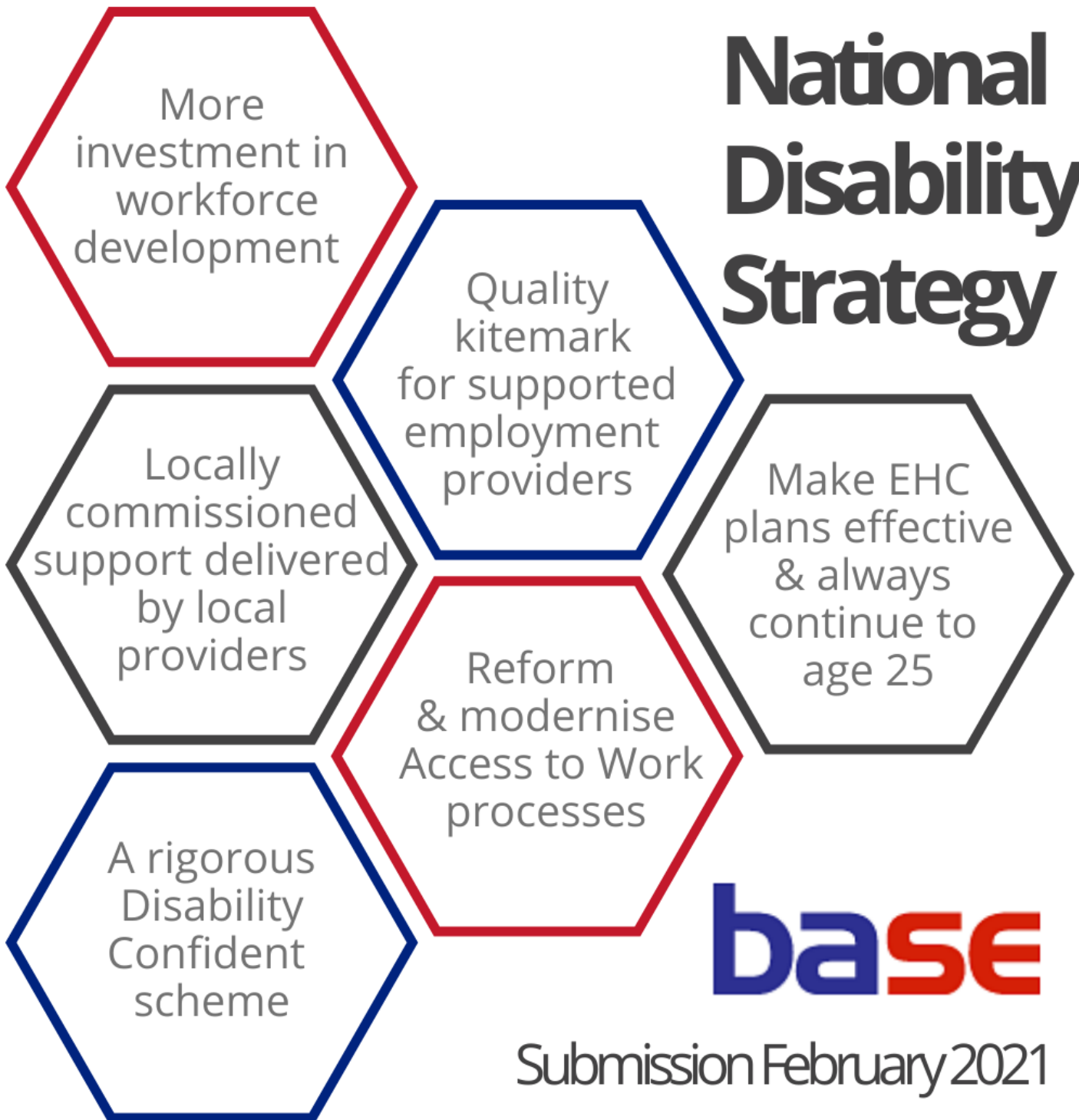


National Disability Strategy



base

Submission February 2021

About us

BASE is a national membership charity covering England, Wales and Scotland. We have over 200 organisational members, ranging from national, commercial providers to local, 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.

In compiling this submission, we have consulted with our members through regional forums and wider through an open national survey.

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 5.6% for people known to social care), autism (16%) or using secondary mental health services (9%) are in paid employment. It has long been this way – a 2004 report³ published by Government in 2006 made 42 recommendations as to how improved support could be achieved for people with a learning disability. Not enough has changed since then. Indeed, the situation may have 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 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 social care.

We touch on welfare benefits. 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. We also recognise the vital importance of decent affordable housing, good

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/knowledge/improving-employment-opportunities-people-learning-disability>

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 & Transitions

Despite examples of excellent practice, most young disabled people are being failed by an education system that is unambitious and bureaucratic. 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. We believe that, with the right support, many more people could be educated within mainstream schools but that support is currently lacking in many mainstream schools.

Young people can have their needs assessed but entitlement to Education Health and Care Plans (EHCP) seems to be rationed in many areas. The increased demand and cuts to local authority funding mean that many families have to go through a confrontational appeals process and there is an inbuilt necessity 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. EHCPs are often agreed late in a pupil's education and then 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.

Discussion about future employment options should begin from birth as too many families have limited aspirations for their son or daughter. Children should be encouraged to role play occupations at nursery school. Families should be engaged about work ambitions at primary age. 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 profiling⁴ from Year 9. 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.

We welcome the introduction of the Gatsby Standards⁵ for careers advice and guidance. They bring a much-needed focus to guiding people into the right career choices. In our experience, too many establishments are not implementing them and local career support is missing. 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.

We have regular contact from families who don't understand the education system or the options available. The Local Offer⁶ 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 provision but is not visible enough. 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.

⁴ https://www.base-uk.org/sites/default/files/%5Buser-raw%5D/10-08/vocational_profile.pdf

⁵ <https://www.gatsby.org.uk/education/focus-areas/good-career-guidance>

⁶ <https://www.preparingforadulthood.org.uk/downloads/local-offer/developing-the-preparation-for-adulthood-section-of-the-local-offer.htm>

EHCPs have become a gateway to specific employment opportunities such as Supported Internships⁷ and Inclusive Apprenticeships⁸. These programmes have excellent potential and should continue to expand. However, we have inadequate data about the quality and sustainability of outcomes 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.

Stronger guidance is needed about what constitutes a Supported Internship. 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 post-internship. Sustainability will be improved by developing stronger links between education providers and specialist adult Supported Employment services. At the moment, we have no idea whether an employed intern loses their job within a few months. One proposal might be for local authorities to provide and manage the job coaching support to each educational establishment in their area. This might help the exchange of best practice, improve the sustainability of outcomes and provide the time-unlimited support that employers value.

Some providers market Supported Internships as a work experience programme – it isn't. It's a route to paid work and this means that learners have to be ready to undertake them. 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 part of the transition process and should be used to inform individual learning curriculum. These tasters should be in regular workplaces and should be a part of the vocational profile process and EHC plan development.

There also needs to be a greater focus on employment pathways 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.

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, adaptability, independence, confidence, resilience, and ambition.

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 they have been let down badly by the system.

⁷ <https://www.base-uk.org/policy/supported-internships>

⁸ <https://www.base-uk.org/inclusive-apprenticeships>

2. Employment

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 27⁹ 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 week¹⁰. The figure has barely changed in decades; indeed, employment rates for people with learning disabilities have generally been on a downward trend¹¹ in recent years. For people accessing secondary mental health services the figures are slowly improving, largely through NHS investment in Individual Placement & Support (IPS)¹² services, a variation on the Supported Employment model. This is very welcome and we encourage the continued expansion of this support.

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 indicators¹³ but little in the way of resources or drivers to effect improvement. Government has, until recently, neglected this cohort totally; an abdication of its responsibilities. 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 needs¹⁴. 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 work¹⁵ and motivation is seen as the key success factor in gaining employment.

It is clear to us that disability-specific specialist employment programmes are needed if we are to improve employment rates significantly. These should be local in their commissioning and delivery as specialist providers are generally engaging with disabled people on a local basis. Local commissioning would ensure good connectivity with the existing range of supports.

The Valuing People¹⁶ 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 sidelined 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 Concept¹⁷ and a proposed trailblazer¹⁸. We strongly support this

⁹ <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-27-work-and-employment.html>

¹⁰ <https://chrishatton.blogspot.com/2019/01/paid-employment-and-people-with.html>

¹¹ <https://www.base-uk.org/employment-rates>

¹² <https://www.centreformentalhealth.org.uk/ips>

¹³ <https://digital.nhs.uk/data-and-information/publications/statistical/adult-social-care-outcomes-framework-ascof/upcoming>

¹⁴ <https://publications.parliament.uk/pa/cm201012/cmselect/cmworpen/718/71805.htm>

¹⁵ <https://www.mencap.org.uk/learning-disability-explained/research-and-statistics/employment-research-and-statistics>

¹⁶

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

¹⁷ <https://www.base-uk.org/poc>

¹⁸ <https://www.base-uk.org/news/supported-employment-trailblazer-details-announced>

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.

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)¹⁹ and we are now issuing model fidelity kitemarks²⁰ 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.

There also needs to be a programme of workforce development within the sector. BASE has led on this through the creation of National Occupational Standards²¹ for job coaches and the development of a Level 3 Certificate for Supported Employment Practitioners²² 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 role.

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 commissioning²³ 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 initiative²⁴.

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.

Reasonable adjustments to the recruitment process such as "working interviews"²⁵ 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.

¹⁹ <https://www.base-uk.org/seqf>

²⁰ <https://www.base-uk.org/model-fidelity>

²¹ <https://base-uk.org/nos>

²² <https://www.base-uk.org/cert>

²³ <https://www.base-uk.org/news/new-dwp-commissioning-strategy-announced>

²⁴ <https://ipsgrow.org.uk>

²⁵ <https://www.base-uk.org/employers-recruitment-interviews>

Providers are generally not dealing with companies at a strategic level and the recruitment system relies on individual contacts and commitment²⁶. This has to change and will only do so when education and employment support providers engage with employers on the economic business case²⁷ for recruiting people with disabilities.

Much of Europe has disability employment quotas to drive higher disability employment rates. In France²⁸ 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.

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.

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.

3. Welfare benefits

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 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.

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

²⁶ <https://www.base-uk.org/conference-2019/award-winners#Employer>

²⁷ <https://www.base-uk.org/knowledge/business-case-employing-people-learning-disability>

²⁸ <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>

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 calculations²⁹ 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 family income.

4. Recommendations

Education

We recommend the following actions for the Department for Education and local authorities:

- Promote the Local Offer with direct communication about it to all parents of disabled children in Year 1 of their education.
- Ensure that EHC Plans remain active up to the age of 25 years, regardless of whether the young person is still in education or not.
- Establish a programme of support to improve the quality of EHC Planning and to ensure that they adequately cover routes to achieving life outcomes.
- Ensure that early years education engages with parents about their child's future employment pathway.
- Ensure that transition planning begins in Year 7 with vocational profiles built into EHC Plans.
- Ensure that all schools develop employment pathways with a programme of external work tasters beginning in Year 9 and external work experience in Years 10 and 11.
- Ensure that the school curriculum fully supports the acquisition of soft skills and the attainment of life outcomes.
- Promote the Gatsby Benchmarks and support teachers to better understand the local labour market.
- Provide easy to understand information about Supported Internships, Inclusive Apprenticeships and Traineeships and how they can be accessed locally.
- Develop a defined standard for Supported Internships with an expectation that they should include a minimum of 20 hours per week within the workplace placement.
- Financial incentives should be available to employers who recruit using Supported Internships.
- Introduce a quality kitemark for providers of Supported Internships with a system for peer reviewing standards.
- Introduce comprehensive tracking of employment outcomes and their sustainability over a 2 year period.
- Promote workforce development so that education-based job coaches are qualified in job coach techniques.

Employment

We recommend the following actions for the Department for Work and Pensions, Ministry for Housing, Communities & Local Government and the Department of Health and Social Care:

²⁹ <https://www.gov.uk/benefits-calculators>

- ASCOF indicator 1E should be reviewed and simplified but we recommend that new indicators capture the employment rates of autistic people and all people with learning disabilities.
- DWP should introduce match funding for locally delivered disability-specific Supported Employment programmes.
- Government should support quality assurance processes for the sector including the introduction of an industry quality kitemark.
- DWP procurement should award tenders based on criteria which are weighted towards quality considerations rather than cost.
- Government should consult more collaboratively with employers, disabled jobseekers and provider organisations on employment support measures.
- There should be mandatory reporting of disability employment rates and pay gaps by Disability Confident employers. Disability Confident status should be monitored more rigorously by DWP.
- DWP and DHSC should fund a programme of workforce development for Supported Employment practitioners.
- DWP should simplify the Access to Work programme so that it is less bureaucratic and more responsive. An electronic portal should be introduced for applications and claims. DWP should consider passing funding and responsibility for Supported Internship Access to Work support to DfE.

Welfare Benefits

- We recommend that an entitlement safety net be in place to encourage disabled people to try employment. This 104-week linking rule should ensure that previous benefit entitlement is quickly reinstated if the person's work is not sustained, for any reason, beyond 2 years.
- DWP should introduce clarity into guidance on Permitted Work and abolish the Supported Permitted Work category.

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