approach to share best practice to work together with the national employers so they do not have six organisations turning up at Tesco's door and then frustrating them. There is a lot of collaborative work there.

Do we say to them a certain percentage across the region has to be spent on local providers? I am very receptive and again we are waiting for that feedback on the Green Paper on how to do it. As a principle I have



examples in my constituency and I want to see their capacity increased, but I know that they are not going to go beyond Swindon, so I cannot get them to become a regional or national provider, but I want them to offer more chances. I am personally relaxed how you do it, if it works. Generally, the Green Paper is full of opportunities where we know what we want to improve but we do not necessarily know the way to do it, so it is a genuine consultation exercise.

Q24 Selaine Saxby: I guess that with my constituency hat on, because I have the opportunity, I would flag rurality is part of that, because your patch in Swindon is quite a different shape to mine in north Devon. The strategy says that the DWP will fund a supported employment trailblazer with local authorities, which is set to begin in autumn 2021. What do you hope that trailblazer will achieve?

Justin Tomlinson: This is on the principle of the more personalised and tailored support, again recognising across the pan-disability that there are certain ways of supporting. For example, if you look at those with learning disabilities or on the autistic spectrum, which particularly with learning disabilities have one of if not the lowest likelihood of meaningful employment, what you need is those longer-term supported internships, traineeships, so that they can be trained in the job to be able to then secure that opportunity.

There is a wonderful organisation called Project SEARCH that predominantly works with the NHS and they provide long-term placements with proper personalised training. From the employers' perspective the organisation is helping with the training, so the individual is not dropped off on a Monday and they say, "Look, it is going to be a bit more complicated to train and assist this person until they are comfortable in that role." It is done for them.

The advantage from the employers' perspective is that these individuals enjoy their work. That is not the case for everybody arriving on a Monday morning and they also are more likely to stay long-term. From the employers' perspective it is a win-win and I have had the pleasure of doing many visits where I have seen the success of this.

I was very proud to have changed, for example, the rules around disability apprenticeships for those with learning disabilities, so that they do not need to get the grade C GCSE maths and English. We need more providers to offer those opportunities. It recognises those with learning disabilities are not necessarily going to navigate a traditional job interview. They need to showcase their skills in work over a period of time with support that provides support to them and for the employer. If you get that right, you get job outcomes.

To highlight this, in some of the examples I have seen it is somewhere between a 6% and 15% success rate as it stands normally. Going through some of these schemes it can be as high as 70% to 80%. It is not even around the margins. This is a complete gamechanger. Again, in



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the National Disability Strategy we then have the commitment for DWP to work with the Department for Education to make sure we are linking up their very good pastoral preparation for work with our links to employers. At the moment they do theirs up to 25, we do ours post-25. That is madness. Bring the two things together and that will significantly increase the outcomes and there is a commitment to the National Strategy on that.

Q25 Steve McCabe: I want to ask about this comment in the National Disability Strategy about making jobcentres more welcoming. Is that an implicit admission they are not very welcoming at the moment?

Justin Tomlinson: I am not responsible for jobcentres but I think to recognise there have been huge improvements around the layouts, the colours within a jobcentre, celebrating success, putting people at ease. Remember, for many people going to a jobcentre environment—we know this through our constituency casework—people are anxious, people are nervous, people are juggling many things. The Department has set up a new way of doing jobcentres for which James can set out what we are doing.

James Wolfe: We have 11 health model offices so those are jobcentres where we are basically testing new approaches for people with certain health conditions and disabilities. For example, we are looking at things such as private rooms with adjustable lighting, particular quiet areas and quiet times of day, working at developing an internal autism accreditation standard for best practice with autistic people in jobcentres.

Q26 Steve McCabe: These are the living pilots that were announced for 2019, the health model. Are they all up and running or has Covid closed some of them down? What is the status of them at the moment?

James Wolfe: They are up and running and they are a long-term proposition.

Q27 Steve McCabe: So the 11 that were announced are all still happening. Are there plans to expand them?

James Wolfe: The idea is that the measures that get developed in those offices then get rolled out across the network as and when we prove that they are the right thing to do for our customers. They give us that test bed to try those new approaches with the expertise in those areas.

Q28 Steve McCabe: This may be a comment on my poor research abilities, but where do we find a list of the 11 that exist now?

Justin Tomlinson: We can give you that, and you can visit them if you want. You are very welcome.

Q29 Steve McCabe: I would be curious.



Justin Tomlinson: These have been codesigned with stakeholders and it is listening to, for example, around the lighting and the quiet, recognising around autism.

Q30 **Steve McCabe:** I will ask a dumb question. I can see what you are trying to achieve here and it sounds good to me. You arrive at the jobcentre. How do you know that you are going into the new model offices? Is there a door that says, "People this way" for that service and a different door, or do you have to go into the main jobcentre and then be redirected?

Justin Tomlinson: It is the main jobcentre. It is just embedding a new way of doing it.

James Wolfe: Exactly. The idea is not that we have special jobcentres that are separate from the network. The idea is that these are places where we have dedicated time and effort to try new things that will then get rolled out across the whole network.

Justin Tomlinson: If they work.

James Wolfe: If they work, exactly. There is a good example in terms of do you walk through the main door of the jobcentre, I know that in some parts of the country we have been trying to have special times of the day for people on the autistic spectrum so that they do not have to encounter public in the office, and that is exactly the sort of thing we are looking at.

Q31 **Steve McCabe:** Can I ask two other quick questions about this? One of the ideas, which again sounds quite sensible to me, was that you might have GPs in jobcentres or work coaches in GP surgeries. Presumably, since it is pretty hard to get into a GP surgery at the moment, that has gone by the board. When do you hope to reactivate that service?

James Wolfe: We already have within the Improving Access to Psychology Therapies programme, which is across the whole country, I think in 40% of CCG areas employment are advisers working with people with mental health conditions in those areas. Our aspiration is to roll that out to all areas. There is quite a significant investment in that, so that is probably our biggest example.

Justin Tomlinson: That is 29,000 now helping. That will move up to 35,000 and the plan is once we have a national rollout we estimate 100,000 people a year, so that is predominantly around mental health and employment support combined. Again, this is a very important lesson that I learned; I have done a number of round tables with our health and work programme providers where we had open and frank discussions about what works and what does not work.

One of the challenges that they had raised to us is that not everybody is ready to start their work search and there are other issues, which some go beyond health but in some cases are health, and that needs to be addressed first before they are in a position to then focus on the work search. We recognise that and that is why we are providing that rollout of



the IAPT service. There is quite a lot that we do as a Department jointly with DHSC and again we are excited by the principle of the new way of doing jobcentres, but we must check what does and does not work before we then commit to which bits will then be rolled out.

Q32 Steve McCabe: I am interested, too, and I would welcome seeing the list so that maybe we could visit.

One last thing. I noticed that one of the reasons that people cited, something that led you to look at more welcoming jobcentres and health model offices, was that people were a bit wary of seeking support in case they ended up being sanctioned. You introduced this new arrangement where work coaches can abandon mandatory requirements and substitute voluntary arrangements instead. Have you any idea of numbers of in how many situations that has occurred?

Justin Tomlinson: We will come back specifically to numbers, but broadly I spent a brief period on your side of the table and we did a hearing around sanctions and so those lessons never left me.

Again, through my work on the constituent things, first, as an absolute principle, sanctions should be a last resort. I think as your reports have highlighted and something I was a tiny part of, the principle of the yellow card: we need to get on with it and we need to strengthen it. I am not responsible, that is not my part and I am conscious this is tomorrow, but on the broader point, in the Green Paper the reason why I put advocacy in there is that we have to be better at identifying vulnerable claimants at the beginning of the process and in my world, in your initial signing up to UC and in that initial conversation, we would be doing whatever we could to identify so we could provide a marker so that whoever deals with that person is aware that they need to make particular extra effort around that.

The role of having a trusted third-party person to support that claimant could be someone they already have, friend, family, local or national charity, but formalising their ability to be part of the process. During my extensive Green Paper consultation, I had some very good examples of where an advocate helped, but I have also heard examples of where they were told to not speak, not to attend certain meetings. In my mind they should be present at any meeting that the claimant wants them to be.

The second part is identifying those who would not have that. We are a transient population—people move around; they do not necessarily have local links. You could have care leavers, ex-offenders, without that formal structure behind them. You could have people who have a fundamental distrust of formal processes because they feel society, not necessarily DWP, have let them down but we are the face of that. Having that trusted person who can take them to one side. Every last effort has to be made to find a way to re-establish the engagement because what you do not want is sanctions coming about because there has been a broken-down relationship between the two.



Work coaches do try their best but having that person who has a personal connection, I think, assists a work coach and that is why it is a big part of the Green Paper. I am not responsible for it but it is what I am providing the evidence for.

Steve McCabe: I raise it because I agree with you and I think the Committee, for the same reasons you have suggested, would be interested to know the scale of the voluntary versus mandatory arrangements. It would be interesting.

Q33 **Dr Ben Spencer:** I have some questions on advocacy support because it is something that jumped out to me from the Green Paper—particularly the line that suggests they can do more than help people access the system but could also provide support to address wider issues in people’s lives, such as access to health and care services and housing. That expansion sounds fantastic. What are your thoughts about how that could work? Is your vision a move towards DWP talking on what I think most people would see as essentially more of a social worker type role?

Justin Tomlinson: There are a couple of levels to this. First, what has driven me on this, through my own constituency case work—and we all have this—is there will be a cohort of people for whom, for whatever reason, the relationship with the jobcentre is not working. In some of those cases they are clearly overwhelmed.

The easy thing to do as an MP would just be to forward an email to the jobcentre to say, “Mr Smith said he doesn’t understand what is happening”. What I learned in my first few years as an MP is that you were just going round in a circle because the jobcentre would do what it was doing before, the claimant was none the wiser and the problems were compounding behind them.

You also have the case where in theory the computer says, “We have talked to them about budgeting, advance payments, direct payments, the landlords” so the computer system has a nice set of green ticks. That individual then walks out of the jobcentre none the wiser and many weeks further down the line they crash into a foodbank, they are facing housing evictions, they then re-engage with the jobcentre by which time it is a lot more complicated to sort that out.

We did our best to identify those cases where frankly forwarding an email was not going to solve the problem. In some cases we would phone the individual and have a conversation with them to try to explain it in a different way. In some cases they would come to the office and we would do that over a cup of tea and in some rare cases one of my team would go with them to the jobcentre and be that trusted third person.

It is not for us to do that for everybody. We would not have the capacity to do that, but that taught me a valuable lesson. We already have Help to Claim, for which we pay around £40 million a year to Citizens Advice, and that is predominantly around the digital access, but as more and more



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people become comfortable with digital access I think we can start to switch that focus, when a vulnerable claimant has been identified, if they already have a trusted third party, to formalise and have a consistent approach to how they can be part of the process.

Where they do not have one, this is where, perhaps with future changes to Help to Claim, we provide a trusted third-party organisation. If that is an external organisation, you are going to have to pay for it so that is where you use the funding for that. In that way, they become part of that conversation. We do have partnership managers in the jobcentre but this is about linking that.

Again, many of the people who would be overwhelmed are also dealing with their local authority about housing, health issues, so this would be providing that extra tier. The final thing that taught me a lesson: we have all had good careers and in many cases that is because when we have hit crossroads and bumps in our lives we have had supportive family and friends who have helped us. Many people who are overwhelmed do not have that structure in place, therefore we need to put that in because otherwise they will leave that jobcentre and their problems will compound.

Q34 Dr Ben Spencer: The way you talk about it and the experience from your case work is very inspirational in terms of helping people in that situation. My immediate thought is there are probably a lot of people that are not claiming who could benefit from such a service.

Justin Tomlinson: I agree. That is why we have partnership managers within the jobcentre to encourage third party groups to be able to know who to contact if they identify somebody who should get support. That is why you have to work with foodbanks, local authorities, housing associations, to make sure they have a personal point of contact within that local jobcentre so when they identify someone who they think should be getting support, they can go direct to somebody, have an immediate conversation and then escalate it quickly. That is incredibly important. We all have a collective responsibility to link the relevant support to the individual. You cannot rely on every single claimant being in a position to navigate a system.

Q35 Chair: Before we go back to Steve McCabe, do I understand correctly that you are going to give us follow up information on the numbers of voluntary versus mandatory?

Justin Tomlinson: We have those, or if not you have the relevant Minister tomorrow, because it is not our area. We will have to come back but you have the Ministers tomorrow and I presume you will cover this part.

Q36 Steve McCabe: Very quickly, have the Access to Work passports started or have they been affected by Covid?



James Wolfe: We have started. We have launched our Access to Work passport for contractors and freelancers, which we are currently doing, but we also have more coming soon on passports for people moving from education to work, which we are going to be testing in three universities later this year. Also a passport for people leaving the armed services. Yes, underway and more to come later this year.

Justin Tomlinson: We are very excited by this. It is a big ask in consultation events. The reason why we started with the contractors is that the nature of their work is they are changing work all of the time and they would have to start the whole process again. The whole process on average takes 20 days.

The idea of the passports will allow us to have as much information as we can. First, they are aware of it; secondly, they can have as much certainty as they can. You cannot give 100% because it depends on who they go to work for to what reasonable adjustments may or may not be needed within that organisation or to go beyond that. If you can get 85% of the way there, rather than taking 20 days we should be able to take five days. That is the aim around this.

This runs alongside the digitalisation transformation. We secured about £5 million in the spending review to transform what is a very antiquated, frustrating, bureaucratic paper-based system. We asked people to post things in; that is a strange concept for younger people listening in. That has now changed. Some of that was sped up because of Covid.

All those operational changes made during Covid we will keep. I did a university visit recently, a round table, to talk about this. They are very excited because the disabled students are going to be looking for work. We can make them aware as a given. We can then give them as much guidance about what they could or could not be entitled to and that then puts them in the best position when they start to seek work.

Q37 **Steve McCabe:** I will say I agree with that. That is something I would like to see develop. It has potential.

I was struck by a sentence in the national strategy—I do not know if you are responsible for it, Minister—that what you are doing is reducing the need for repeated assessments when the individual's needs remain the same. I should say that this is not down to me; it is down to the Zacchaeus Trust. They have asked why you shouldn't you apply that same principle to people for PIP and WCA assessments.

I think I have brought this to your attention, Minister: a blind constituent of mine is constantly called up to the office on the other side of town for his PIP assessment. His sight is not going to come back. If the principle exists for this, why do we not apply it to these other benefits?

Justin Tomlinson: I could not agree more. It is a key part of the Green Paper. We have a firm commitment to remove unnecessary assessments



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and re-assessments. It is not a completely new concept; we had already brought into WCA the severe disability criteria. We think it can go further.

As part of our detailed policy development for the changes to SRTI—and again I wish to pay tribute to all of those health and disability charities and representatives of the health professionals who co-designed this policy with us—it became abundantly clear that not only did they want to scrap the six-month rule, rightly so and I was very proud I was able to get that through, but it was also a lightning rod around the point. You give a very good example there of where clearly we are doing unnecessary assessments. That is not in the claimant's interests, it is not in our interests and we have to pay for it. There is a finite capacity. It does not make sense to do that.

You have to get a balance because the original legacy benefit at DLA did not have assessments and only 16% of claimants received the highest rate. Under PIP it is 33% to 34%. That is in part because not everybody is able to articulate their everyday challenges based on the evidence they can collect and the form filling. The assessment helps to build a case. Many people may have a physical health condition or disability but do not realise it has had a knock-on impact on to their mental wellbeing, which is picked up in the assessment process.

We are not looking to get rid of all assessments but where you have, frankly, secured the highest rate of support and you have a degenerative condition, it is no one's interest to waste time assessing somebody. The Green Paper consultation is looking at how we can identify those groups, where we can remove that. We estimate potentially 250,000 fewer assessments and re-assessments a year. Some big numbers.

We also have the problem that pre-Covid if you provided me with very good evidence—I am trying to do a paper-based review for you so I do not even need to do any assessment, I am 95% there and the way the legislation works is that if I am not 100% certain I had to trigger an assessment. Not only did I have to trigger an assessment, but I had to trigger a full assessment.

In our pre-consultation engagement, and this came when I talked to the assessors themselves, they said the single most soul-destroying part of their job is knowing that they only need to know the answer to the very last question but they have to go through an hour's assessment looking at somebody who is seething that they have provided evidence and filled in very detailed long forms to tell the assessor all of the things that are now being asked about. During Covid we were able to do triaging. We were able to then say, "We are 95% there—we just need to ask this particular question and this is the bit we will do".

We are not only looking at removing unnecessary assessments and reassessments but using triaging and telephone and video assessment technology so that, in effect, the traditional face-to-face assessment is the last part and only if required.



It could hypothetically be that if so few then need that you may not even need a traditional estate because the few that need it could very well be done through home visits or a suitable independent location.

We have to get better at supportive evidence, because that increases chances of being able to paper-based reviews or triaging and then using the opportunities that telephone and video assessments have presented. A lot of really exciting work in this area and it is a big area that stakeholders are supportive of.

Steve McCabe: Thank you. We will follow that with interest.

Q38 **Siobhan Baillie:** The strategy says that DWP is going to be developing a proof of concept for additional support for employers for staff who require extensive adjustments. Can you explain to me how that differs from the support available from the Access to Work scheme and also give us some examples of what type of support would be available?

Justin Tomlinson: Access to Work covers the financial costs of adjustments that go beyond reasonable adjustments. The last year of the full figures we have is 141.7 million, up 8%—record numbers, 43,400 people, benefited from that scheme. That was up 20%. Particularly young people increased by 18%.

A raft of employers have said to me, “I accept what I need to do for this particular individual is absolutely reasonable adjustments and that is my responsibility. I am happy to do it, but I do not know how to do it”. What we are acknowledging is not only should we be providing financial assistance where you go beyond reasonable adjustments—and we want to see year on year growth with Access to Work supporting people, hence we are doing the passports to increase awareness and make the system better to use—but we need to provide the information and guidance for the vast majority of employers who have that conversation with an individual whose health conditions are changing so they know where to buy the right piece of equipment or where to commission the support. It is also looking at helping to stimulate the market, for example around occupational health. The leading example in the private sector of this is John Lewis.

I attended a parliamentary event, which was a bit awkward as I was due to speak and they introduced the former Minister but then I referred to the chief executive of John Lewis as Andy Street even though he had then left. The point is that they have a lot of people who stand up in their retail environment. They feel they have a disproportionate amount of occupational health related issues. They were unable to have a mechanism to get people quick support and were losing a lot of people from the workplace, either short term or long term, so they built their own in-house occupational health team. There was about 60 across the country so that anybody could then be referred.



It was good employee practice but it was also good for them in reducing staff sickness, absenteeism and people dropping out. That gave us the view that there are some areas that we could signpost but we would be signposting to limited capacity. We are looking how we can stimulate the market. Again, that is working with DHSC, working with the trades bodies of those particular organisations so when we do signpost to employers doing the right thing they can then get that professional support in.

An example I use is that I ran a business for 10 years and if I ever had an issue around tax, VAT or payroll I needed to phone my accountant who had the skillset to fix it. People's health conditions change. I had two people during my 10 years whose health condition changed and I needed to have a conversation. I was not that qualified to do it, but we muddled through it and thankfully we muddled through it positively, but if it had been slightly more challenging I would have struggled.

We need make sure there is access to professional advice and support, whether that is signposting, whether that is us—particularly in the case of small and medium-sized businesses—putting that into the working environment. These are the things we are exploring.

Q39 Siobhan Baillie: My understanding is that the last round of figures for the Disability Confident scheme we have about 20,000 employers, which covers about 11 million employees and we have committed to reviewing levels 2 and 3. How would you like to see the scheme strengthen? When is it going to be published and how are you engaging—

Justin Tomlinson: We are committed to strengthening the entry point for level 2 and 3. At level 3 we have asked them to voluntarily looking at mandatory reporting. This is before we committed the national strategy to do that. It is a given that once we devise the ways that we are going to pilot mandatory reporting we will look to our level 3, possibly level 2 depending on their size, employers to have to do that. There are a list of additional requirements they have to do.

The majority of those that would be in level 1; we are looking, in effect, for a mailing list to share best practice. We saw this during Covid where we were able to host lots of virtual seminars and best practices videos that were extensively shared across the network of the 20,000 Disability Confident employers, reaching up to 11.2 million. Those are led by members. My disability business leaders forum often provides sponsorship, the content, hosting those events; having Microsoft to organise your virtual conferences is very good. That is what we are looking to do. We want to see the numbers increase; we want to increase the amount the resources that are available for sharing best practice.

Again, me going to speak to a business forum and saying, "I would like you to do the right thing" it is not as powerful as another business saying, "We took these steps and we have benefited". That is the best way to change the cultural mindset among employers. I am very grateful



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for all of those businesses who gave up time to produce that content that was shared, particularly during Covid.

- Q40 **Siobhan Baillie:** Could I have another question? It is a bit off-piste but I was speaking to a constituent who has a disabled daughter called Kate, who is just fabulous, and he was effectively saying the disability strategy, brilliant, all great, but the thing that is causing his daughter the most difficulty is lack of staff and recruitment issues in the care sector. Are you and your team working with the health teams?

Justin Tomlinson: You are absolutely spot on. I follow a lot of health and disability stakeholders online and in all of the talks coming up to last week's announcement around the additional funding for adult social care they were getting understandably grumpy that the focus was on old people social care rather than working age and around disability.

What has happened, and this is already the case, is that we have had many meetings with our stakeholders, with the DHSE Ministers, particularly Minister Helen Whately, meeting with the DCC and we have confirmed once those announcements are in place there is going to be a series of engagement opportunities for our stakeholders with particular health knowledge to then feed in. That is the whole point of the disability unit.

The disability unit is the eyes and ears, looking across Government policy development, policy announcements, topical issues that come up—for example, the impacts of Covid during Covid, and linking our stakeholders with specific expertise for the decision-makers to make sure that when they are developing their responses or future policies they are doing it knowing the potential opportunities and pitfalls, which makes for better policy development.

- Q41 **Chair:** On the Disability Confident point, when will that review be concluded and the results published?

Justin Tomlinson: I do not know. I do not think we have set that date. Let me have a think and write to you with what our plans are on Disability Confident.

- Q42 **Debbie Abrahams:** Good morning, Minister. On page 5 of the National Disability Strategy you first talk about building back fairer. What does that mean to you?

Justin Tomlinson: It is making sure that everybody has an equal opportunity to fulfil their potential specifically from a disability perspective. We saw that in the societal survey. It is not universally shared by people with disability and health conditions that they have equal access. Nobody is surprised by that. People who would look at the data would be surprised to the extent they feel that and how we all have a collective responsibility.



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Government has to lead by example, but the private sector and individuals all have a part to play around perceptions of what people with disabilities and health conditions can do and how they can help them to take up the same opportunities that their friends and family would take for granted. That is what that means to me in the context of the National Disability Strategy.

Q43 Debbie Abrahams: The strategy received a little bit of flak from the Lords recently around not incorporating the public sector equality duty from the Equality Act, which still has not been implemented, and what that means in assessing Government policy in relation to what it will do to achieve what you have just said. I could not agree more with your definition. Do you regret that it is not in the strategy?

Justin Tomlinson: This is not a one-off document. It is an annual document where we reflect on the issues we are highlighted. A House of Lords Select Committee that is no longer sitting, but we had a formal catch up, looked specifically around how the Equality Act was 25 years on. There is much that we all collectively, as parliamentarians and the House of Lords, can be very proud the Equality Act has achieved.

To an extent this is me speaking personally but this is what will shape future thinking around the National Disability Strategy because 25 years on it is right and proper we do a full review of what has worked and what has not work. One of the limitations of the Equality Act is around that it is predicated on the principle that the individual would take action. We have empowered individuals to take action.

If you are a disabled person in a wheelchair seeking access to a public building and you cannot get access, we are then reliant on that disabled person taking action directly. With all the will in the world, most people, whether you have a disability or not, do not have either the time or the ability to be able to then go and fight that battle against often very big organisations.

I know you are going to correct me, you are talking about a specific point, but let me just finish this bit because I feel very passionate about this. With the Health and Safety Executive, where they recognise businesses are not following guidance or the law, they will go and advise them and equip them with the ability to do it. If, for whatever reason, a business chooses not to do that the Health and Safety Executive, on behalf of society, takes action to force change. I think that is an important lesson. I have met with the HRC and I have said, and they agree with the principle, we need to have a look at how we can proactively use the power of the Equality Act to make sure people across society, particularly those with disabilities, are supported.

Q44 Debbie Abrahams: Does that include the Government and the Government policy? This is a key thing. It has been ignored in terms of looking fully at the impact. For example, on the 2016 Welfare Reform and Work Act, the group that I chair did a prospective assessment—not the



impact assessment that the Government had undertaken—that identified clearly what the impacts were going to be on poverty, children living in poverty, disabled people living in poverty and what the health impacts of that would be as well.

We followed that up five years later and lo and behold those impacts had been implemented. They have happened. Why is the Government not doing work like that?

Hannah Rignell: We have conducted a full equality impact assessment—

Q45 **Debbie Abrahams:** It is obviously not good enough, is it? I am sorry, Hannah, but it is clearly not good enough. Michael Marmot has done, a prospective and retrospective analysis. We know that six out of 10 Covid deaths are of disabled people. He clearly identified that this high and unequal Covid death toll was driven by poverty, including social security related poverty. He makes recommendations about what should happen around social security policy and also in terms of improving the adequacy. Why is the Government not using people like Michael Marmot to ensure that their policies meet what we are trying to achieve in building back fairer?

Justin Tomlinson: It is specifically on the impacts of Covid. The Government has committed next year, next spring I believe, to then do the full inquiry back to the impacts on Covid.

During the Covid pandemic, from our perspective with the disability unit hat on, issues came up—for example, the very real fear that those with disabilities and health conditions in the extremely vulnerable group would be unable to access food and medicine. Very quickly we were able to link up some of the health and disability charities with the Supermarket and Ministerial taskforce that was commissioned and that led to the prioritisation of the online shopping, earlier opening that was allocated specifically to more vulnerable customers. There were many other examples.

The point on Covid specifically is that the wider issues about the impacts in terms of deaths will be looked at, whether that is related to poverty or to the fact if you have an underlying health condition you are more receptive to the impacts of Covid. That will all be looked at in the inquiry.

Q46 **Debbie Abrahams:** Can I put my marker down and put on the record that like Michael Marmot, when he did his Covid review at the end of last year, I predict it will clearly state—and there is so much evidence already in this—that the underlying poverty also attributed to the cuts around social security, particularly for disabled people? I appreciate we have had this conversation before. It is not always in your gift; this is something that is down to the Treasury, but it needs to be recognised that the cuts in working age support, particularly to disabled people, has a direct impact.

I absolutely share your ambition about building back fairer but you are



not getting the basics right, which are about making sure that we have an adequate social security system.

Justin Tomlinson: I think it is an important area that the inquiry will have to look at. There are lots of lessons we will have to learn as a Government and a society post-Covid, but to be fair, our spending on supporting people with disabilities in this country is now for those with disabilities and long-term health conditions is £55 billion a year, up £10 billion. The Disability Benefit specifically, which I am responsible for, is now at £25 billion, up £4 billion in real terms since we came to office. During the benefits freeze, things such as PIP were exempt from the benefit freeze and we have increased numbers that we are now providing support—not only with the increase in the percentage of those getting the higher rate, but the numbers of people that are now accessing the support provided.

As part of the Green Paper, we are looking at other ways we can improve the whole benefit process, aside from the rates, and there will always be debates about the rates of financial support, but also about how people can access that support. We have talked about those. I do not diminish anything you said there. I know they are important parts and they need to be looked at.

Debbie Abrahams: Can I also counter what was said? We have the IFS, JRF, EHRC all saying it is the lowest level of support in the OECD. Similarly, with EHRC and JRF.

Justin Tomlinson: But it is record amounts of money being spent. Disability Benefit is up £4 billion in real terms. That is a fact.

Q47 **Debbie Abrahams:** How many more people are claiming? Thank you very much, Minister.

My final question is we have covered the Equality Act and it not being incorporated within the disabilities statute, which is a regret. What about the Convention on the Rights of Persons with Disabilities? Is there any intention, given that this is an annual review, to incorporate the rights of disabled people into law?

Hannah Rignell: We do not outline any intention to do that in the strategy. We outline five principles that we will be tracking progress on across Government in terms of the way Government Departments work as well as what Government Departments do. Those five principles reflect obligations under that piece of international legislation.

To add a point of fact on the Equality Act within the national disability strategy, the national disability strategy commits to bring into force section 36, one of the clauses in the Equality Act around leasehold properties and common areas in leasehold properties. There is stuff in the national disability strategy that reflects some of the areas of the Equality Act that has not yet been brought into force.



Justin Tomlinson: To reassure you around the UN, our strategy complements the aims because it focuses on the practical steps to remove barriers towards creating a fully inclusive society. Crucially, because it is an annual document that is published in black and white, there is the ability for Select Committees, parliamentarians and stakeholders to hold to account those individual Ministers and Departments and the wider society, private sector commitments that are in there and the commitment that publication needs new content every year, so minds are focused on it. We are complementing the aims of the UN and we do not disagree with those principles at all.

Q48 **Chris Stephens:** Minister, let us spend a bit of time talking about health assessments if we can. The work capability assessment firstly: what consideration have you given to replacing it entirely, given we have heard a number of organisations provide evidence to the Committee that this is one that needs substantial change or to be scrapped?

Justin Tomlinson: We are very interested in the feedback we will get through the consultation. There is a legitimate challenge raised with me in the stakeholder events I have done that the work capability assessment itself is predicated on identifying what you cannot do rather than what you can do. Nobody would disagree that is not a good way of doing things, so we are receptive to looking at how we do it.

You then have the immediate operational changes around, and I have touched on these in the context of PIP, but the same applies around WCA in terms of the use of telephone and video technology, triaging and sharing better supportive evidence. For example, if you have already gone through a PIP assessment and secured the highest rate of support, can we make sure with the claimant's permission only that you are more likely to get a paper-based review than in the WCA?

Through the health transformation programme, we are testing out in real time a more holistic approach to how we then deal with and support claimants who are accessing either or both of those benefits and trying where possible to remove duplications so people are not asked the same things twice in close succession.

Q49 **Chris Stephens:** I am glad you said that because that was to be my next question. The evidence presented to us is that people believe that having to repeatedly provide the same information and attend, as they see it, unnecessary repeat assessments. Is that something you are looking to remove?

Justin Tomlinson: Yes, because it is not in the claimant's interests. It is not in the assessor's interests who is doing the job day-to-day and it is not in the taxpayer's interests because it costs money to do assessments, so unnecessary assessments are in nobody's interests.

Where we have to get the balance right is you cannot go the full way and recreate what was DLA because not everybody has access to good



supportive evidence and part of the Green Paper is looking at ways that we can broaden the range of supportive evidence. Having spoken to many GPs and medical professionals, they have made that very clear to me.

We are not being difficult. We are not sat on a wealth of evidence that we are not overly enthusiastic about sharing with you. We just do not have it. Not everybody on our GP register regularly engages with us, so you have gaps in evidence and not everybody is fully aware of either their health condition or, crucially, how their health conditions are impacted.

The principle of the assessment is not the gatekeeper. The gatekeeper is the Government. We set the rules on how many points and what descriptors trigger those points to get you your different levels of support. We are the gatekeeper. The assessors are trying to build the case but there are too many unnecessary assessments and reassessments that are in nobody's interests so we are absolutely committed to that as part of the Green Paper, using all the different things that have come out post-Covid and on the principle of extending severe conditions criteria, learning the lessons from the co-design policies around special rules for terminal illness.

Q50 Chris Stephens: Another aspect of this is people with mental health issues can find these interviews and assessments particularly traumatic, so what steps is your Department seeking to take to pre-empt that trauma?

Justin Tomlinson: That is why everybody broadly accepts that telephone and video assessments offer new opportunities as a menu. But then you have to caveat that with the fact that individual's different routes may be preferable to others and you cannot neatly put that, say, everybody who has a physical disability would prefer a video assessment and everybody who has a mental health issue would prefer a telephone. It does not work like that.

You have to look on an individual basis and this is where the holistic approach, where pre-Covid we put mental health ambassadors into assessment centres who would then be an extra layer of personal support. Why the advocacy part we have discussed at length earlier is so important, so people at greater risk of anxiety or being overwhelmed have a trusted partner with them to help, recognising whether it is an assessment, or going to a job centre for many people, that adds to the anxiety.

We are working with organisations like Mind to try to learn those lessons and improve the way we do those things. Genuinely through the Green Paper we have acknowledged that more needs to be done in that area and we are receptive to suggestions in how we can improve those things.

Q51 Chris Stephens: Let us move on to ESA. The Secretary of State told us there was a backlog of 14,000 cases and the Department is aiming to



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clear that by September. Can you give us an update on the progress in clearing the backlog?

James Wolfe: That backlog reflected people we could not assess remotely at a time when we were only able to do telephone assessments. Now we have restarted face-to-face assessments, more than 99% of those people have now had an assessment booked and we are looking to book the last ones this month.

Justin Tomlinson: Can I put on the record our thanks to our frontline staff? During Covid-19 we lost frontline staff, the same as any other employer. We had to close down assessment centres for understandable reasons, particularly as the majority of people going through our assessment centres would be extremely vulnerable or close to that. Many of our staff are health professionals so they were seconded to the NHS. They helped with Test and Trace and with the vaccination roll-out.

Across DWP, there has been a significantly depleted workforce and through a combination of the automatic extension renewals, wherever possible doing paper-based reviews, we were able to keep open the gateway for new claimants who, if we had closed everything, would not have financial assistance. To those who had a significant change in condition, that is nearly always a deterioration, so they would access higher levels of support, and absolutely the special rules terminal illness kept going. Had we got that wrong, you would have had us here for a very specific Select Committee hearing and understandably so. I wanted to pay tribute to the teams who with such depleted numbers, were able to keep access to this vital support to people.

Q52 **Chris Stephens:** I would associate myself with those remarks and perhaps caveat it to make sure the staff are awarded appropriately because there are issues about pay, terms and conditions specifically within DWP.

To chase up the answer about the backlog of assessments, there are now assessments being carried out but a concern we have is the length of time it is taking for a decision to be made. From somebody putting in a claim it can take up to 19 weeks. I do not consider that to be acceptable.

Justin Tomlinson: That is on PIP.

Q53 **Chris Stephens:** What is an acceptable period of time for someone to submit a claim to then receive a decision?

Justin Tomlinson: That is within the realms of what PIP was designed to do. Pre-Covid we were at 16 weeks. The longest we have been from memory was 14 weeks, but we made a conscious decision to change to add some extra time at the beginning of the process to help claimants gather evidence because there was a timeline from when they apply to then provide. So we extended that because we wanted to try to remove people who ultimately ended up in the appeals process because they had



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not quite got their supported evidence in time but then they would do there.

That was supported by stakeholders. We are at 19 weeks now, which is within the range. We want to get it back to 16 but we obviously have been prioritising those where we know we have been unable to do the paper-based review or the telephone or video assessments have not been the right mechanism for them, so those have been a priority and we are rattling through those cases.

In the longer term, there are opportunities through triaging, increased paper-based reviews, the use of telephone and video assessments, that we could potentially have a different, faster service further down the line. The immediate task at the moment is catching up as we have reopened.

James Wolfe: The numbers on journey times will move around a bit because of Covid-19. We have done things like extending awards and also because of those particular cases we have not been able to reach. The broad picture is that the journey time for new claims on both the benefits, WCA and PIP, is pretty much back to where it was pre-Covid but you will see some ups and downs in the data because of the specific measured we took during the pandemic.

Justin Tomlinson: We are making sure people are not dropping out. That is key, so if with some of those existing claimants it take a little bit longer, their thing is backdated once we get to it.

Q54 **Chair:** Can I clarify what you said about the ESA backlog, to be cleared by this month? What has happened on that?

James Wolfe: My understanding is that in the specific backlog we were talking about there were cases we were unable to assess remotely over the telephone. There was a period of time when we were completely closed for face-to-face business during the pandemic. We started doing face-to-face assessments again in May and my understanding is 99% of those claimants in that backlog have now had an appointment booked or attended an assessment and we are chasing up the last few.

Chair: Can you let us know how many are still outstanding of the assessments have not yet been carried out of the 14,000?

Q55 **Chris Stephens:** A final question from me—and you would probably expect me to say this, Minister. The Scottish Government is designing an in-house assessment service for the adult disability payment that will replace PIP in Scotland. Do you see benefits to that approach?

Justin Tomlinson: I have regular engagement with my Scottish Parliament equivalent. Our officials and the Scottish Government officials work very closely together and I had a catch-up with the new ministerial team yesterday as Shirley-Anne Somerville has moved on to a different remit now. In the recent Scottish Affairs Select Committee it was put on record that we worked very well together and there is a good mutual



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respect between myself as a Minister and the respective Ministers. I have met with the new team today.

As a broad principle we are very receptive to looking at anything and everything any devolved areas do differently to see if there are lessons to be learned. We will provide the support and expertise to help the Scottish Government as they try different things.

I did, and I have done on a number of occasions, put formally on the record my concern for the plans the Scottish Government have around their changes to PIP, the Adult Disability Benefit in Scotland, because in effect they have taken a view that the assessment process is not a good thing and therefore they will do away with it and will rely on the supportive evidence medical professionals can provide plus the medical form. In a nutshell, they are recreating DLA, which as I reminded them, only delivered 16% of claimants getting the highest level of support.

Representing disabled people across the whole of the United Kingdom, I am very worried the Scottish Government will inadvertently—I know they are doing it with good intentions—take money away from some of the most vulnerable people in society. I put on record that I understand the political desire to be different for the sake of being different, but do not do it on the backs of the most vulnerable people in society. When they pilot it, look carefully, and if there is less money going to disabled people, they need to be brave enough to say, “We do not have this one right.” There will be many things the Scottish Government do get right that we will learn lessons from, but do not always presume everything we do is wrong.

Q56 **Chris Stephens:** One of the concerns, and why Scotland has taken a different approach, is in relation to the assessments carried out by Atos around the apparent target-setting for fail rates. Do you understand that concern?

Justin Tomlinson: There is no target for the private contractors in terms of the people who go through. The only thing that impacts their financial contracts is if they have poor performance. We have independent auditing reports. If the Scottish Government, and they have made this very clear, wish to bring assessments in-house, that is perfectly within their rights and something they were initially exploring. The Scottish Government has missed its own deadlines for taking over PIP and we have continued to provide that support.

The complication has come about that we have contracts in place for our assessment providers and how that works when the Scottish Government cannot be definitive in when they will be able to take it over, but we are working our way through that. My understanding is they will not have assessments or very limited assessments—it may even be a case of not even in-housing it if they are not doing very much of them. But I repeat: the Scottish Government needs to be cautious and take those pilots very seriously.



Q57 **Chris Stephens:** Do you believe people like Atos and Capita are not guilty of poor performance at the moment? If there are poor performance targets the Department is setting, why do some of these companies still have a contract?

Justin Tomlinson: There is very robust independent auditing. The vast majority of claimants that go through are either satisfied or very satisfied with the experience. When you look at the appeals where individuals have challenged the decision that has been made—and remember it is not the assessors; it is the DWP that makes the decision based on the evidence that both the claimant and the assessors provide—we discovered through the appeals process that, more often than not, it was because of additional written or oral evidence that was provided at that point.

We are looking through the Green Paper at what more can be done around supportive evidence at the beginning of the process, so a broader range, being more proactive to support claimants sharing data.

I talked earlier about the fact that if you have done a PIP assessment in January and are doing a WCA assessment in March, we do not automatically share that data. But logic says if the claimant wants that to be the case, then that stops you having to do it twice. There are financial penalties if there are poor quality reports, so I am satisfied they allow us to build a capacity to provide assessments that help claimants build their case; that has seen claimants go from 16% getting the highest rate to 33% or 34%.

They do not get it right every time and the DWP does not get it right every time. We acknowledge that in the Green Paper and our commitment is to continue to drive forward improvements. The Scottish Government are fully within their rights to disagree with that and that is why they will look to do it differently.

Chris Stephens: I look forward to health assessors being picked up by this Committee.

Q58 **Chair:** Thank you very much, Chris.

Minister, a few minutes ago you made the point that there is always a debate about benefit rates and what the rates ought to be, but the Green Paper is silent on this subject. Does the Department undertake work to establish what the rates ought to be, given the job that disability benefits are there to do?

Justin Tomlinson: That is because the Green Paper was looking at the ability or inability for people to access support and deal with the operation. So, parking disability and employment to one side, it was around collecting evidence, advocacy, the assessments themselves and the appeal process where an individual feels it has not been right. It was not looking at rates; it was looking at the day-to-day operations—how you can or cannot access support.



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More broadly, there is a huge amount of work done in the Department around different criteria, whether that is poverty or opportunity, and that, like every other Government Department, is fed in ahead of each spending review and budget.

Q59 **Chair:** I think I am right in saying the Department commissions research on this subject as well.

Justin Tomlinson: Yes, and I know where you are going on this because you wanted that to be published alongside the Green Paper. That is because as part of the national disability strategy we are looking at the extra cost. There will be an extra cost taskforce. We commissioned a huge range of research.

We are sent a huge range of research and policy advice, whether that is from the health and disability charities with their policy teams or whether it is different groups and organisations and the trade unions themselves commission lots of research. That is all taken on board. This report was not looking at rates, but that report will be more relevant to the extra cost taskforce; that is one of our commitments as part of the national disability strategy, looking about the overall extra costs disabled people face in their day-to-day lives and how adequately supported they are to deal with those.

Q60 **Chair:** The report you are referring to is the one I tabled a question about and wrote to the Secretary of State about.

Justin Tomlinson: That is how I knew that was where you were going.

Q61 **Chair:** Indeed. The NatCen research report on the uses of health and disability benefits—my understanding is the expectation from those who did that research was that it was going to be published. It has not been published. Are you saying it will be published in the future?

Justin Tomlinson: You will get a formal response back on that so I cannot give you a definitive answer, but I would expect it to be fed into the extra cost taskforce because it is directly relevant to the work we are doing on that. That is with my Disability Unit hat on but the formal response from DWP I believe is coming from the Secretary of State.

Q62 **Chair:** Normally, research the Department commissions is published, is it not?

James Wolfe: If it is relevant to what we are working on at that particular point. It is not essential that it is published.

Justin Tomlinson: It was not specifically a topic covered within the Green Paper, because that is what you initially asked. I would expect that research to be an important consideration within the extra cost taskforce we are doing and you will get a formal response about whether the Department is publishing it in broad terms.

Q63 **Chair:** It sounds as though it would be of interest to the Committee to



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see what is in it, given the discussions we are having.

Justin Tomlinson: Absolutely, and you will get a formal reply. I cannot put words into my Secretary of State's mouth, but it was not directly relevant to the focus of the Green Paper.

Q64 **Chair:** Would you be willing to provide a copy of it to the Committee to look at?

Justin Tomlinson: You will get a formal response from the Secretary of State. I only know where you were going because I had seen a letter had come in, so I know there are active discussions on that and you will get a formal response soon.

Q65 **Chair:** Would you agree it would be very odd if the Department was not willing to let the Committee see the copy of a research report that the Department had published and commissioned?

Justin Tomlinson: Departments often publish research, but that isn't always the case. You will get a formal response and I would find the findings of that very helpful to my work on the extra cost taskforce. You will get a response soon.

Q66 **Chair:** I look forward to the response; I certainly hope we will be able to see a copy of the report.

There is one final point from me. In response to previous efforts by this Committee and others, including the Social Security Advisory Committee, the Department committed to a review of Motability. Can you tell us when that review is likely to conclude and whether its findings will be published?

James Wolfe: We did the first phase of that review and submitted our evidence to the NAO. I do not think they published it but we will bring forward the second part of that in due course.

Q67 **Chair:** The first part of the report was submitted to the NAO. When was that?

James Wolfe: We intend to keep the Government support for Motability under review. The scope of that will follow the approach we outlined in February 2019. We concluded the first stage of our review in September 2020 and gave our response to the NAO, which I believe they have not yet published, and then we will inform any future changes following the consultation Green Paper.

Q68 **Chair:** When do you expect the overall review to conclude?

James Wolfe: It will be to the same timetable as the Green Paper consultation.

Q69 **Chair:** The response to the Green Paper will include the decisions on Motability?



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James Wolfe: I would expect so, yes. We will have to see what comes up as we consult.

Justin Tomlinson: My understanding is that there were a number of issues that were a challenge to Motability around chief executive pay and the reserves they held, because they are a not-for-profit organisation. There was a debate about whether they held too many reserves, although their argument, in the spirit of fairness, is that in a volatile market the last thing you want to do is suddenly be insolvent. I, as a Minister, would not wish to be at the Dispatch Box explaining that one in 10 cars bought in the UK is no longer able to be provided; that would probably be pretty career-limiting.

There was talk about access to the scheme. It is a generous scheme. It is very well publicised but that does not mean that everybody wants to use it for a variety of reasons so I am personally pretty satisfied that they are very good on the promotions. There was a real challenge around their charitable arm and how quick they are at getting that money out of the door. They were given a very clear steer in both the report and the response from us as a Department, and they were arguably given an opportunity to put their house in order to address those points. We will have to collectively reflect on how they responded to that.

Q70 **Chair:** When we see the response to the Green Paper, we would expect to see something on Motability.

Justin Tomlinson: It is certainly something Treasury keeps a close eye on.

Chair: Minister, thank you very much indeed. We have covered lots of ground over the last two hours. Thank you for the very full answers you have given to us. Thank you to your colleagues as well. That concludes our meeting.