

Work and Pensions Committee

Inquiry into the Disability Employment Gap

Submission by the

British Association for Supported Employment

December 2020



About us

BASE is a national membership charity covering England, Wales and Scotland. We have 210 organisational members, ranging from national, commercial providers to local, social enterprises, and including 66 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 40 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%³ or 5.6%⁴ for people known to social care) or using secondary mental health services (8%⁵) are in paid employment. The employment rate of autistic people is not yet calculated, despite a commitment by the then Minister for Disabled People in 2014, but was found to be 32% in 2016⁶. It has long been this way – a 2004 report⁷ published by Government in 2006 made 42 recommendations as to how improved employment rates could be achieved for people with a learning disability. 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, particularly following the Covid-19 pandemic.

This submission focuses on employment, discussing some of the problems and proposing changes. The links with education are unavoidable though. We would urge closer working between the Department for Work and Pensions (DWP) and Department for Education (DfE) to ensure that young disabled people are fully supported to articulate and realise their employment ambitions. More than anything, this submission calls for a cross-Government focus on coherent policy, commissioning and

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

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

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

⁴ <https://digital.nhs.uk/data-and-information/publications/statistical/adult-social-care-outcomes-framework-ascof/measures-from-the-adult-social-care-outcomes-framework-england-2019-20>

⁵ <https://digital.nhs.uk/data-and-information/publications/statistical/adult-social-care-outcomes-framework-ascof/measures-from-the-adult-social-care-outcomes-framework-england-2019-20>

⁶ <https://www.autism.org.uk/what-we-do/news/government-must-tackle-the-autism-employment-gap>

⁷ <https://www.base-uk.org/knowledge/improving-employment-opportunities-people-learning-disability>

funding as a driver for change and to reduce the current disability employment gap of over 60% for these customer groups. Together with a tighter focus on quality, we believe that employment rates can be substantially increased to improve individual outcomes and generate savings within social care.

We also touch on welfare benefits before considering the impact of Covid-19. 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. 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 could 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 outcomes.

1.2 DWP funding has supported education activity, notably in the provision of Access to Work funding for Supported Internships and Traineeships where the young person has an Education Health and Care Plan (EHCP). Young people can have their needs assessed but entitlement to Education Health and Care Plans (EHCP)⁸ seems to be rationed in many areas. The increased demand and cuts to local authority funding mean that many families have to go through an adversarial appeal process and there is an inbuilt driver to limit the scope and cost of EHCP content. The focus on EHCPs also risks leaving behind people who are on the SEN register but not entitled to an EHCP. In effect, entitlement to an EHCP is a gateway to DWP-funded support because being in receipt of one is essential to access Supported Internships.

1.3 EHCPs have become a gateway to specific employment opportunities such as Supported Internships⁹ and Inclusive Apprenticeships¹⁰. These programmes have excellent potential and should continue. Access to Work has a vital role in enabling the workplace support which is so vital for this customer group. We don't have enough data about the quality and sustainability of outcomes from these programmes and DfE is working to improve the quality of data and service provision. This 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, not an additional route to apprenticeships.

1.4 We are aware of a number of local authorities and colleges delivering Supported Internships that do not apply for Access to Work support because of the bureaucracy of the system. DWP decided to introduce new paperwork and processes, without prior notice, in the first week of the 2020-21 academic year. This has caused major problems for providers. Their students now have to sign all applications, declarations and claims; a particularly difficult task during Covid-19 social distancing.

⁸ <https://www.gov.uk/children-with-special-educational-needs/extra-SEN-help>

⁹ <https://www.base-uk.org/policy/supported-internships>

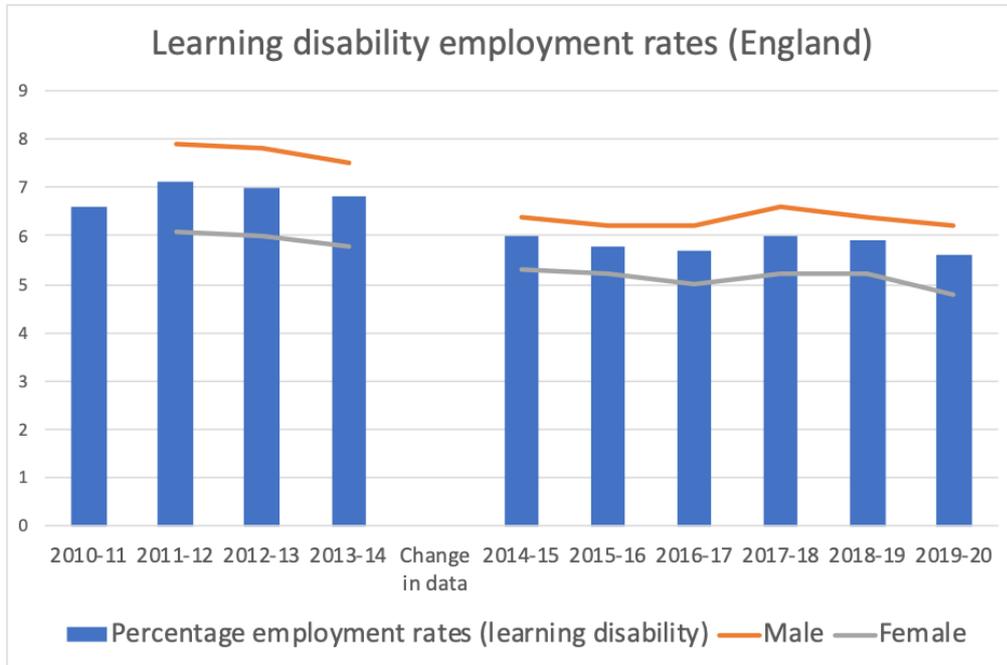
¹⁰ <https://www.base-uk.org/inclusive-apprenticeships>

Where an appointee is in place, then they must sign in place of the learner. We are aware of an instance where the appointee refused to sign the documentation meaning that the young person could not access funded support. This is especially worrying where the young person has capacity to understand and agree their support needs.

1.5 We hope that DWP will make the application and claims system easier and we expect improved guidance to be issued shortly. DWP needs to drastically improve the ease of communication between their advisors and provider services. DWP’s Security Department is insisting that all personal information be sent by post, rather than electronically, as they consider the post to be more secure. This means that all documents have to be sent by tracked post; another costly measure for providers. We fail to understand why all documents can’t be sent via a secure portal.

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 independent living and self-worth. The UNCRDP Article 27¹¹ 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 week¹². The figure has barely changed in decades; indeed, employment rates for people with learning disabilities have generally been static¹³ in recent years. For people accessing secondary mental health services the figures are slowly improving, largely through NHS investment in Individual Placement & Support (IPS)¹⁴ services, a variation on the Supported Employment model. This is very welcome and we encourage the continued expansion of this support.



¹¹ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-27-work-and-employment.html>

¹² <https://chrishatton.blogspot.com/2019/01/paid-employment-and-people-with.html>

¹³ <https://www.base-uk.org/employment-rates>

¹⁴ <https://www.centreformentalhealth.org.uk/ips>

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 indicators¹⁵ but little in the way of resources or drivers to effect improvement. DWP has, until recently, neglected this cohort totally. Instead, DWP has focussed on increasingly mainstream provision¹⁶ using a commissioning system that has encouraged under-delivery, “cherry-picking” and the “parking” of customers with higher support needs. 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 work¹⁷ and motivation is seen as one of the key success factors in gaining employment.

2.3 The Valuing People¹⁸ 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 forgotten 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 Concept¹⁹ and a proposed trailblazer²⁰. We strongly support this approach to drawing down national funding for locally commissioned 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)²¹ and we are now issuing model fidelity kitemarks²² 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 the creation of National Occupational Standards²³ for job coaches and the development of a Level 3 Certificate for Supported Employment Practitioners²⁴ that has now seen nearly 500 job coaches enrol on it.

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 commissioning²⁵ and welcome it. DWP has to take a lead in encouraging evidence-based

¹⁵ <https://digital.nhs.uk/data-and-information/publications/statistical/adult-social-care-outcomes-framework-ascof/upcoming>

¹⁶ <https://publications.parliament.uk/pa/cm201012/cmselect/cmworpen/718/71805.htm>

¹⁷ <https://www.mencap.org.uk/learning-disability-explained/research-and-statistics/employment-research-and-statistics>

¹⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/250877/5086.pdf

¹⁹ <https://www.base-uk.org/poc>

²⁰ <https://www.base-uk.org/news/supported-employment-trailblazer-details-announced>

²¹ <https://www.base-uk.org/seqf>

²² <https://www.base-uk.org/model-fidelity>

²³ <https://base-uk.org/nos>

²⁴ <https://www.base-uk.org/cert>

²⁵ <https://www.base-uk.org/news/new-dwp-commissioning-strategy-announced>

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. 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 initiative²⁶.

2.7 Whilst DWP should have overall strategic responsibility, we believe that specialist employment support should be embedded in local communities. Government, local authorities, providers and employers should collaborate to make this a reality as proposed in the recent New Local report²⁷. No doubt there is a role for national employment support programmes such as the Work and Health Programme and Intensive Personalised Employment Support (IPES) but individual support tends to be light touch and national programmes have long been associated with “cherry-picking” and “parking” of clients. Any national programmes should allow customers to move between programmes where it is demonstrably not appropriate for them to remain on a particular programme.

2.8 Employers echo the 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 of disability employment initiatives but understand the need of employers for indicators of the quality of support services. 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 created, Disability Confident is still too much a numbers game with inadequate reporting, monitoring and support and it is disconnected from the wider diversity agenda.

2.9 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 have led. They need advice and ongoing support to effect change. Providers are generally not dealing with companies at a strategic level and changes to recruitment systems rely 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.

2.10 Some European countries have 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 perhaps 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.

²⁶ <https://ipsgrow.org.uk>

²⁷ <https://www.base-uk.org/knowledge/new-local-report>

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

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>

2.11 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.

2.12 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 problematic. 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. The difficulty and time spent on managing Access to Work applications means that support services are likely to increase their rates to cover the additional administration costs. It's even difficult to reconcile payments against invoices because DWP's remittance advice doesn't contain the customer's unique reference.

2.13 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.

2.14 We would like to see the introduction of an online portal for Supported Internship providers to make Access to Work applications, transmit documents and make resulting claims. We would prefer to see local management of Access to Work applications but a system of account management where providers have allocated advisors would also help.

2.15 Many people in the ESA Support Group, or its Universal Credit equivalent, have little or no contact with Jobcentre Plus but may still wish to explore employment. We believe, that with the right support, most people are able to contribute to the workplace. These jobseekers have concerns and worries and require specialist advice and support. BASE has concerns about the constantly changing role of Disability Employment Advisors (DEAs). Numbers were drastically reduced before a recent recruitment drive and their role is now more about supporting generic Work Coaches. Historically, their expertise has been vital in advising disabled customers and local specialist organisations and we would like to see an increase in the numbers of DEAs and a return to their original role.

3. Welfare benefits

3.1 We continually hear reports of disabled people choosing to work under the Permitted Work rules so that benefit entitlement is not affected. We also hear of Supported Interns not taking up job offers because of family pressure as household benefit income will be impacted. 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 malingerers, 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.

3.2 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 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 customers are clear about the financial implications of working. It should be an integral and early part of transition planning for young people so that families are clear on the employment implications for family income.

4. The impact of Covid-19

4.1 Covid-19 has had a disproportionate impact on disabled people, particular those that are younger in age. We have seen higher death rates³³ and have heard of an increase in mental health problems and incidences of self-harming amongst people within education. We are seeing increased isolation and anxiety caused by Covid-19³⁴ and a number of reports have highlighted the economic impact. A Scope report, *We Won't be Forgotten*³⁵, highlights that 35% of disabled people say their finances have become worse since the start of the pandemic. Disabled people have been waiting too long for a welfare system that gives financial security and, according to the report, 1 in 4 disabled people feel forgotten by the government right now.

4.2 The Leonard Cheshire report, *Locked Out of the Labour Market*³⁶, makes grim reading. Of disabled people who were employed in March:

- 24% in the UK have since worked reduced hours – 29% in Scotland, 25% in Wales, 24% in Northern Ireland
- 20% in the UK have since lost out on income – 25% in Scotland, 25% in Wales and 9% in Northern Ireland
- 11% have felt at risk of redundancy – 15% in Scotland, 15% in Wales and 7% in Northern Ireland
- 57% have felt more anxiety than usual due to concerns that their job is at risk – 67% of disabled people in Scotland, 64% in Wales and 51% in Northern Ireland
- 40% feel at greater risk of redundancy due to employers judging them on the basis of their disability – 47% in Scotland, 39% in Wales and 40% in Northern Ireland

4.3 While we welcome the Chancellor's Plan for Jobs measures, we are increasingly concerned that none of them are suitable for people with learning disabilities or autism. With a huge increase in unemployed people, there is a worry that disabled young people will be at the end of the jobseeker

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

³³ <https://www.gov.uk/government/news/people-with-learning-disabilities-had-higher-death-rate-from-covid-19>

³⁴

<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/coronavirusandthesocialimpactsondisabledpeopleingreatbritain/september2020>

³⁵ <https://www.scope.org.uk/campaigns/disabled-people-and-coronavirus/the-disability-report/>

³⁶ <https://www.leonardcheshire.org/about-us/our-news/press-releases/disabled-people-plunged-crisis-covid-employment-landscape>

queue. The employer incentives risk further displacing regular recruitment and hindering the ability of education providers to source Supported Internship placements. Our *Access to Jobs* joint campaign³⁷ with a consortium of partners has an ask of DWP and DfE in addressing these risks.

4.4 Our *Access to Jobs* ask of the Department for Work and Pensions:

1. Publish an Equality Impact Assessment of the Kickstart scheme and ensure that the initial evaluation of the scheme considers the experiences of disabled participants.
2. Work with our coalition to produce a framework that sets out the targeted support disabled young people accessing the Kickstart scheme should have from Gateway organisations.
3. Work with DfE to enable employers currently providing supported internships to offer Kickstart placements to their interns.
4. Promote the Disability Confident scheme and supported internships to employers who are providing Kickstart placements.
5. The Kickstart scheme is made open to a wider group than just those claiming Universal Credit (e.g. those with Education, Health and Care plans and on Employment Support Allowance).
6. Doubling the number of Disability Employment Advisors in line with the doubling of work coaches to ensure sufficient capacity to provide effective support.
7. Ensure that disabled young people on Kickstart placements who require support or technology funded through Access to Work have their support packages agreed by the time their placement starts.
8. Ensuring that online job-finding support services are accessible and relevant to disabled job-seekers through consulting with organisations representing disabled young people. Our coalition would be happy to support.

Our *Access to Jobs* ask of the Department for Education:

1. Provide £2,000 incentive payments to employers that offer supported internships in order to provide parity with apprenticeships.
2. Work with the DWP to enable supported internship employers to offer Kickstart placements to young people completing their supported internships.
3. New careers advisors within the National Careers Service to receive disability awareness training to enable them to provide improved support for disabled people.

4.5 We estimate that around 75% of learners on Supported Internship programmes are unable to start (or restart) their placements³⁸ because of Covid-19. This work-based learning route relies on employer participation and the impact of the pandemic is greatly affecting the future employment prospects of learners across two academic years. We are working closely with Department for Education officials to find alternative solutions but we know that if a young disabled person hasn't secured employment by the age of 25 then they are unlikely to ever work. This causes increased demand for local authority services and the cost becomes enormous. As a minimum, we would like to see £2000 employer incentives in place for employers accepting a Supported Internship placement. We urge DWP and DfE to work together closely to mitigate against the lack of opportunities for young disabled people.

4.6 Services have had to adapt how they support their customers; both jobseekers/employees and employers. Many have been using video calls through Zoom, Teams or Whatsapp. Some are making

³⁷ <https://www.base-uk.org/access-jobs>

³⁸ BASE / Project Search sample survey of Supported Internship providers (November 2020)

increasing use of assistive technology apps. Some are focusing their training via co-workers and supervisors. It is a time of creativity and most, but not all, services have adapted quickly.

4.7 We recognise that the Department for Work and Pensions has had to work fast to counter the economic crisis. They have introduced welcome flexibilities around Access to Work procedures but the redeployment of staff has meant that a number of departmental initiatives have been put on hold. Crucially, this includes the proposed Supported Employment trailblazer.

4.8 It is time that DWP acknowledges that they have a responsibility for the employment prospects of all UK citizens, not just those on specific welfare benefits. Successive governments have neglected people with substantial disabilities and have considered others responsible for ensuring that support is in place. An example of this is that a disabled person or employer may be able to claim Access to Work funding for a job coach but DWP will not tell them where to find one.

4.9 Article 27 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)³⁹ states that nations should “promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment”. Government has abdicated this responsibility to charities and local authorities and it is time for them to lead on this. The Supported Employment trailblazer would be a good start.

5. Finally...

5.1 We feel that DWP needs to improve its collaboration with stakeholders. Other Government Departments are far more open in their dealings. It seems that DWP staff are not allowed to use video cameras within online conversations. There’s a feeling that one section of the Department is unaware of work going on in another section and we have had to introduce officials to each other on occasion. The frequent turnover of staff can lead to a reinventing of the wheel and the loss of previous knowledge and learning.

5.2 Consultation seems to be more about approval of decisions already made internally. We recommend that DWP reviews how it includes the expertise of external stakeholders within policy development. We also recommend that the Commercial side of DWP re-examine how they support the department’s policy intent rather than unilaterally setting contract terms that make the policy intent difficult to achieve. If DWP wants to harness local specialist expertise then it needs to find new ways of engaging. It’s existing systems of dynamic purchasing using Bravosolution (Jaegger) and Basware are totally unsuitable for smaller organisations resulting in their exclusion from the market.

5.2 Supported Employment developed in the United States of America in the mid-1970s and has been used in the UK since the early 1980s. The UK became a world leader in delivering the model but has since been overtaken by developments in other countries. It is not good enough that nearly 40 years later, the government still does not invest in provision that has an evidence base and is implemented worldwide.

³⁹ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-27-work-and-employment.html>

5.3 The National Disability Strategy offers an opportunity to re-evaluate how employment support for disabled people is designed and commissioned. It must look longer-term, engage with employers as well as disabled people and their support organisations, and it must be for everyone – not just for particular groups of benefit claimants. We have seen little publicity for the strategy and no opportunity for the general public to input to it. The strategy needs a conversation with all sections of society and we hope that this will happen before decisions are made.

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