

Centre for Social Justice: Disability Commission

Submission by the
British Association for Supported Employment
August 2020



About us

BASE is a national membership charity covering England, Wales and Scotland. We have 200 organisational members, ranging from national, commercial providers to local providers, social enterprises, and including 60 local authorities as well as schools, colleges and NHS Trusts.

BASE is the national trade association for the supported employment¹ sector and our purpose is to support, promote and develop the principles and provision of high-quality supported employment services, a model that has proved internationally successful for over 50 years.

BASE aims to:

- Assist people with disabilities by encouraging the provision of support into employment.
- Endorse & promote quality standards in the delivery of Supported Employment.
- Nurture & encourage the setting up of new supported employment services.
- Promote the training of supported employment personnel throughout the UK.
- Provide regular, detailed information including an advisory & development service to association members.
- Liaise & negotiate with national and international government & non-government organisations to promote the aims of the Association.

Summary

The numbers are well rehearsed. While the overall disability employment rate has improved to 53.2%² and the disability employment gap narrowed slightly, too few people with a learning disability (17% or 5.9% for people known to social care), autism (16%) or using secondary mental health services (8%) are in paid employment³. It has long been this way – a 2004 report⁴ published by Government in 2006 made 42 recommendations as to how this could be achieved for people with a learning disability. Despite the Valuing Employment Now⁵ strategy and PSA16⁶, not enough has changed since then. Indeed, the situation has worsened as resources become tighter and labour markets change. Our submission focuses on these three cohorts as they are most at risk of ongoing economic exclusion.

This submission focuses on education and employment, discussing some of the problems and proposing changes. More than anything, it calls for a sustained cross-Government focus on coherent policy, commissioning and funding as a driver for change. Together with a tighter focus on quality, we believe that employment rates can be substantially increased to improve individual outcomes and generate savings within health and social care.

We also touch on welfare benefits. Benefit entitlement is still based on a medical model of disability. We need an encouraging, rather than punitive, benefits system that offers a safety net and reassurance to families while encouraging individuals to try employment, often for the first time.

¹ <https://www.base-uk.org/about-supported-employment>

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<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/bulletins/disabilityandemploymentuk/2019>

³ <https://www.base-uk.org/employment-rates>

⁴ <https://www.base-uk.org/knowledge/improving-employment-opportunities-people-learning-disability>

⁵ <https://www.base-uk.org/knowledge/valuing-employment-now>

⁶ <https://www.base-uk.org/knowledge/psa16-and-local-area-agreements>

We are responding to this call for evidence by focusing on the two areas that we are most connected with and knowledgeable about; education and employment. However, we recognise the vital importance of decent affordable housing, good accessible transport links, and the need for varied and appropriate access to different services if people are to have healthy, independent and fulfilling lifestyles.

1. Education

1.1 Despite examples of excellent practice, most young disabled people are being failed by an education system that is unambitious and bureaucratic. We believe that, with the right support, many more people should be educated within mainstream schools. We welcome the spirit of the 2014 SEND education reforms that have seen a developing focus on life outcomes but, despite support from programmes such as Preparing for Adulthood, too many education providers have low aspirations for their learners and lack the skills to fundamentally improve individual employment outcomes.

1.2 Young people can have their needs assessed but entitlement to Education Health and Care Plans (EHCP)⁷ seems to be more difficult in some areas. The increased demand and cuts to local authority funding mean that many families have to go through a costly and confrontational appeals process. The focus on EHCPs also risks leaving behind people who are on the SEN register but not entitled to an EHCP. EHCPs are often poorly written with little focus on employment pathways. It is critical that young people, and their families, have their support needs identified as early as possible so that the appropriate planning, commissioning and provision can take place.

1.3 A presumption of employability should begin from birth. Too many families have their aspirations limited by the views of paediatric health professionals. Children should be encouraged to role play occupations at nursery school. Families should be engaged about work ambitions at primary age, using role models as examples. Transition planning should formally begin in Year 7 to build on the earlier informal discussions. This should be underpinned by an EHCP planning process that has a focus on life outcomes and the support and resources needed to achieve them. It should include detailed vocational profiling⁸ from Year 9 that is embedded within EHCPs to ensure it follows them through education. EHCPs currently end when the young person leaves education. They should continue to the age of 25 to ensure a successful transition to adult life outcomes.

1.4 We welcome the introduction of the Gatsby Benchmarks⁹ for impartial careers advice and guidance. They bring a much-needed focus to guiding people into the right career choices and increasing their encounters with employers. In our experience, too many establishments are not connecting careers advice to the local labour market. Teachers need a better knowledge of their local labour market and need to connect the worlds of education and employment so that appropriate pathways can be developed for young people.

⁷ <https://www.gov.uk/children-with-special-educational-needs/extra-SEN-help>

⁸ https://www.base-uk.org/sites/default/files/%5Buser-raw%5D/10-08/vocational_profile.pdf

⁹ <https://www.gatsby.org.uk/education/focus-areas/good-career-guidance>

1.5 We have regular contact from families who don't understand the education pathways or the options available. The Local Offer¹⁰ is meant to inform families and young people but is difficult to navigate in many local authority areas and is often populated by irrelevant or inappropriate service information. It should be the key to offering local advice on pathways and services and identifying gaps in provision but is not visible enough to families. Every family should receive information about it from the diagnosis of a disability and the content should be reviewed frequently in collaboration with local parent carer forums.

1.6 EHCPs have become a gateway to specific employment opportunities such as Supported Internships¹¹ and Inclusive Apprenticeships¹². These programmes have excellent potential and should be more available. There is limited data on how many young people are benefitting from this provision to develop careers, which DfE has stated they are committed to improving. We also have no indication of the longer-term sustainability of Supported Internship outcomes. This data is vital if we are to understand and disseminate best practice. There is an increasing overlap in access to Supported Internships, traineeships and Inclusive Apprenticeships and the danger is that young people have to progress through each in turn to achieve sustainable work. Supported Internships were designed as a direct route to paid employment; an alternative to apprenticeships and traineeships, not an additional step on the employment journey.

1.7 Stronger guidance is needed about what constitutes a Supported Internship. Given it is a full-time study programme where young people's time is predominately in the workplace and not a classroom, we recommend a minimum number of 20 hours of workplace learning per week. Providers should have to complete data returns specifying outcomes and sustainability for up to two years. Sustainability will be improved by developing stronger links between education providers and specialist adult Supported Employment services. This might help the exchange of best practice, improve the sustainability of outcomes and provide the time-unlimited support that employers value.

1.8 Some providers market Supported Internships as a work experience programme – it is not. It's a route to paid work and this means that learners have to be fully prepared to make the most of the opportunity. They should be seen as an exit from education following a carefully planned pathway of careers guidance, work sampling, and more focused work experience. Work experience tasters should begin in Year 9 as the start of the employment pathway and should be used to inform curriculum development. There also needs to be a greater focus on study programmes with the core aim of work experience for young people who are not selected for Supported Internship programmes, otherwise they risk lifelong exclusion. It is becoming apparent that if a young disabled person is not employed by the age of 25 then they are unlikely to work ever.

1.9 Many SEND schools regard the national curriculum as a hindrance rather than a help. It is clear that employers have continually asked for strong soft skills not factual knowledge from potential employees. Schools should focus on the practical skills needed by employers – communication, social skills, team working, problem solving, adaptability, independence, confidence, resilience, and ambition.

¹⁰ <https://www.preparingforadulthood.org.uk/downloads/local-offer/developing-the-preparation-for-adulthood-section-of-the-local-offer.htm>

¹¹ <https://www.base-uk.org/policy/supported-internships>

¹² <https://www.base-uk.org/inclusive-apprenticeships>

1.10 The 2014 reforms have demanded great cultural change as the emphasis moves from qualifications to outcomes. This will require workforce development and appropriate quality standards. Ofsted has a key role in encouraging this change and will need to think about outcomes as more than just gaining qualifications. There is little point to education if it doesn't prepare learners to fully participate in adult life. Too many parents are desperately contacting us for support for their 25- or 26-year old son or daughter and feel they have been let down badly by the system.

2. Employment

2.1 Employment is a key change agent in people's lives. It can bring financial security, relationships at different levels, and can lead to better health. It is key to citizenship, independent living and self-worth. The UNCRDP Article 27¹³ calls for countries to promote access to employment but, for people with learning disabilities, autism or chronic mental health needs, this is too rarely achieved. It is thought that fewer than 2500 people with a learning disability in England are in paid work more than 16 hours per week¹⁴. The figure has barely changed in decades; indeed, employment rates for people with learning disabilities have generally been on a downward trend¹⁵ in recent years. For people accessing secondary mental health services the figures are slowly improving, largely through NHS investment in Individual Placement & Support (IPS)¹⁶ services, a variation on the Supported Employment model. This is very welcome and we encourage the continued expansion of this support.

2.2 The picture is very different for people with autism and/or a learning disability. We have seen prolonged disinvestment in local support due to austerity measures. Local authorities have responsibility for collecting outcome data through the ASCOF indicators¹⁷ but little in the way of resources or drivers to effect improvement. Government has, until recently, neglected its responsibilities to this cohort. DWP has focussed on increasingly mainstream provision using a commissioning system that has encouraged under-delivery, "cherry-picking" and the "parking" of customers with higher support needs¹⁸. It has continually viewed this cohort as the "hardest to help" or "furthest from the labour market" without any evidence to substantiate this. Indeed, Mencap states that 65% of people with a learning disability want to work¹⁹ and motivation is seen as the key success factor in gaining employment.

2.3 The Valuing Employment Now initiative demonstrated how cross-Government working can organise itself around clear objectives. The roll-out of IPS provision also demonstrates what can happen when Government works this way. Instead, we have seen people with autism and learning disabilities largely absent during the formulation of employment policy. This has become increasingly apparent to DWP officials themselves and we see tentative signs of resourcing suitable provision through the Supported Employment Proof of Concept²⁰ and a proposed trailblazer²¹. We strongly support this approach to drawing down national funding for locally commissioned

¹³ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-27-work-and-employment.html>

¹⁴ <https://chrishatton.blogspot.com/2019/01/paid-employment-and-people-with.html>

¹⁵ <https://www.base-uk.org/employment-rates>

¹⁶ <https://www.centreformentalhealth.org.uk/ips>

¹⁷ <https://digital.nhs.uk/data-and-information/publications/statistical/adult-social-care-outcomes-framework-ascosf/upcoming>

¹⁸ <https://publications.parliament.uk/pa/cm201012/cmselect/cmworpen/718/71805.htm>

¹⁹ <https://www.mencap.org.uk/learning-disability-explained/research-and-statistics/employment-research-and-statistics>

²⁰ <https://www.base-uk.org/poc>

²¹ <https://www.base-uk.org/news/supported-employment-trailblazer-details-announced>

Supported Employment service provision but it is not enough in itself. We also need to monitor and improve the quality of provision to customers, both jobseekers and employers.

2.4 It is vital that we introduce quality assurance kitemarks to assure jobseekers and employers of the quality of individual services. BASE has, with European partners, developed the Supported Employment Quality Framework (SEQF)²² and we are now issuing model fidelity kitemarks²³ following independent audit of a service's self-assessment. As in IPS delivery, the evidence is that higher model fidelity scores lead to better outcomes and at less cost.

2.5 There also needs to be a programme of workforce development within the sector. BASE has led on this through collaboration on National Occupational Standards²⁴ for job coaches and the development of a Level 3 Certificate for Supported Employment Practitioners²⁵ that has now seen over 500 job coaches enrol on it. It is simply not good enough for a college to tell their learning support assistants that they are becoming a job coach the following week without any training to support them in their new, and very different, professional role.

2.6 Future commissioning by DWP has to have a focus on quality rather than cost if we are to achieve better outcomes. The existing system of commissioning is not fit for purpose as it encourages contract discounting, over-promising and under-delivery. It relies on supply chain delivery without effective stewardship of the market, meaning that smaller, specialist organisations are unable to access funding to deliver what they know works. We see encouraging signs of a new approach to DWP commissioning²⁶ and welcome it. DWP has to take a lead in encouraging evidence-based practice. Ironically, it has historically not funded Supported Employment provision because of a lack of UK evidence and yet it has never sought to fund this much-needed research until now. We would like to see investment from the Work and Health Unit in creating this UK evidence base and subsequent support for providers in a similar way to that offered to IPS providers through the IPS Grow initiative²⁷.

2.7 Employers echo this call for evidence-based practice and quality assurance. Bodies such as the Chartered Institute for Personnel and Development (CIPD) and Federation of Small Business (FSB) are very supportive. Employers have too often been excluded from discussions about employment support but the changing labour market will mean that they have to become more imaginative in their recruitment and retention procedures. We would like to see a greater emphasis on disability issues within diversity management. Disability has long been the "Cinderella" issue within the equality bodies and while the Disability Confident scheme is finally making itself relevant to small and medium enterprises, where the majority of vacancies are, it is still too much a numbers game with inadequate monitoring and support and disconnected from the wider diversity agenda.

2.8 Reasonable adjustments to the recruitment process such as "working interviews"²⁸ are key to being more flexible in recruitment. Most employers have little experience of disability because of the segregated lives that people lead. They need advice and ongoing support to effect change. Providers are generally not dealing with companies at a strategic level and the recruitment system

²² <https://www.base-uk.org/seqf>

²³ <https://www.base-uk.org/model-fidelity>

²⁴ <https://base-uk.org/nos>

²⁵ <https://www.base-uk.org/cert>

²⁶ <https://www.base-uk.org/news/new-dwp-commissioning-strategy-announced>

²⁷ <https://ipsgrow.org.uk>

²⁸ <https://www.base-uk.org/employers-recruitment-interviews>

relies on individual contacts and commitment²⁹. This has to change and will only do so when education and employment support providers engage with employers on the economic business case³⁰ for recruiting people with disabilities.

2.9 Much of Europe has disability employment quotas to drive higher disability employment rates. In France³¹ and Germany, companies are fined if they don't achieve their quotas and the income is directed to resource specialist provision. This has led to a wide roll-out of Supported Employment provision in France, though it probably has little effect on underlying employer attitudes. BASE does not advocate the use of employment quotas but the experience in France demonstrates the value of a clear cross-Government approach.

2.10 We do, however, feel there is a case for positive employer incentives. There seems to be no debate about the value of incentives to encourage involvement in apprenticeships or traineeships. We would like to see parity of employer incentives for the recruitment of people with substantial disabilities, whether it's through Supported Internships or more general local recruitment support for adult disabled workers.

2.11 One of the greatest selling points for employers should be the Access to Work programme. This is widely admired across Europe as a means of funding support and reasonable adjustments. It has the potential to be a world-beating programme but since the introduction of call centres to handle applications, the programme has become steadily more bureaucratic and confrontational. BASE is inundated with complaints from providers and individuals. Employers can apply for support but are not advised how or where to access that support. There are major problems with the applications process, the transmission of documents, communications with DWP advisors and claims procedures. BASE has engaged with DWP for four years to seek improvements but we have been met with a defensive attitude that borders on a denial of any problems. We were recently told by a parent of how an advisor had described her son as "deadwood". This is unacceptable and the poor performance of this programme risks it becoming toxic with employers and providers.

Welfare benefits

2.12 We continually hear reports of disabled people choosing to work under the Permitted Work rules so that benefit entitlement is not affected. This has led to Supported Interns not taking up job offers because of family pressure. This should not be happening but it reflects the anxiety caused by what is seen as a punitive welfare benefits system. The early 2010s saw widespread scapegoating of individuals as shirkers and malingering, reflecting 19th century sensibilities. This has undermined the confidence of employers and the attitudes of wider society and needs addressing urgently. Individuals are trapped between ever-changing benefit silos that are used to categorise perceived ability.

2.13 We would like to see a more encouraging welfare system that lets people try out work without risk to their benefit entitlement. The 104-week benefit linking rules, abolished in 2012, allowed people to move back on their original entitlement if employment didn't work out for them in that period. It allowed people to try working without risk. We'd like to see the introduction of something

²⁹ <https://www.base-uk.org/conference-2019/award-winners#Employer>

³⁰ <https://www.base-uk.org/knowledge/business-case-employing-people-learning-disability>

³¹ <https://translate.google.com/translate?hl=en&sl=fr&u=https://handicap.gouv.fr/actualites/article/strategie-pour-l-emploi-des-personnes-en-situation-de-handicap-ensemble&prev=search&pto=aue>

similar so that people on Employment and Support Allowance are protected and encouraged to try work and maximise their hours. This should be backed up by reliable better-off financial calculations³² so that young and older people are clear about the financial implications of working. It should be an integral part of transition planning for young people so that families are clear on the employment implications for household income.

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³² <https://www.gov.uk/benefits-calculators>