Written evidence from Business Disability Forum (DEG0042)

Executive summary
1. For close to 25 years, Business Disability Forum (BDF) offers specialist and practical advice, guidance and support about all aspects of building disability confident organisations. Our membership includes 300+ Partner and Members from large private and public sector employers in the United Kingdom (UK). Our Partners and Members account for close to 20% of the total UK workforce and cross all sectors. More than one third of our membership operate internationally.

2. Business Disability Forum (BDF) welcomes the Government’s commitment to halving the disability employment gap. This is a very ambitious target that brings approximately one million more disabled people into the workforce. In our long experience of working with employers, the most successful initiatives are those which provide targeted, practical and bespoke help to employers and to disabled people looking for and staying in work. Our headline recommendation is that there is much more for Government to do in making this type of support sufficiently and readily available to all employers and disabled people looking for work.

3. BDF welcomes the Work and Pensions Committee Inquiry into halving the disability employment gap. This offers an opportunity to review and plan improvements to the enabling environment and support for employers and disabled people.

4. We would also welcome the opportunity to present oral evidence to the Work and Pensions Committee Inquiry and are happy to provide any additional information and/or address any specific queries in relation to our submission.

Key recommendations:
5. Access to Work
4.1 We recommend substantially more promotion of ATW and the ATW Mental Health Support Service.

4.2 We recommend ATW be an exemplar of disability confidence. This includes requirements for:
4.2.1 Ongoing investment in the skills, knowledge and disability competence of ATW advisers and assessors.

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1 This includes the biggest UK private and public sector employers and service providers in financial services, construction, transport, IT, communications, manufacturing, retail, professional services, central and local government, employability, health, education, policing and emergency services.
4.2.2 Use of more personalised workplace-based assessments in consultation with the disabled person and their employer.

4.2.3 The abolition of arbitrary caps on the levels of support funded through ATW, with an independent advisory panel established to review high cost awards.

4.3 We recommend ATW introduce initiatives to make it easier for employers to engage with ATW. This includes:

4.3.1 Providing an ATW ‘trusted employer assessor’ accreditation system;
4.3.2 Removing all obligations to make mandatory and voluntary contributions from employers that have 50 or more employees that use ATW; and
4.3.3 Introducing an employer help desk.

5 Health and Work Programme
5.1 We recommend programmes that foster innovation and a sustainable market for good quality employability services. These are markets characterised by:

5.1.1 Sufficient demand
5.1.2 Sufficient funding
5.1.3 Payment models that incentivise employability services to invest the extra time and resources required to secure job outcomes working with employers, disabled people and other stakeholders such as Access to Work, assistive technology and workplace adjustment suppliers, carers, support workers and so on.
5.1.4 Job-Centre Plus and employability services that have good disability know-how and are improving their own disability performance.

6 Disability Confident
6.1 We recommend that as Disability Confident moves forward:
6.1.1 Employers partnering with Disability Confident should be expected to evidence their commitment to, and success in recruiting and retaining disabled people.
6.1.2 DWP reports on the impact of Disability Confident in contributing to disability employment.

7 Employer support
7.1 We recommend that employer support be commissioned to address a key gap in the Government proposals to reduce the disability employment gap i.e. access to bespoke advice and support for employers on how disability affects their organisation. This needs to:
7.1.1 Be accessible to employers as they require it, rather than available at points in an employee journey.²

² Typically this is during recruitment and on-boarding new employees, when an
7.1.2 Meet employer needs for practical bespoke advice and guidance about disability-related adjustments necessary across all functions in an organisation.

8 ESA-WRG changes
8.1 We recommend that the Government does more to address poverty for many disabled people. Any plans to change benefits must be grounded in evidence that disabled people will be better off, not worse off.

8.1.1 To that end, we recommend that the Government pause the proposed changes to ESA-WRG while work is undertaken to ensure that the livelihoods of disabled people will improve with specific welfare reforms.

In detail:

Current suite of measures
9 The current suite of measures will not be sufficient to achieve the Government’s ambition of closing the disability employment gap. Partly, this reflects the evidence that those employers that are most successful at employing and retaining disabled colleagues take a whole organisation approach to improving their disability confidence.

10 Reasonable adjustments that are required for disability involve the whole organisation in a way that is not true of other protected characteristics. For example, adjustments to information and communication technology or premises or communications (e.g. provision of information in alternative formats) won’t need to be made because of gender, sexual orientation, race etc., but will need to be for disability.

11 These adjustments are only possible when different parts of an organisation work together to make these possible. As we submitted to, and was noted approvingly by the House of Lords Select Committee on the Equality Act 2010 and Disability:

‘One of the challenges of thinking about how you make a recruitment process accessible is that it has to involve the IT department, because there is often an online recruitment process. It means involving the premises department, so that the building is physically accessible. It means involving the learning and development department, so that there is adequate training and line managers are equipped to know what to do. It cuts across the entire organisation.’

employee acquires a disability or health condition at work, when employee is returning to work after disability related absence etc.

3 House of Lords Select Committee on the Equality Act 2010 and Disability ‘Report of
12 To help our Members and Partners build their ‘whole-organisation’ capabilities, we established with them a Disability Standard, first launched in 2004. The Disability Standard is a management tool that enables organisations to improve their disability performance by measuring their progress in relation to ten functional areas within any organisation. This includes strategic commitment, know-how, recruitment, retention, adjustments, products and services, premises, information and communication technology, suppliers and partners and communication.

13 Our experience is that employers are all at different stages on different parts of their journey towards becoming more disability confident. As a result, the support employers need to move forward in this journey will need to be flexible and responsive to these different requirements. While there are some good building blocks in the Government’s measures, much more is needed.

Access to Work
14 The flagship Access to Work (ATW) is a world class labour market intervention which removes the disability specific disadvantages that exclude many unnecessarily from the UK economy. The scheme has liberated the economic and social inclusion of tens of thousands over the years – and, uniquely, it has benefited many non-users, as it enables job seekers and their advocates to immediately counter the employer assumption: “But disabled people cost too much!”.

15 To give a sense of how the approximately £100m funding\(^4\) compares with the wider welfare budget: Government spends 92 pence on ATW as a labour market intervention in contrast with every £10,000 the Government spends on welfare benefits.

16 We strongly welcome the Government’s commitment to increasing the numbers of disabled people that will be able to be tax paying citizens rather than benefit recipients. We would go further and encourage significant expansion of ATW and for Civil Service colleagues to publish a cost benefit analysis for ATW as recommended by the House of Lords Select Committee in 2014.

17 In addition, there should be improvements in:

17.1 The promotion of ATW and the ATW Mental Health Support Service\(^5\).

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Session 2015–16’ p.56 quoting George Selvanera, Director of Policy, Services and Communications, Business Disability Forum

4 1 £109.8 billion UK central government and local authority welfare spending fiscal year 2015

5 In research BDF conducted with 352 mainly disabled employees working in 25
17.2 The skills, knowledge and disability competence of ATW advisers and assessors. It would be great to see ATW as an exemplar of disability confidence itself with an increasing proportion of employees with personal experience of disability and long term health conditions.

17.3 Client-focus. No one is advocating that ATW funding should be available without limits, but for those relatively few requiring more complex and expensive support packages this should trigger a much more personalised approach to ensuring a cost effective, fit for purpose set of interventions. Workplace-based assessments, in consultation with the person and their employer, should be an essential feature of this more personalised approach.

17.4 Arbitrary caps on the levels of support funded through ATW should be abandoned. For those relatively few disabled people that require costlier supports so as to enable equal participation in economic life, an independent advisory panel should be established to assess higher value support decisions. This is fairer, adds rigour to decision making and gives more confidence to disabled people and employers.

17.5 ATW should make it easier for employers to engage with ATW. This includes:

17.5.1 Providing an ATW ‘trusted employer assessor’ accreditation system that reduces bureaucracy for ATW, disabled people and employers for those organisations with robust processes and experience of engaging with ATW;

17.5.2 Remove all obligations to make mandatory and voluntary contributions from employers that have 50 or more employees that use ATW; and

17.5.3 Introduce an employer help desk to streamline processes and build advisor expertise in meeting the support requirements of employers.

18 Other key measures to reducing the employment gap between disabled and non-disabled people include the Health and Work Programme, Disability Confident, support for employers and abolition of the Employment and Support Allowance (ESA) Work Related Activity component.

Health and Work Programme

large UK employers in 2015, more than 1 in 4 disabled employees working in the private sector reported no knowledge of ATW (see Selvanera G. and Whippy K, ‘State of the Nation: Retaining and Developing Employees with Disabilities – Stage 2 Research’, BDF, December 2015, and also House of Lords Select Committee Inquiry report into Access to Work (2014) that reports substantial capacity to meet the needs of more employees from the Mental Health Support Service.
19 On the Health and Work Programme, BDF welcomes the opportunity this new programme offers to making a substantial impact on disability employment; given how limited the Work Programme particularly has been on disability employment in the UK. Details of the proposed Programme are not yet fully detailed. The PIN has been published at the end of the Work and Pensions Select Committee consultation period.

20 Learning from evaluation of the current Work Programme and the evidence about what works in securing good employment outcomes for disabled people are pivotal to the programme’s likely success. To be successful it is important that there is:

20.1 An enabling environment that fosters innovation and a sustainable market for good quality employability services. This requires:

20.1.1 Adequate referrals to employability services.
20.1.2 Sufficient funding.
20.1.3 Payment models that reflect the additional time and investment required by employability services to work with individual candidates and employers in identifying and providing the right adjustments to make each employment opportunity more likely to be sustained.
20.1.4 A move away from a payment model that only rewards job outcomes. Any payment model should recognise the vital steps that individuals with disabilities who are more likely to have less standard experience, qualifications and confidence, make on their journey to employment. Upfront and milestone payments would better incentivise support for these groups, and so help limit ‘creaming’ and ‘parking’.

20.2 Job outcomes for voluntary customers with health problems or caring responsibilities in the Incapacity Benefit/Income Support group has been stronger than those that have been mandated to participate. There is no evidence that mandatory participation in programmes encourages better job outcomes for out-of-work disabled people.

20.3 Job-Centre Plus and employability services should be increasingly exemplars of disability confidence themselves. Our experience is that employers learn best from other employers about how they became more disability confident. It will be helpful for JobCentre Plus and employability services to have good disability know-how and can demonstrate that they are improving their own disability performance.

For disabled people, 6.4% achieved job outcomes on the Work Programme and 17.6% achieved job outcomes on Work Choice across June 2011- June 2015. DWP, ‘Work Programme evaluation: operation of the commissioning model, finance and programme delivery’
**Disability Confident**

21 On Disability Confident, BDF is supportive of the Government raising awareness about the benefits to employers from recruiting and retaining disabled people. We also strongly support many MPs hosting events within their electorates to draw attention to the benefits of recruiting and retaining disabled people, including most particularly the ‘reverse job fair’ model promoted by Minister for Disabled People Justin Tomlinson MP.

22 We appreciate that Disability Confident is expected to launch a new graduated approach to employers positioning themselves as ‘disability confident’ later in 2016. It will be important that this:

22.1 Graduated scheme is wholly credible to disabled people i.e. at any level of a graduated scheme, there should be **evidence** that the employer is genuinely committed to and getting better at **actually** recruiting and retaining disabled people. It is not clear to us yet that this is the case.

22.2 Is accompanied by a robust plan for encouraging significant expansion in employers signing up to the Disability Confident campaign.

22.3 Involves regular reporting by DWP on the specific contributions to, and impacts of Disability Confident in increasing the recruitment and retention of disabled people.

**Support for employers**

23 Raising awareness however is insufficient. What employers value most is bespoke advice and support to address specific queries they have. This must be grounded in knowledge about how to overcome barriers for disabled people across the organisation and that is true irrespective of the size of the employer. This is a fundamental gap in all the Government’s measures.

24 BDF strategic advisors and the BDF Advice Service provide practical advice and guidance on thousands of queries each year from employers on all aspects of how disability affects their organisation. As an employer organisation, we know our Partners and Members value the impartiality and credibility of our advice; grounded as it is in the law, best practice and understanding of the needs of employers for more than 20 years. It is this type of practical 1:1 support for employers that exists for our Partners and Members but should be much more widely available. It is singularly- in close to 25 years of working with UK private and public sector employers- what employers value most in support for recruitment and retention of disabled people.
25 It is this experience of working with employers which shows us that those employers most successful at retaining disabled employees have: organisational values that champion disability in the workplace; workplace adjustment processes that deliver the right adjustment quickly for disabled employees; skilled and confident line managers; consistency in how disabled employees are treated at work; and where disabled employees have access to targeted development and support opportunities. To develop these capabilities takes time, is a journey and depends on strong leadership brokering whole-organisation changes to support disabled candidates and employees succeed at and progress at work.

26 It is fair to say that these employers make the investments in know-how and removing barriers to the recruitment, retention and progression of disabled employees in their workplaces because it fits with their organisational values and determination to have access to the best possible talent from the widest possible talent pool, not because they are determined just to minimise legal and reputational risks. These employers are not motivated to make these investments because of possible reward payments (e.g. £500 attachment being piloted) or quotas. Indeed, these types of policies risk ‘disability’ being managed as a ‘compliance issue’ rather than as part of building disability confident organisations seeking to attract employees from the largest and most diverse talent pool.

Support for disabled people
27 In much the same way as employers are not motivated by possible reward payments, there is no evidence that most disabled people will be more motivated to, and able to secure and sustain work because of removing the ESA-WRAG payment from April 2017.

28 What we do know is that for reasons outlined at paragraphs 11, 12, 20 and 25, the incentives and support employability services and employers need to provide more work opportunities for disabled people requires structuring, personalisation, disability know-how, time and investment. It is not the fault of disabled people that the labour market has multiple barriers and if we don’t get this right, disabled people lose out.

29 What we also know is that removing the payment will uniformly cut the income of many disabled people who are already amongst the poorest people in the UK. The Family Resources Survey shows that after housing costs are taken into account, the percentage of people living in households, where at least one member was disabled, who were in “absolute poverty” rose from 27% in 2012-13 to 30% in 2013-14.

30 Moreover, disabled people face extra costs in their day to day living because of their disability compared with non-disabled people: approximately £550 per

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8 see Selvanera G. and Whippy K, ‘State of the Nation: Retaining and Developing Employees with Disabilities – Stage 1 Research’, BDF, June 2015
While Disability Living Allowance/ Personal Independence Payments was established to help address this, there is a gap: £190 gap per month\textsuperscript{10}. Further reducing the income of out-of-work disabled people will increase their poverty.

\textit{May 2016}

\textsuperscript{9} Extra Costs Commission (2015)
\textsuperscript{10} Based on average DLA of £360/month.