

Report
Disability and Employment
Scrutiny Review
March 2016

1. Introduction

- 1.1 The Council's constitution provides that the Scrutiny Committee can agree a programme of not more than three scrutiny reviews a year, such reviews to be an in depth investigation into a specific service area or policy. Scrutiny Committee is entitled to establish up to three time limited scrutiny panels to carry out these reviews and report back to the Scrutiny Committee. This report outlines the findings and recommendations of 'mini' Scrutiny Review of disability and employment in Worcester City.
- 1.2 The purpose of the review was to support Worcester City Council's Cabinet to better understand the issues involved with disability and employment in Worcester City.
- 1.3 Worcester City Council's Corporate Plan priority "Increasing prosperity through successful businesses and great jobs" indicates the Council's support for improving skills and creating the conditions and environments for businesses to grow and stay in Worcester. There are also a number of skills-related goals within the Corporate Plan:¹
- Increase the numbers in high-skilled jobs within the City over the next 10 years
 - Closely match the skills required by employers with those held by the local workforce

2. National Context

- 2.1 According to latest figures there are over 11 million people with a limiting long term illness, impairment or disability in Great Britain. The most commonly-reported impairments are those that affect mobility, lifting or carrying.
- 2.2 Nearly one in five people of working age (7 million, or 18.6%) in Great Britain have a disability.
- 2.3 The prevalence of disability rises with age. Around 6% of children are disabled, compared to 16% of working age adults and 45% of adults over State Pension age.
- 2.4 According to the Labour Force Survey, disabled people are now more likely to be employed than they were in 2002, but disabled people remain significantly less likely to be in employment than non-disabled people. There is therefore a 30.1 percentage point gap between disabled and non-disabled people, representing over 2 million people. The gap has reduced by 10 percentage points over the last 14 years and has remained stable over the last two years despite the economic climate.²

Local and Regional Context

¹ <http://www.worcester.gov.uk/corporate-plan>

² <https://www.gov.uk/government/publications/disability-facts-and-figures/disability-facts-and-figures>

- 2.5 It is difficult to provide accurate figures of how many disabled people there are in Worcestershire, as there are several ways in which this information is collected and categorised and there is limited information or statistics at a city level.
- 2.6 In 2012, 46.3% of working-age disabled people were in employment compared to 76.4% of working-age non-disabled people.³ It is estimated that 20% of people in the West Midlands have a disability.⁴
- 2.7 Census 2011 data indicates that a lower percentage of Worcester residents stated that their day to day activities were limited compared to the County, regional and national population.

Table 1⁵

% (2011 Census)	Worcester	Worcs County	West Midlands	England
Day to day activities limited a lot	7.2% (7,131)	8.1% (45,845)	9.1% (505,454)	8.3% (4,405,394)
Day to day activities limited a little	9.0% (8,874)	9.8% (55,647)	9.9% (553,610)	9.3% (4,947,192)

Government support and legal context

- 2.8 Growth through People, November 2014 defines the significant issues facing skills and employment in the UK, sets out key recommendations and identifies five priorities for action:⁶
- Employers should lead on skills and government should enable them
 - Improving workplace productivity should be recognised as the key route to increasing pay and prosperity
 - 'Earning and learning' should be the gold standard in vocational education
 - Education and employers should be better connected to prepare people for work
 - Success should be measured by a wider set of outcomes not just educational attainment

Equality Act 2010

- 2.9 It is against the law for employers to discriminate against anyone because of a disability. The Equality Act 2010 protects and covers areas including:
- application forms

³ <https://www.gov.uk/government/publications/disability-facts-and-figures/disability-facts-and-figures>

⁴ Source: Family Resources Survey 2011/12, 2012/13 and 2013/14

⁵ Table 1 Census 2011

⁶ <https://www.gov.uk/government/publications/skills-for-sustainable-growth-strategy-document>

- interview arrangements
- aptitude or proficiency tests
- job offers
- terms of employment, including pay
- promotion, transfer and training opportunities
- dismissal or redundancy
- discipline and grievances

Reasonable adjustments in the workplace

2.10 An employer has to make 'reasonable adjustments' to avoid disabled people being put at a disadvantage compared to non-disabled people in the workplace.

Recruitment

2.11 An employer who is recruiting staff may make limited enquiries about health or disability.

Questions can be asked about your health or disability:

- to help decide if you can carry out a task that is an essential part of the work
- to help find out if you can take part in an interview
- to help decide if the interviewers need to make reasonable adjustments for you in a selection process
- to help monitoring
- if they want to increase the number of disabled people they employ
- if they need to know for the purposes of national security checks

2.12 The government are committed to supporting disabled people in to work. Over six million people of working age in the UK are disabled or have a health condition and the government is committed to halving the gap between the employment rates of disabled and non-disabled people. This means around one million more disabled people in work.⁷

Disability Confident

2.13 Disability Confident is a government scheme working with employers to:

- engage and encourage them to become more confident so they employ and retain disabled people and those with long term health conditions
- increase understanding of disability and the benefits of employing or retaining disabled people
- ensure disabled people have opportunities to fulfil their potential and realise their aspirations
- make a substantial contribution to halving the disability employment gap

⁷ <https://www.gov.uk/rights-disabled-person/employment>

- 2.14 The scheme helps employers to recognise the positives around employing disabled people and encourages them to become 'Disability Confident' by recruiting and retaining disabled people and people with health conditions for their skills and talent.

Through Disability Confident and working with employers:

- challenge attitudes towards disability
- increase understanding of disability
- remove barriers to disabled people and those with long term health conditions in employment
- ensure that disabled people have the opportunities to fulfil their potential and realise their aspirations⁸

Access to Work

- 2.15 The government scheme Access to Work came up a lot during research and the call for evidence. It is a Government initiative run by Jobcentre Plus that provides advice and practical support to disabled people who are employed, self employed or unemployed and about to start a job or work scheme. It also helps employers to overcome work related obstacles resulting from a disability. The scheme supports those in part-time, full-time, temporary and permanent jobs and has recently been extended to include disabled people on traineeships, supported internships, work trials and work academies. There is no minimum number of hours for eligibility for support under the scheme. Access to Work also has a Mental Health Support Service. This can offer support to individuals with a mental health condition who are absent from work or finding work difficult.⁹

- 2.16 Access to Work contributes towards any extra employment costs that result from a disability. It is provided where an individual requires support or adaptations beyond the reasonable adjustments which an employer is legally obliged to provide under the Equality Act. Access to Work funding cannot be used to support these adjustments. Access to Work does not provide the support or adaptation itself, but provides a grant to reimburse the cost of the support that is needed.

Work Choice

- 2.17 Work Choice was specifically created to provide disabled people with complex work-related support needs and requirements with specialist support to gain employment. This voluntary programme was introduced by the Department for Works and Pension (DWP) in October of 2010 (Purvis et. al 2013). It replaced WORKSTEP and Work

⁸ <https://www.gov.uk/government/collections/disability-confident-campaign>

⁹ <https://www.gov.uk/access-to-work>

Preparation. It can help people in the recruitment stages in terms of training, confidence building and interview coaching. Work Choice supports employees for up to 6 months.¹⁰

- 2.18 Despite the initiatives and legislation in place, it is recognised that it is hard for disabled people to get jobs and this includes graduates and those with qualifications. Only half of disabled people of working age are in work (50%), compared with 80% of non disabled people. There are currently 1.3 million disabled people in the UK who are available for and want to work.¹¹ Only around 15% of adults with Asperger syndrome are in employment, despite the majority being keen and capable of work.¹²
- 2.19 Disabled people are significantly more likely to experience unfair treatment at work than non-disabled people. In 2008, 19% of disabled people experienced unfair treatment at work compared to 13% of non-disabled people.¹³

3. Terms of Reference

- 3.1 It was agreed that the review group should not re-visit, but instead build on areas covered by the Employment Scrutiny review undertaken in 2015.
- 3.2 The review group should also be mindful of the remit of the Scrutiny Committee to investigate matters affecting the City as a place and not just its service and functions.
- 3.3 The group should be mindful of not duplicating any existing work undertaken by council officers or key partners.
- 3.4 The three Members making up the final review group were:
Cllr Joy Squires (Chair)
Cllr Christine Cawthorne
Cllr Andy Stafford

4. Methodology and Research

- 4.1 The review initially involved desk based research carried out by officers covering primary and secondary evidence in the form of reports, data, previous scrutiny reports and case studies.
- 4.2 There was a call for evidence session on the 24th February 2016 with key stakeholders and interested parties invited to supply specialist evidence. There

¹⁰ <https://www.gov.uk/work-choice>

¹¹ <http://www.dlf.org.uk/content/key-facts>

¹² http://www.learningdisabilities.org.uk/content/assets/pdf/publications/ASD_Employment__Mental_Health.pdf?view=Standard

¹³ TUC Report 2015

were several organisations/ individuals who were not able to attend the session. They submitted written evidence to the review group.

4.3 The call for evidence involved:

- Visually impaired employed person
- Deaf Direct
- Person with hidden disability and experience of supporting other young disabled people
- Worcester Business Improvement District (BID)
- University of Worcester
- ASPIE - self-help and motivation group for adults with Asperger's Syndrome
- Jobcentre Plus
- Hewitt Recruitment
- Brendon Magill, Disabilities Advisor and Access to Work Assessor•
- Worcestershire Mental Health Team
- Speak Easy Charity
- MP for Worcester Robin Walker
- Worcestershire County Council Equalities Officer
- Jordan Powell, Disabled Graduate

5. **Scope of the Review**

- 5.1 The scope for this review was potentially extremely wide. The group agreed to restrict the scope to exploring and identifying any barriers or opportunities there are, not only for disabled people but also for employers and the city's economy with regards to disabled employment. This report is not an exhaustive review of the support or legislation around disability and employment but rather an initial look at the issues.
- 5.2 The group agreed to adopt a social model of disability to explain the relationship between disabled people and employment. This is the concept that workplaces – not workers need to be adapted or 'fixed'.¹⁴
- 5.3 They also agreed the definition of disability would be that outlined in the Equality Act 2010.

A person (P) has a disability if—

- *(a) P has a physical or mental impairment, and*
- *(b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.*
- *A reference to a disabled person is a reference to a person who has a disability.*¹⁵

¹⁴ <http://www.scope.org.uk/about-us/our-brand/social-model-of-disability>

¹⁵ <https://www.gov.uk/definition-of-disability-under-equality-act-2010>

5.4 The information gathered from the research and call for evidence has been used to inform the content of this report.

6. Call for Evidence Review

6.1 The group undertook a call for evidence session on 24th February with the attendees; please see **Appendix 1** of this report for further details.

7. Key findings and themes

The headings below provide a summary of the key findings and themes arising from the call for evidence sessions and research undertaken to date.

Graduates¹⁶

7.1 A snapshot of the whole student population (UK) shows that our disabled graduates in general experience disadvantage in the workplace, with significantly more experiencing unemployment, and significantly fewer working at graduate rather than non-graduate level. The whole student population includes students from courses such as PGCE and other postgraduate and professional programmes, both full and part time and those on foundation degrees.

7.2 11.7% of the total University of Worcester student population have disclosed a disability. Of these 53% indicated dyslexia/specific learning difficulties, 0.5% had social/communication impairment (autism), 1% had mental health issues, and 1% had a physical impairment.

7.3 The University stated that those choosing academic courses were more likely to go to non graduate employment compared with those who chose vocational courses. Those with sensory or mental health issues fair worse.

Support for disabled people and businesses

7.4 Many of the people that provided evidence talked about Access to Work, however they all felt that there was not enough information for other disabled people and especially employers about the benefits of the scheme. They all said this was not a Worcester issue but a general issue nationally. It was raised that while Access to Work does support a lot of people in work, it does not support people during the recruitment stages which is where many disabled people struggle for various reasons.

7.5 Work Choice does provide support and help to get people jobs, however the support is available for only six months and this is not long enough for everyone starting out in the work place. e.g. this support is required for longer periods for those with Asperger's Syndrome. The panel heard evidence that

¹⁶ Data is drawn from 2013-14 DLHE survey of graduates, 6 months after leaving the university.

suggested 46% of people with Asperger's are no longer in a job six months after being placed.

- 7.6 The number of Disability Employment Advisors at the Job Centre has reduced in recent years and there are now only 100 in the country¹⁷. Job Centre Plus say that all their work coaches are trained to identify where support is needed however disabled people that gave evidence mentioned that they feel there is a lack of specialist support available at the job centres. The environment at Job Centres was perceived as intimidating and not always conducive for discussions of a sensitive nature.
- 7.7 There were concerns raised that many businesses and disabled people were not aware of all the schemes and support available.

Disclosure of a disability

- 7.8 The subject of disclosure was discussed at length. There were concerns that disclosing a disability early in the recruitment process could lead to employers jumping to conclusions about costs and allow discrimination to take place. Many people choose not to disclose until they have been offered the job and have found that they have a better chance of getting an interview and job offer by doing this. However as the review heard this may be easier for those with hidden disabilities but is not always an option for those with physical disabilities such as wheelchair users as this would be visible at the interview stage. Organisations that are part of the 'Two Ticks' scheme are committed to positive action and promise to interview all disabled applicants who meet the minimum criteria. This issue is complex and it was apparent that there were perceived advantages and disadvantages to disclosing at any stage in the recruitment process; however this is a personal decision.
- 7.9 The Review panel was told by one of the people giving evidence that, on one occasion they had not disclosed their disability, had been invited for interview only to find that the interview was being held on the first floor with no lift available. No alternatives were suggested and the disabled person was ruled out of the process at this stage. This same person had had little success in gaining interviews when they declared their disability, but significantly more success when they did not disclose their disability. They are now in employment.
- 7.10 Another individual giving evidence explained that when they disclosed their disability they had struggled to get an interview for apprenticeships for which they were well qualified academically. They had succeeded in getting an apprenticeship eventually by persuading an employer to give them a work trial rather than counting simply on an interview.

¹⁷ <http://www.jobcentreguide.co.uk/jobcentre-plus-guide/34/disability-employment-advisors>

Two Ticks scheme

- 7.11 The Two Ticks symbol is the “positive about disability” symbol and is a scheme run by Jobcentre Plus. It is used by businesses across England, Scotland and Wales, and to qualify to use it, firms have to meet five pledges: on interviewing disabled applicants; on developing the careers of disabled employees; on striving to keep employees in post when they become disabled; on ensuring appropriate levels of disability awareness for all employees; and on reviewing these commitments every year. The Two Ticks symbol has been awarded to 8,387 organisations since its launch in 1990, and is used by nearly half of the top 200 FTSE companies.¹⁸
- 7.12 During the review there were varying views about the ‘Two Ticks scheme’ some people felt that it was a good way of letting disabled people know that the organisation was going to support them in the work place and understand challenges they may have. Others felt it was just a symbol as not many employers fully complied with all the commitments
- 7.13 Research undertaken in 2014 found there was no difference in the support and commitment to disabled workers between companies who had the Two Ticks symbol and those who did not have it¹⁹. There is no regulatory pressure on companies to adhere to the Two Ticks commitments; it is done through employer goodwill and self-enforcement. So it is difficult for disabled people to trust they will not be discriminated against if companies are in the scheme. Generally, the group felt it was seen as a positive step for companies but there may be work required to raise awareness and improve confidence in the scheme.

Different disabilities

- 7.14 There were general concerns about people’s attitude and awareness of mental health problems in particular. According to the Mental Health Foundation, one in four people experience a problem with their mental health every year. Mental illness has been identified as impairment with some of the least favourable employment outcomes.²⁰ Recent research indicates that workplace disadvantage experienced by disabled people varies noticeably by the type or severity of their impairment(s).²¹
- 7.15 Of University of Worcester students with disabilities, it can be seen that the type of disability has a marked impact on their graduate prospects. Students with a specific learning disability such as dyslexia appear to fare reasonably well compared to the whole university population in terms of finding work, although fewer are in graduate work and more are unemployed. Graduates

¹⁸ <https://www.gov.uk/recruitment-disabled-people/encouraging-applications>

¹⁹ <http://www.thefedonline.org.uk/fed-news/two-ticks-set-for-reform-as-researchers-call-it-an-empty-shell>

²⁰ Sainsbury Centre for Mental Health 2009 – TUC 2015.

²¹ Berthoud 2014 – TUC 2015

with mental health or social/communication impairments experience the greatest disadvantage in the workplace, particularly in relation to graduate level work.²²

- 7.16 Less than 8 per cent of disabled people use wheelchairs. The majority of impairments are not visible.²³
There are physical disabilities and hidden disabilities and the experience and support people receive can differ depending on the type of disability.

Travel

- 7.17 Travel and transport to work was a significant issue raised during the review. Transport for disabled people is crucial for them to be able to work. When thinking about barriers and discrimination, focus is often on the recruitment stages or specific jobs but for some people the most pressing issue may be how they will get to the interview and the job if they get it. Whether there is public transport close to the job and whether this runs at suitable times can jeopardise whether a person can even attend the interview or undertake the role long term. Therefore cuts to public transport in recent years have impacted on disabled people and so too does any significant changes to routes or provision.
- 7.18 The Access to Work scheme does help people with transport in terms of getting to and from a job once in post but does not usually help support them getting to interviews. Businesses setting up out of town where public transport is not always available can limit job opportunities for disabled people.

Recruitment

- 7.19 The recruitment process can prove really challenging for disabled people. 23% of disabled people have no qualifications compared to 9% of non disabled people.²⁴ Experience and education can be a barrier for some especially those with mental health issues and learning difficulties. Disabled people are sometimes worried about losing benefits if they apply for jobs.
- 7.20 There were concerns about the lack of support for job seekers in terms of preparing CV's, completing application forms and interviews from the Job Centre and employers. It was recognised that repeated rejection and lack of feedback resulted in reduced confidence and low self esteem; particularly if it perceived this is related to a disability.
- 7.21 More flexibility around application forms and interview techniques would allow applicants to showcase their talents more easily. Work trial and placements are favoured as an alternative to allow employers to see what the applicant is really capable of. The disabled people who gave evidence felt that there was a lack of awareness of alternative selection techniques.

²² Data is drawn from 2013-14 DLHE survey of graduates, 6 months after leaving the university.

²³ Papworth Trust disability facts and figures 2010

²⁴ <http://www.dlf.org.uk/content/key-facts>

The Review Panel took away the overall impression that even with Work Choice and Access to Work there were gaps in support in terms of applying for jobs and getting to interviews.

Businesses

- 7.22 Of the businesses in Worcestershire 97% are classed as small and medium sized enterprises (SMEs) with less than 50 employees. Within Worcestershire around 50% of the total workforce is employed within these SMEs.²⁵ They can be harder to engage with as some business owners can not leave their business during working hours and have limited time to fill in paperwork and generally do not have an HR team to deal with recruitment issues.
- 7.23 The business organisations who gave evidence felt that there is a need to consider how to engage with businesses more appropriately. Businesses do not always recognise the benefits of employing disabled people. The Review panel was interested to learn that this is an area that Robin Walker MP is pursuing by showcasing businesses that do employ disabled people. This approach chimes with the evidence we heard about the need to provide case studies of where businesses have benefitted from employing disabled people.
- 7.24 Employers were hesitant about employing disabled people for a range of reasons; they are not aware of the support programmes available, they were worried about the costs not only of adjustments they may have to make but also the sickness days and legal costs they might incur as a result of not abiding by laws they were not fully aware of. Employers with limited experience or those that have never employed a disabled person before were particularly wary. Our evidence suggests there is an incorrect perception that disabled people are likely to have more time off sick; evidence indicates that overall disabled people have a better attendance record than their non disabled colleagues.²⁶
- 7.25 Business organisations giving evidence suggested that a pro-active approach by the City Council to encouraging new employers (e.g. Cathedral Square, Waitrose) to employ disabled people would be beneficial. It would send a strong message that Worcester wants to be 'open for businesses for disabled people as well as making sure that its disabled residents get good opportunities for employment.
- 7.26 Apprenticeships were raised by several people and there were similar themes to that which emerged from the youth employment review. It was commented that there was competition for high level apprenticeships and they were over subscribed. However it was acknowledged they were a good opportunity for disabled young people to gain work experience and confidence.

²⁵ <https://nationalcareersservice.direct.gov.uk/advice/planning/LMIMaps/Pages/West%20Midlands/Worces.aspx>

²⁶ <http://www.evenbreak.co.uk/blog/top-5-reasons-why-you-should-not-hire-a-disabled-person/>

8. Conclusions

- 8.1 After consideration of all the evidence and discussion the group have reached the following conclusions.
- 8.2 Negative attitudes and perceptions of disabled people remain one of the principal barriers to equality and inclusion. More public awareness of support programmes for employers, workers and jobseekers would be welcomed. Businesses are not aware of all the support available and how they are informed needs to be specifically geared to reducing the preconceptions and myths and celebrating the positives about employing disabled people.
- 8.3 It is also suggested that the type of disability you have may affect how much support you can obtain and your chances of being employed.
- 8.4 Disabled people want to work and really want the opportunities to do so. There needs to be greater awareness of the support available to get into work and disabled people need to be encouraged to be more positive and confident about employment. Disabled employees are assets and bring diverse skills to the workforce. Case studies of disabled people who have been employed and work with supportive employers may also be of benefit. Just like non disabled people, each disabled person has their own set of strengths and weaknesses and this should be acknowledged.
- 8.5 It was apparent that many businesses are unaware of the business opportunities offered by employing disabled staff. There is a skills shortage and there is an under employed disabled sector which could provide badly needed skilled and educated resources, and also be dedicated employees with better attendance and lower sickness absence. Initiatives to make businesses aware of these opportunities and the benefits of employing disabled people should be tailored to SME's and consist of case studies demonstrating employers who have employed disabled people and the positive outcomes.
- 8.6 There are lots of new developments such as Cathedral Square in Worcester; local organisations and charities can use the opportunity to promote and encourage the employment of disabled people and promote the city as a good place for disabled people to work. A local job fair with lots of local employers, recruitment agencies and support providers like charities and Access to Work would be beneficial.
- 8.7 Encouragement required to link local businesses with charities and organisations to provide work placements and trials to enable disabled people to get experience and for employers to see applicants outside of a traditional interview setting.
- 8.8 More awareness of the Two Ticks scheme is required The group felt that many public sector employers and larger companies may be aware and engaged in

the scheme but more awareness was needed for both smaller employers and disabled people.

- 8.9 More promotion is needed of the support available for applicants when applying for jobs would enable disabled people to get further information and discuss any special requirements ahead of interviews. Offering alternative arrangements for interviews, providing feedback to applicants and simple changes to job adverts like offering a telephone number so that a disabled applicant could discuss their needs, could make a big difference to disabled applicants.

9. Recommendations

9.1 **The Chair of the Scrutiny review panel recommends that Scrutiny Committee consider and approve the following recommendations to:**

- I. Actively support and promote awareness of the business opportunity of employing disabled people through the Disability Confident Conference to be arranged by Robin Walker MP**
- II. Support the Business Improvement District in disseminating information to its 600 members on the issue, including case studies from local businesses and employees**
- III. Actively Support and promote awareness with local businesses of the Two Ticks Scheme and support available for businesses to obtain equipment and adjustments if required.**
- IV. Work with organisations and charities to promote and encourage the employment of disabled people through job fairs for new developments and promote the city as a good place for disabled people to work.**
- V. Explore ways to work with partners to identify any gaps in support that can be filled by local charities, other relevant organisations, or local employers to help support more disabled people in to work**

Wards: All

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Background Papers: None