

Written evidence from Scope (DEG0147)

Summary

The disability employment gap currently stands at 29.2 per cent (1) and has been stuck close to 30 per cent for over a decade (2). This inquiry comes at an important time for disabled people. We have recently started to see the coronavirus pandemic have a disproportionate impact on disabled people, who are now falling out of work at a faster rate than non-disabled people. We are very concerned by this trend and by the fact that the employment gap may continue to increase. It is important that Government acts in the short-term to stabilise disability employment and prevent long-term damage to the employment opportunities and career prospects of disabled people in this country.

We know from our research and work with disabled people that employment can provide many with financial opportunities, choice, independence, purchasing power and crucially, self-confidence and self-worth (3). Yet today, too many disabled people face inequality in the workplace. Half are out of work (4); 1 million want to work but are unemployed (5); and for every 100 disabled people who find a job, 117 fall out of the workplace (6). On top of this, disabled people face a pay gap (7).

Disabled people continue to experience too many barriers to getting in, staying in, and progressing in work. These include low expectations from managers and employers, outright discrimination, delays in getting Access to Work and uncertainty about what adjustments are seen as 'reasonable'. Progress on addressing these issues has been far too slow despite commitments from Government to tackle the employment gap, get 1 million disabled people into work (8), and a green paper published in 2017 (9).

¹ Office for National Statistics (November 2020). Quarterly Labour Force Survey. June – Sept 2020
<https://www.ons.gov.uk/employmentandlabourmarket/>

² Ibid

³ Scope (2019) Our Lives, Our Journey – Starting a new job. Available via:
<https://www.scope.org.uk/campaigns/research-policy/our-lives-our-journey/starting-a-new-job/>

⁴ Office for National Statistics (November 2020). Quarterly Labour Force Survey June – Sept 2020
<https://www.ons.gov.uk/employmentandlabourmarket/>

⁵ Scope analysis of Office for National Statistics (Oct – Dec 2016) Labour Force Survey

⁶ Scope analysis based on the two quarters longitudinal Labour Force Survey dataset 2013 – 2020

⁷ Office for National Statistics (2019). Disability pay gaps in the UK: 2018.
<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/disabilitypaygapsintheuk/2018>

⁸ Conservatives (2015) The Conservative Party Manifesto 2015. Available via:
<https://www.theresavilliers.co.uk/sites/www.theresavilliers.co.uk/files/conservativemanifesto2015.pdf>

Conservatives (2017) The Conservative and Unionist Manifesto 2017. Available via:
<http://ucrel.lancs.ac.uk/wmatrix/ukmanifestos2017/localpdf/Conservatives.pdf>

Conservatives (2019) The Conservative and Unionist Manifesto 2019. Available via: https://assets-global.website-files.com/5da42e2cae7ebd3f8bde353c/5dda924905da587992a064ba_Conservative%202019%20Manifesto.pdf

At Scope, we believe there are two crucial areas that need focus, attention and investment from Government – employment support and inclusive workplaces. Employment support must enable disabled people to apply for jobs they actually want, it must be voluntary, support confidence building and skills development, and it must be tailored to an individuals' needs. On the workplace and employer side, recruitment processes need to be accessible, attitudes need to shift, and a greater focus on retention and progression is needed.

A better employment support system and far more proactive employers are key to tackling the disability employment gap.

Looking further ahead, we expect the Government to publish its Welfare Green Paper and National Disability Strategy (NDS) by Spring 2021. It is vital that the Government delivers on the Prime Minister's promise of transformational change for disabled people through both these pieces of work. The NDS and the Green Paper should aim to tackle some of the long-standing barriers disabled people face to entering, and staying in, work.

Our response to the Committee's inquiry is based on our experiences of supporting disabled people to find and stay in work, as well as evidence that disabled people have shared with us through our policy and research work. We are submitting a separate response which shares the views of our campaigners.

Scope recommendations for Government

Government must focus on these key issues to effectively tackle the disability employment gap:

- Make employment support voluntary, tailored and personalised.
- Make it a legal requirement for employers to report on its disabled workforce.
- Focus on in-work support through reform to SSP.
- Provide support for culture change in the workplace.
- Measure, report and be held accountable for its progress.

Within this, we propose the following, more detailed, recommendations.

Amend the Coronavirus Job Retention Scheme (referred to as furlough) and the Job Support Scheme to:

⁹ DWP & DH (2016) Improving Lives: The Work, Health and Disability Green Paper. Available via: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/564038/work-and-health-green-paper-improving-lives.pdf

- Ensure that any disabled worker who is on the clinically extremely vulnerable list automatically has the right to be put on furlough if they cannot work from home.
- Ensure that any disabled worker who cannot work from home and is concerned about going into work due to their impairment or condition has the right to request furlough
- Waive the requirement for any disabled person to work at least 20 per cent of their hours as part of the Job Support Scheme if their place of work remains open but they do not feel safe returning due to their impairment or condition.

The Welfare Green Paper must include proposals to:

- Exempt claimants placed in the Work-Related Activity Group of ESA or Limited Capability for Work Group of UC from conditionality and sanctions, as evidence shows that this can push disabled people further away from work.
- Trial personalised and voluntary employment support at scale and conduct ongoing monitoring and evaluation to build an evidence base on this approach.
- Develop an offer of voluntary employment support targeted towards claimants in the Support Group of ESA and Limited Capability for Work-Related Activity Group of UC.
- Replace the WCA with a new assessment for financial support that takes into account the full range of factors that impact an individual's probability of returning to work and a new, optional assessment for employment support.
- Enhance DWP's employment support offer to disabled claimants who have recently started a new job by introducing advocates to help with issues including reasonable adjustments, Access to Work and managing changes to benefits.

Disabled people need better support in work. The DWP must:

- Expand the uptake of Access to Work.
- Reform the Access to Work funding guidelines so it can be used to purchase assistive and modern technology.
- Develop template policies for SMEs to encourage them to join and progress in the Disability Confident scheme.
- Publish its response to the Health is Everyone's Business consultation, including how it will reform SSP so it financially supports disabled people when they cannot work and is more flexible to disabled people's needs.
- Implement the proposal in the Health is Everyone's Business consultation and introduce a new statutory right for disabled people to request a workplace modification on health grounds.
- Give all employees a legal right to flexible working.

The National Disability Strategy must include Government commitments to:

- Clear accountability and investment to deliver the NDS and evaluate its impact.
- Better support disabled young people to enter and stay in employment.
- Involve disabled people in the shaping, implementation and evaluation of the NDS using the co-production model.

Consultation questions

1 What progress has been made, especially since 2015, on closing the disability employment gap? How has this progress been made?

- 1.1 Scope welcomes the Government's commitment to reducing the disability employment gap (10). We know that more disabled people have been able to enter work since 2015. The employment rate of disabled people rose by almost 8 percentage points, from 46.3 per cent in the first quarter of 2015 to 54.1 per cent in the last quarter of 2019 (11).
- 1.2 This may partly be driven by the fact the prevalence of disability, as a proportion of the working-age population, has increased since 2015, going from 17.3 per cent in 2015 to 19 per cent in 2019 (12).
- 1.3 These increases in prevalence and employment rates have resulted in the disability employment gap narrowing slightly, from 35 percentage points in 2015, down to 28 percentage points in 2019 (13). This progress is due to the annual growth rate of disabled people in employment being larger than that of non-disabled people.
- 1.4 However, the change in the disability employment gap between 2015 and 2019 represents an average of only 1.2 percentage points per year.
- 1.5 One reason for this slow progress is that disabled people are more likely than non-disabled people to move out of work.
- 1.6 Our employment flow analysis using the Labour Force Survey shows that disabled people are facing challenges with job retention. Not only do disabled people have lower move-in employment rates (14) (3 to 4 per cent) compared to non-disabled people (13 to 14 per cent), disabled people additionally have higher move-out (15) rates (4 to 5 per cent versus 2 to 3 per cent) (16).

¹⁰ The Prime Minister's Office (2019). The Queen's Speech 2019. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853886/Queen_s_Speech_December_2019_-_background_briefing_notes.pdf

¹¹ Office for National Statistics, Labour Force Survey quarterly figures, 2015-2019.

¹² Office for National Statistics, Annual Population Survey, 2019.

¹³ Scope analysis of Labour Force Survey quarterly figures, 2015-2019.

¹⁴ Move in rate is the proportion of people moving into employment having been out of work.

¹⁵ Move out rate is the proportion of individuals moving out of employment having been in work.

¹⁶ Scope analysis based on the two quarters longitudinal Labour Force Survey quarterly figures, 2016-2020 H1 (please see Appendix 1 for details)

- 1.7 These figures suggest more needs to be done to keep disabled people in work and that doing so is essential to further reducing the disability employment gap.
- 1.8 It is evident that between 2015 and 2019, the very slow narrowing of the disability employment gap is mainly due to people entering the labour market and individuals self-reporting their disability.
- 1.9 However, the number of disabled people who are out of work has remained relatively stable during the same period rather than mirroring a decrease in individuals who are unemployed or economically inactive.
- 1.10 Although this figure has decreased slowly since 2015, it has not reduced significantly over 5 years (and has remained above 3.6 million people), further impacting on progress towards reducing the disability employment gap. More immediately worrying is the fact the coronavirus pandemic has led to the disability employment gap widening, to 29.2 per cent (17).
- 1.11 This has been driven by disabled people falling out of work at a faster rate than non-disabled people (18).

2 What has been the impact of the coronavirus pandemic on disabled peoples' employment rates?

- 2.1 There are early indications that the pandemic has had a disproportionately negative effect on the employment rates of disabled people, although this has been softened by Government policies such as the Job Retention Scheme (JRS).
- 2.2 The Labour Market Survey shows that the number of disabled people in work has fallen by 1.9 percent since the start of the year (19).
- 2.3 This is faster than the rate of non-disabled people leaving work, and this has led to the disability employment gap increasing by 0.3 percentage points since the start of 2020 and by 0.6 percentage points since last year (20).
- 2.4 Scope's employment services saw an increase in referrals of 110 per cent between April and September 2020 (21).
- 2.5 One of the reasons why disability unemployment has increased faster since the start of the pandemic has been the concentration of disabled workers in sectors that have been disproportionately affected by lockdown.
- 2.6 Government figures show that 14 per cent of disabled workers are employed in wholesale and retail trade, a higher proportion compared with non-disabled workers (12 per cent) (22).

¹⁷ Labour Force survey quarterly figures for June-September 2020.

¹⁸ Ibid

¹⁹ Ibid

²⁰ Scope analysis of the Quarterly Labour Force Survey, ONS, June – September 2020

²¹ Scope data on the number of referrals to Scope's employment services April – October 2020

²² DWP (2020). The employment of disabled people.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875199/

- 2.7 The reduction in the number of people in part-time and temporary work since the start of the pandemic (23) will also affect the disability employment gap given the higher likelihood of disabled people working part-time compared to non-disabled workers (24).
- 2.8 There is a real risk that more disabled workers will lose their job given the higher numbers of disabled people who are employed in sectors, such as retail, which continue to be heavily affected by the pandemic.
- 2.9 This particularly puts at risk anyone who works in industries such as retail and hospitality, and who does not feel comfortable going into work until they have been vaccinated.
- 2.10 We therefore recognise the JRS as an important safety net for some disabled workers and welcome the extension of the scheme to April 2021.
- 2.11 However, we are concerned at the level of employer discretion in the JRS, with those classified as clinically vulnerable having no specific right to furlough.
- 2.12 Polling commissioned by Scope in November 2020 found that 11 per cent of disabled workers had been refused a request to be furloughed, and 22 per cent of disabled workers were left with no option but to continue going to their workplace or quit their job (25).
- 2.13 Once the JRS ends, the Government may still choose to implement the previously proposed Job Support Scheme (JSS) to succeed furlough.
- 2.14 If this is the case, we believe it should be adapted to better support disabled workers.
- 2.15 To be eligible for the scheme, employees must still be at work for at least 20 per cent of their hours (26). But this rule means any disabled person who works in a sector such as retail where they are required to turn up at their place of work but whose impairment or condition means they do not feel confident about leaving their house cannot use the JSS.

[employment-of-disabled-people-2019.pdf](#)

²³ Office for National Statistics (October 2020). Employment in the UK: October 2020.

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/bulletins/employmentintheuk/october2020>

²⁴ Office for National Statistics (2017). Annual Population Survey April 2016 to March 2017

²⁵ Scope polling of 9,152 adults of working age, of which 2,440 have a disability or long-term health condition. 8-14 September 2020

²⁶ Gov.uk. Check if you can claim the Job Support Scheme. <https://www.gov.uk/guidance/check-if-you-can-claim-the-job-support-scheme> (last accessed 4.12.20)

Recommendations

- Government must ensure that any disabled worker who is on the clinically extremely vulnerable list automatically has the right to be put on furlough if they cannot work from home.
- Additionally, Government must ensure that any disabled worker who cannot work from home and is concerned about going into work due to their impairment or condition has the right to request furlough
- Government must waive the requirement for any disabled person to work at least 20 per cent of their hours as part of the Job Support Scheme if their place of work remains open but they do not feel safe returning due to their impairment or condition.

3 What is the economic impact of low employment and high economic inactivity rates for disabled people? Are some disabled people (for example, young disabled people or people with different health conditions) more at risk of unemployment or economic activity than others?

- 3.1 Overall, disabled people are less likely to both move into and stay in work compared with non-disabled people.
- 3.2 Analysis of the Labour Force Survey conducted by Scope (see Appendix 1), shows that on average, in a given year, 2.5 per cent of disabled workers move into work, but 2.8 per cent move out of work (27).
- 3.3 While in the same period, an average of 12.4 per cent of non-disabled people find work, with only 2.6 per cent moving out of work (28).
- 3.4 Represented as an 'out of work' flow ratio (individuals who move out of work over those who move in to work), it is estimated that for every 100 moving in to work, 140 disabled people move out of work (29).
- 3.5 Moreover, on average, just two thirds of disabled people (67.5 per cent) stay in work from one quarter to the next, compared to 93.3 per cent of non-disabled workers retaining their jobs across the same period (30).

²⁷ Scope analysis of the two quarters longitudinal Labour Force Survey, (Jan to March and April to June 2020). By using the data from each quarter, we identified disabled individuals and followed them to the next quarter to determine their employment status. We also identified individuals who were disabled and remained so in both quarters and determined how their employment outcomes changed from the previous quarter. Similarly, we looked at whether non-disabled people changed their employment circumstances between quarters in each year.

²⁸ Ibid

²⁹ Ibid

³⁰ Ibid

- 3.6 This demonstrates that a lower proportion of disabled people retain their employment compared to non-disabled people.
- 3.7 Age particularly impacts the chances of a disabled person being in work. Young disabled people are more likely to move out of work. On average, between 2016 and 2018, 15 per cent of the number of disabled people who moved out of work from one year to the next were aged between 16 and 24 (31).
- 3.8 Disabled people with a mental health condition are also more likely than people with any other impairment or condition to be out of work. Disabled people with a mental health condition made up 28.3 per cent of all disabled people of working age who were out of work between April 2018 and March 2019 (32).
- 3.9 Data from Scope's employment services (see Appendix 2) shows that the longer someone stays unemployed, the chances of them re-entering work declines rapidly over time (33).
- 3.10 Not only does this impact disabled people themselves, but also the economy. Government will have lower tax revenues and a higher welfare bill if disabled people remain out of work for a lengthy period of time.
- 3.11 We know disabled people already face extra costs of, on average, £583 a month (34), as well as an average of £108,000 fewer savings and assets than non-disabled people (35).
- 3.12 Not earning a regular living wage, in addition to low benefit rates, will make it more difficult for disabled people to meet those costs.
- 3.13 Research conducted by Scope found that 63 per cent of disabled people said paid employment would help support them to be independent (36).

4 Where should lead responsibility for improving disabled peoples' employment rates sit?

- 4.1 The responsibility for improving disabled peoples' employment rates cuts across several departments, including DWP and DfE, as there are multiple levers. However, it may be helpful for a central team, such as the Disability Unit in the Cabinet Office, to be accountable for coordination, oversight and monitoring outcomes. This would also fit with its remit to develop the National Disability Strategy.

³¹ Ibid

³² Ibid

³³ Scope data on the number of Scope's employment service participants who found work and did not find work

³⁴ Scope (2019). The disability price tag. <https://www.scope.org.uk/campaigns/extra-costs/disability-price-tag/>

³⁵ Scope (2018). Out in the cold.

³⁶ Scope (2018), Independent. Confident. Connected. Achieving equality for disabled people., <https://www.scope.org.uk/scope/media/files/campaigns/independent-confident-connected-report.pdf>

5 What is the right balance between in and out of work support, and is DWP getting the balance right? What more should the Department look to provide?

What improvements should DWP make to the support it offers to unemployed disabled people via Jobcentre Plus?

- 5.1 Disabled people face barriers to move into and remain in employment that do not exist for non-disabled people.
- 5.2 Analysis by DWP indicates that disabled people are three times less likely to move into work, and twice as likely to fall out of work, as non-disabled people (37). Although there are other contributing factors, this clearly indicates that DWP employment support for disabled people both in and out of work is inadequate.
- 5.3 It is therefore crucial that Government uses the forthcoming Welfare Green Paper to improve the out of work support disabled people receive, as well as support for disabled claimants who have recently entered employment.

Conditionality and sanctions

- 5.4 There is a growing body of evidence to show that conditionality and sanctioning are ineffective approaches to supporting disabled people to move towards work.
- 5.5 Research by the Welfare Conditionality Project found that the application of welfare conditionality consistently had the opposite effect and pushed disabled people who were subject to mandatory work-related requirements, under threat of benefit sanction, further away from work (38).
- 5.6 Despite this evidence, claimants placed in the Work-Related Activity Group (WRAG) for Employment and Support Allowance (ESA) and Limited Capability for Work Group (LCW) of Universal Credit (UC) are expected to prepare for work as a condition of receiving the benefit and face financial penalties if they do not comply.
- 5.7 We believe that this link between financial and employment support should end. Instead, disabled claimants should be offered employment support on a voluntary basis.

Personalised and tailored employment support

- 5.8 Any offer of voluntary employment support targeted towards disabled claimants should be personalised to individual needs and aspirations.
- 5.9 In Scope's longitudinal study, 'Our Lives, Our Journey', tailored support was consistently highlighted as an enabler to finding employment amongst disabled people who had recently started a new job (39).

³⁷ National Audit Office (2019), Supporting disabled people into work. <https://www.nao.org.uk/report/supporting-disabled-people-to-work/>

³⁸ Welfare Conditionality Project (2018), Final findings: disabled people. <http://www.welfareconditionality.ac.uk/wp-content/uploads/2018/05/40414-Disabled-people-web.pdf>

³⁹ Scope (2019), Our Lives, Our Journey: Starting a new job. <https://www.scope.org.uk/campaigns/research-policy/our->

- 5.10 Research by both Scope and DWP has found that the Jobcentre’s failure to provide personalised employment support has led to negative perceptions and feelings of distrust amongst disabled claimants (40, 41). This is a key challenge the Department must overcome if voluntary engagement is to be successful.
- 5.11 As well as research, our position on this is rooted in the services we offer disabled people looking for work. Scope runs a range of employment programmes for disabled people, based on the principles of voluntary and tailored engagement (42).
- 5.12 Scope recently published an evaluation of our Support to Work employment programme. To inform this evaluation we held both interviews and focus groups with customers of the service. One customer told us about her adviser; “She understood my situation, she understood my background, and was able to really craft the service [...] and then quickly identified objectives of what we needed to do in our action plan” (43).

Assessment reform

- 5.13 We do not believe the current design of the Work Capability Assessment (WCA) is an effective or fit for purpose method of determining eligibility for financial and employment support.
- 5.14 The assessment is medical in focus and does not appropriately account for the wider factors that impact an individual’s probability of moving into work.
- 5.15 DWP should replace the WCA with a new assessment for financial support and a new, optional assessment of employment support needs.
- 5.16 These should be two separate processes, recognising that an assessment to determine immediate need for financial support should take place at a different stage and in a separate context to a discussion around person-centred support into work.

Support Group of Employment and Support Allowance and Limited Capability for Work and Work-Related Activity Group of Universal Credit

- 5.17 It is crucial that disabled people who want to work can access support at a stage and in a way that works for them.
- 5.18 The current structure of the Support Group of ESA and Limited Capability for Work and Work-Related Activity (LCWRA) Group of UC are not designed to support

[lives-our-journey/starting-a-new-job/](#)

⁴⁰ Ibid.

⁴¹ Department for Work and Pensions (2020), Work aspirations and support needs of claimants in the ESA support group and Universal Credit equivalent. <https://www.gov.uk/government/publications/work-aspirations-and-support-needs-of-claimants-in-the-esa-support-group-and-universal-credit-equivalent>

⁴² <https://www.scope.org.uk/employment-services/> (last accessed 07.12.20)

⁴³ Scope (2020), A co-produced evaluation of Scope’s Support to Work service.

<https://www.scope.org.uk/campaigns/research-policy/support-to-work-evaluation/support-to-work-evaluation-report/>

disabled people to enter employment, despite the fact that that one in five claimants placed in these groups has a desire to do paid work (44).

- 5.19 Scope research has shown that claimants placed in the Support Group are treated and perceived as a homogeneous group of people even though they have a diversity of experiences and expectations around finding employment (45).
- 5.20 A more personalised approach to employment support that accounts for diversity of experience and expectations is needed for disabled people placed in the Support Group or UC equivalent.
- 5.21 However, we recognise that these groups exist because the system rightly acknowledges that there are some disabled people who cannot work. Any employment intervention aimed at claimants in these groups should therefore be

Recommendations

The Welfare Green Paper must include proposals to:

- Exempt claimants placed in the Work-Related Activity Group of ESA or Limited Capability for Work Group of UC from conditionality and sanctions.
- Trial personalised and voluntary employment support at scale and conduct ongoing monitoring and evaluation to build an evidence base on this approach.
- Develop an offer of voluntary employment support targeted towards claimants in the Support Group of ESA and Limited Capability for Work-Related Activity Group of UC.
- Replace the WCA with a new assessment for financial support that takes into account the full range of factors that impact an individual's probability of returning to work and a new, optional assessment for employment support.

offered on a voluntary basis only.

Support for disabled claimants who have recently moved into employment

⁴⁴ Department for Work and Pensions (2020), Work aspirations and support needs of claimants in the ESA support group and Universal Credit equivalent. <https://www.gov.uk/government/publications/work-aspirations-and-support-needs-of-claimants-in-the-esa-support-group-and-universal-credit-equivalent>

⁴⁵ Scope (2017), Working for all? Experiences of employment support amongst disabled people with high support needs.

- 5.22 Disabled people entering work can encounter specific challenges related to new employment, such as the implementation of reasonable adjustments, dealing with Access to Work and interruption of benefits.
- 5.23 It is therefore unsurprising that Scope's Support to Work evaluation identified in-work support as a service gap (46).
- 5.24 We recommend that DWP use the forthcoming Welfare Green Paper to enhance its offer of employment support to disabled claimants who have recently started a new job. This should include a proposal to introduce advocates whose role is to help disabled claimants with aspects of the transition to work that commonly cause issues.

Recommendation

The Welfare Green Paper must:

- Enhance DWP's employment support offer to disabled claimants who have recently started a new job by introducing advocates to help with issues including reasonable adjustments, Access to Work and managing changes to benefits.

6 How can DWP better support employers to take on and retain disabled employees, and to help them progress in work? How effective is the Disability Confident scheme?

Access to Work

- 6.1 The Access to Work scheme provides vital support and equipment to disabled people which helps them to get into and stay in work.
- 6.2 Scope welcomed the introduction of the Access to Work fast-track scheme in response to the Covid-19 pandemic (47).
- 6.3 However, outside of this fast-track scheme, many disabled people have told us that the process can be long and arduous. It can also be inefficient and fail to provide people with the equipment they need.
- 6.4 The main barriers that disabled people faced include: equipment delays, feeling that assessors lack the knowledge and expertise required, difficulty moving between

⁴⁶ Scope (2020), A co-produced evaluation of Scope's Support to Work service.

<https://www.scope.org.uk/campaigns/research-policy/support-to-work-evaluation/support-to-work-evaluation-report/>

⁴⁷ Department for Work and Pensions (2020). Access to Work: factsheet for customers.

<https://www.gov.uk/government/publications/access-to-work-factsheet/access-to-work-factsheet-for-customers#claiming-access-to-work-during-the-coronavirus-covid-19-outbreak>

employers due to a lack of continuous support, insufficient support costs, employers ignoring ATW recommendations and the financial contribution requirements of employers.

- 6.5 These issues can profoundly impact disabled people in a variety of ways. Delays with equipment mean that individuals start work without the support they need, while others end up paying for adjustments so as not to burden their employer (48).
- 6.6 The DWP should look into ways of making Access to Work a more efficient scheme and reform the funding guidelines so that the scheme can be used to purchase more modern assistive technology. This would better meet the needs of disabled workers and help disabled people to stay in work.
- 6.7 It is also disappointing that Access to Work does not extend to voluntary work. This places disabled people on an unequal footing, as they are restricted from obtaining valuable experience that is a key route to paid employment.

Disability Confident

- 6.8 Scope welcomed the Government's introduction of mandatory reporting for employers at Disability Confident Level 3 a year ago (49).
- 6.9 However, aside from the mandatory reporting, Disability Confident is too reliant on employers' own self-assessment. We believe adjustments are needed so that the scheme can be stronger, particularly at Levels 1 and 2.
- 6.10 Anecdotal evidence from disabled people suggests that their employers have not been supportive despite being signed up to Disability Confident.
- 6.11 The DWP survey of employers registered with Disability Confident shows that overall, only half (49 per cent) of employers have hired at least one disabled person since joining Disability Confident (50).
- 6.12 For employers at Level 1, only just over a third (38 per cent) said they had hired at least one disabled person since joining the scheme (51). Given that the ultimate aim of the scheme is to help employers to hire and retain disabled employees, these low numbers suggest that it is not as effective as it should be.
- 6.13 Scope founded Work With Me in partnership with Virgin Media. This is a community of businesses committed to becoming more inclusive of disabled people (52). The community shares good practice, experience and insight, and resources.

⁴⁸ Ibid.

⁴⁹ Department for Work and Pensions (2019). Level 3: Disability Confident Leader.

<https://www.gov.uk/government/publications/disability-confident-guidance-for-levels-1-2-and-3/level-3-disability-confident-leader>

⁵⁰ Department for Work and Pensions (2018). Disability Confident Scheme: Summary findings from a survey of participating employers.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755667/disability-confident-scheme-summary-findings-from-a-survey-of-participating-employers.pdf

⁵¹ Ibid.

⁵² Scope and Virgin Media started Work With Me in 2017 to provide a forum in which businesses could come

- 6.14 We know, through Work With Me, that a lot of small and medium-sized enterprises (SMEs) might be limited in expertise, capacity or resources, and so may be put off from signing up to or progressing through the scheme if they perceive it to be too much work.
- 6.15 This means the DWP needs to help SMEs out as much as possible by producing template policies for SMEs around accessible recruitment and interviews, making adjustments and facilitating conversations around disability in the workplace.
- 6.16 This would save SMEs considerable time and allow them to benefit from external expertise.

Recommendations

The DWP must:

- Expand Access to Work to cover a wider range of technologies as well as making it available for voluntary workers.
- Reform the Access to Work funding guidelines so it can be used to purchase assistive and modern technology.
- Develop template policies for SMEs to encourage them to join and progress in the Disability Confident scheme.

7 The coronavirus pandemic continues to make it difficult to offer in-person support. What evidence is there of “best practice” in supporting disabled people remotely—either in or out of work?

- 7.1 Scope provides a range of employment services for disabled people. Prior to the pandemic, our services operated face-to-face.
- 7.2 Since the first national lockdown, they have been operating remotely, over the phone and online. This has presented both opportunities and challenges for our services.
- 7.3 Our employment advisors have found that some customers have had difficulty engaging with remote support due to not having access to technology or a good enough internet connection (53).
- 7.4 Other customers have had disruptions at home, such as childcare, which have made it difficult to access remote support. Both of these factors were exacerbated by the closure of community hubs, libraries and Jobcentres.
- 7.5 Among disabled people with access to technology and the internet, there are some for whom remote support is inaccessible.

together to make workplaces more inclusive for disabled people. <https://www.workwithme.support/>

⁵³ During August, Scope’s policy team interviewed advisors from across Scope’s employment services to investigate the impact of the Covid-19 pandemic on disabled people’s employment. (2020)

- 7.6 For example, some deaf people have found that speech-to-text services can be inaccurate, and some people with learning disabilities have struggled with the absence of visual cues like facial expressions and body language (54).
- 7.7 However, for other disabled people, remote support has been highly positive. For example, some people with anxiety find it easier to speak to others online than in person, and some people with mobility issues have found it easier to engage with support since they don't have to travel anywhere.
- 7.8 For customers who have not had access to technology, our advisors have adapted the remote support provided by posting resources, such as workbooks, to them. This has enabled these customers to engage with the same content in a different way.
- 7.9 We've previously called for tailored employment support for disabled people (55), and all remote support must be tailored as well. This means ensuring that remote support is pan-disability, with flexibility to allow for support to be adapted to individuals with different impairments and access needs.

8 Are "reasonable adjustments" for disabled people consistently applied? How might enforcement be improved?

- 8.1 We know for disabled workers that securing an adjustment or workplace modification can be crucial in helping them stay in work.
- 8.2 Nearly three quarters (73 per cent) of disabled people who have adjustments in place have found that it helped remove barriers they faced in the workplace (56).
- 8.3 But the chances of disabled workers securing an adjustment is often down to the attitude of their employer.
- 8.4 We asked disabled people about their experience of returning to work after being off sick and one participant told us that "no-one (at his place of employment) wanted to have a conversation about a simple adjustment" as he was viewed as being too "difficult" (57).
- 8.5 Other disabled people have reported agreeing an adjustment with their employer, but then find it is not implemented properly or it leads to a breakdown in trust.
- 8.6 We know too many disabled people leave the workplace because they haven't received a simple adjustment that can help them do their job.
- 8.7 Scope welcomed the proposal made in the Government's Health is Everyone's Business consultation on introducing a new right to request a workplace modification on health grounds (58).

⁵⁴ Ibid.

⁵⁵ Scope response to the Work and Pensions Committee inquiry into DWP's preparations for changes in the world of work. (2020).

⁵⁶ Business Disability Forum (2019). The Great Big Workplace Adjustments Survey 2019.

<https://dh1b0dk701o2c.cloudfront.net/prod/uploads/2020/06/The-Great-Big-Workplace-Adjustments-Survey-main-report.pdf>

⁵⁷ Scope interviewed 12 disabled people of working age between March and April 2018 on their experiences of being on sick pay and returning to work following a period of ill health.

⁵⁸ Department for Work and Pensions and Department for Health and Social Care (2019). Health is Everyone's

- 8.8 Disabled people need to be confident that any request for a workplace adjustment or modification will be taken seriously by their employer, regardless of whether their impairment or condition meets the criteria of being disabled in the Equality Act.
- 8.9 Providing disabled people with a statutory right to request a workplace modification on health grounds will, we believe, help ensure disabled people are able to have those conversations with their employer about how they can be supported in work through providing an adjustment.
- 8.10 Furthermore, this will provide disabled people with a legal right to ask for an adjustment at work that can be used to challenge employers who are reluctant to discuss adjustments.
- 8.11 This will help improve the enforcement of giving disabled workers any reasonable adjustment.
- 8.12 We therefore urge the DWP to implement this recommendation and give disabled people the right to request a workplace adjustment.

Recommendation

DWP to implement the proposal it made in its Health is Everyone's Business consultation and introduce a new statutory right for disabled people to request a workplace modification on health grounds.

9 What would you hope to see in the Government's National Strategy for Disabled People?

- 9.1 The National Disability Strategy (NDS), along with the Welfare Green Paper, is an important opportunity for the Government to tackle the disability employment gap. It must include clear accountability and evaluation mechanisms, as well as the appropriate investment to deliver on its commitments.
- 9.2 The economic recovery strand should focus on the following areas of reform.

Access to Work

- 9.3 As we have outlined above, Access to Work is seen as crucial by many disabled workers in helping them to do their job.
- 9.4 It is important that Government uses the National Disability Strategy to speed up the time it takes for disabled people to receive their equipment from Access to Work.

- 9.5 The Government must use the National Disability Strategy to give Access to Work more capacity and more funding to allow it to more quickly process applications and deliver the equipment disabled people need to stay and thrive in work.

Flexible working

- 9.6 Disabled people have told Scope that they value a flexible working culture that allows them to work around their impairment or condition.
- 9.7 Participants in Scope's Our Lives Our Journey research project told us that accessible or flexible work patterns were "consistently seen as key enablers to successfully starting and maintaining a job" (59).
- 9.8 We spoke to disabled people as part of research looking at disabled people's experiences of returning to work after a period of ill health. One participant told us how he had a "complete breakdown and (had to) leave work" after being denied his request of being able to start work at 10am so he could manage his condition and made to start at 8am (60).
- 9.9 Disabled people's chances of being able to stay and progress in work are being hampered by inflexible employers who do not allow them to work flexibly according to their needs.
- 9.10 The coronavirus pandemic has shown the value of a more flexible, home working culture. Many disabled workers have benefited from the chance to work more flexibly around their health. Indeed, one disabled person told us they wished home working had been an option for them before the pandemic.
- 9.11 The NDS must reflect on the positive lessons learnt from the pandemic and provide disabled employees with a legal right to request flexible working.

Statutory Sick Pay

- 9.12 Scope believes that no-one should have to go through financial hardship as a result of being unwell, and that everyone should be entitled to a reasonable rate of sick pay to enable them to stay in work and look after their health.
- 9.13 But for too many disabled people, this is not the case.
- 9.14 At present, if an individual went on Statutory Sick Pay (SSP), they would receive £95.85 per week (61). For many disabled people, already facing extra costs of on average £583 per month (62), this would be difficult to live on.

⁵⁹ Scope (2019). Our Lives, Our Journey. Starting a new job. <https://www.scope.org.uk/campaigns/research-policy/our-lives-our-journey/starting-a-new-job/>

⁶⁰ Scope interviewed 12 disabled people of working age between March and April 2018 on their experiences of being on sick pay and returning to work following a period of ill health.

⁶¹ Gov.uk. Statutory Sick Pay (SSP). <https://www.gov.uk/statutory-sick-pay> (last accessed 03.12.20)

⁶² Scope (2019). Disability Price Tag policy report 2019. <https://www.scope.org.uk/campaigns/extra-costs/disability-price-tag/>

- 9.15 Nearly a quarter (23 per cent) of disabled workers said they would not be able to cope on the current rate of SSP for just a week (63). While a further 36 per cent said they could only cope for a month (64).
- 9.16 The SSP rate is so low that it forces many disabled workers to return to work before fully recovering. This risks undermining disabled people’s recovery, forcing them to take more time off sick and potentially leaving the workplace altogether.
- 9.17 Increasing the rate of SSP to either the National Minimum or National Living Wage would lessen the sudden drop in income faced by many people when they move onto SSP and will make it easier to cope financially when off sick.
- 9.18 The 28-week limit for receiving SSP also puts disabled people at risk of financial hardship.
- 9.19 A disabled person who needs to take more than 28 weeks off work due to ill health and moves onto Universal Credit could face a reduction of £90.59 per month in their earnings (65). This drop in income was difficult to manage for many disabled people. One participant described how he had to “make huge adjustments to the way that I lived” once the 28-week period of being on sick pay had finished (66).
- 9.20 Extending the duration that SSP is paid to 52 weeks would provide disabled people who need to take more than 28 weeks of sick leave with a longer period of financial support.
- 9.21 The three-day wait rule for claiming SSP is problematic for disabled people whose condition means they often need to take short periods of time off from work, for example someone with a chronic condition or a mental health condition.
- 9.22 In these instances, the waiting days rule could mean that individuals receive no sick pay at all. Through our research, disabled people told us they have previously used their annual leave entitlement for rest days when their condition fluctuated.
- 9.23 But disabled people cannot just rely on using annual leave entitlements to be able to manage their condition whilst continuing to work. With a fluctuating condition, it can be hard to predict when someone may fall ill and will need to take time off work.
- 9.24 Making SSP available to individuals on their first day of absence would enable more disabled people to take time off work when they need to, giving them the confidence that they won’t suffer financially as a result.
- 9.25 Government should address these issues in their response to the ‘Health is Everyone’s Business’ consultation.
- 9.26 The Government should also ensure other measures in the consultation response support the aims of the National Disability Strategy, in particular addressing the disability employment gap.

⁶³ Scope polling of 500 working and disabled adults, 30 August – 4 September 2019

⁶⁴ Ibid

⁶⁵ Gov.uk Universal Credit: What you’ll get. <https://www.gov.uk/universal-credit/what-youll-get> (last accessed 18.12.20)

⁶⁶ Scope interviewed 12 disabled people of working age between March and April 2018 on their experiences of being on sick pay and returning to work following a period of ill health.

Youth employment

9.27 The NDS is an opportunity for Government to set out a plan to support disabled young people to enter and stay in employment. This would run through both the 'transition to adulthood' and 'economic recovery strands'.

Recommendation

The NDS must include Government commitments to:

- Clear accountability and investment to deliver the NDS and evaluate its impact.
- Increase the funding allocation and capacity of its Access to Work scheme.
- Publish its response to the Health is Everyone's Business consultation, including how it will reform SSP so it financially supports disabled people when they cannot work and is more flexible to disabled people's needs.
- Give all employees a legal right to flexible working.
- Better support disabled young people to enter and stay in employment.

10 How should DWP look to engage disabled people and the organisations that represent them in formulating the Strategy?

- 10.1 The DWP should coproduce the NDS with disabled people. This means that disabled people should be actively involved in the design, implementation and evaluation of the department's work.
- 10.2 This is an approach that Scope is starting to implement in our work with disabled people as it means that we better understand and are more responsive to the disabled people we support. This in turn means that the work we do has a stronger and more focused impact.
- 10.3 Co-producing the NDS would lead to a stronger strategy that will be more reflective of the needs of disabled people and be better able to deliver its aim of removing barriers and increasing participation for disabled people.
- 10.4 Scope is keen to use our insight and the network of disabled people we work with to help the DWP and the Cabinet Office's Disability Unit in shaping the NDS.
- 10.5 Along with other disability charities, we would be happy to host a series of roundtables with disabled people so Government officials and Ministers can hear from disabled people first-hand about what they want to see in the NDS. We can also test ideas through our Research Panel.

Recommendation

DWP must commit to involve disabled people in the shaping, implementation and evaluation of the NDS using the co-production model.

About Scope

We're Scope, the disability equality charity. We will not stop until we achieve a society where all disabled people enjoy equality and fairness. At home. At school. At work. In our communities.

We're a strong community of disabled and non-disabled people. We provide practical and emotional information and support when it's needed most. We use our collective power to change attitudes and end injustice.

We campaign relentlessly to create a fairer society. And we will not stop until we achieve a society where all disabled people enjoy equality and fairness.

Appendix 1: Flows of employment

Table 1. Flows of employment: move in or move out for disabled (D) and non-disabled (ND) people, average *

	D	ND	D	ND	D	ND
	2016		2019		2020 (Q1-Q2)	
	000s		000s		000s	
In work	3,620	26,686	4,304	26,905	4,584	26,982
Out of work [#]	3,826	6,494	3,856	5,858	3,720	5,698
Move out level (% rate) ¹	180 (5.0%)	710 (2.7%)	192 (4.5%)	634 (2.4%)	189 (4.1%)	740 (2.7%)
Move in level (% rate) ²	157 (4.1%)	877 (13.5%)	203 (5.2%)	794 (13.6%)	107 (2.9%)	740 (13.0%)
Move out level (% rate) [same disability status] ³	146 (4.0%)	666 (2.5%)	152 (3.5%)	577 (2.1%)	128 (2.8%)	705 (2.6%)
Move in level (% rate) [same disability status] ⁴	112 (2.9%)	833 (12.8%)	165 (4.3%)	759 (13.0%)	92 (2.5%)	705 (12.4%)
% of those in retained job of in work	68.1%	93.9%	67.5%	93.3%	66.4%	93.5%

Source: Scope's derivations based on the two quarters longitudinal Labour Force Survey (LFS) data.

Notes:

* Each figure was derived as an annual average of employment flows between the pair of successive quarters (Q1-Q2) and (Q3-Q4).

Out of work includes individuals who are Unemployed and Economic inactive.

¹ Move out rate is the proportion of individuals moving out of work between two successive quarters, regardless of their disability status at quarter 2 and quarter 4

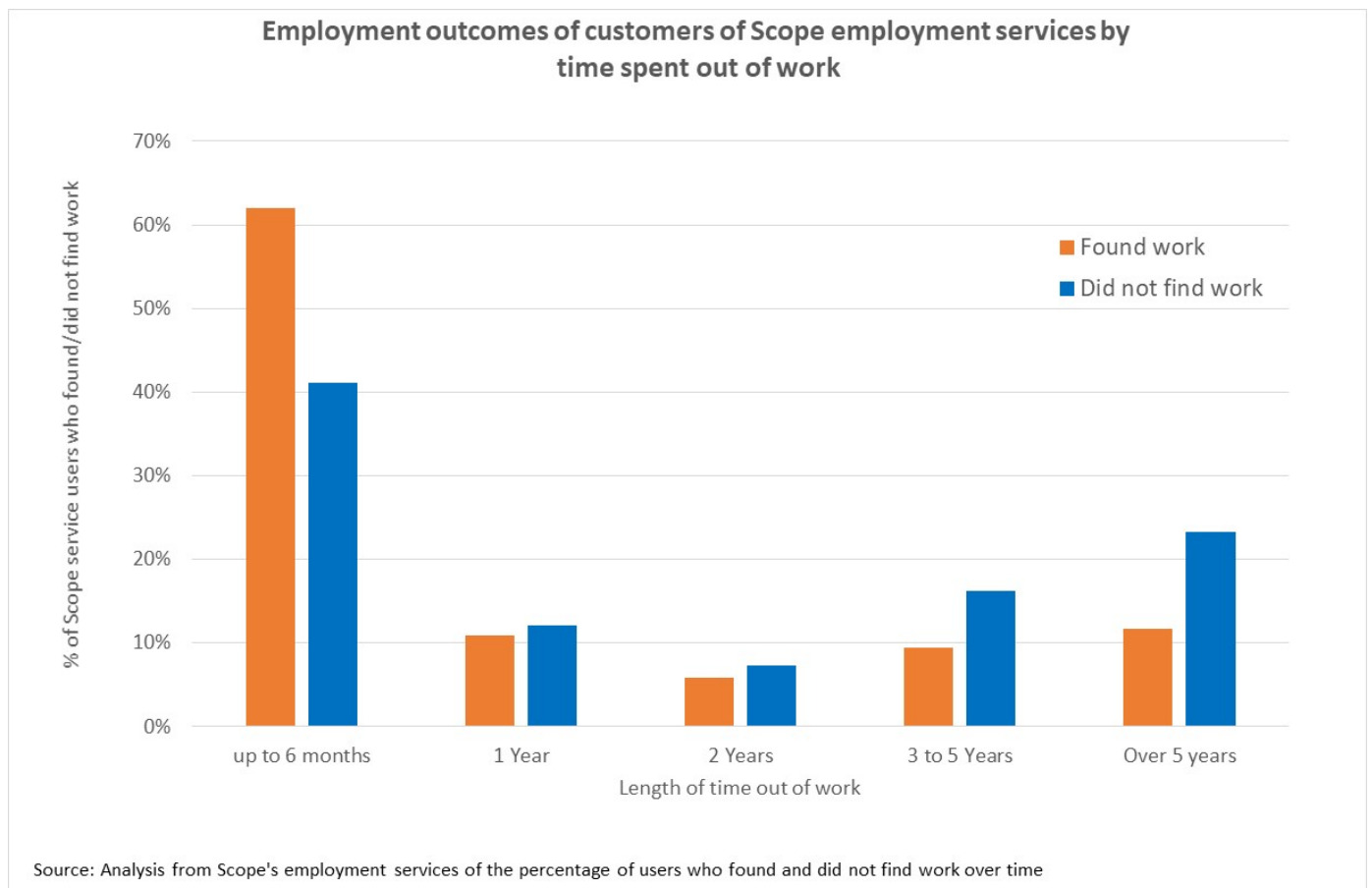
² Move in rate is the proportion of individuals moving into work between two successive quarters, regardless of their disability status at quarter 2 and quarter 4

³ Move out rate same disability status is the proportion of individuals moving out of work between two successive quarters with same disability status in the 4 quarters in the year.

⁴ Move in rate same disability status is the proportion of individuals moving in to work between two successive quarters with same disability status in the 4 quarters in the year.

Figures from 2020 Q1 do not reflect the changes in methodology by the Office for National Statistics (ONS) to account for response bias during the pandemic among disabled individuals while shielding.

Appendix 2: Percentage of disabled users of Scope's employment services who find work and the length of time spent unemployed



December 2020