We welcome the Work and Pensions Committee’s inquiry into Access to Work (AtW).

Business Disability Forum (BDF) is the world-leading membership body bringing together business and the public sector to build disability-smart organisations. With more than 20 years’ experience of promoting, shaping, and celebrating enhanced business disability performance, BDF Partners and Members are committed to maximising opportunities for disabled people to work and contribute to economic growth.

Our job as BDF is to enable business to deliver the business improvements which in turn enable the economic and social inclusion of disabled people. This submission focuses on how to create a more efficient AtW by meeting the needs and expectations of employers – given that making it easier for the employer makes it easier for the individual to find and keep employment, and will simplify processes for AtW.

**The overall business rationale for AtW is compelling**

AtW is an outstanding example of a practical partnership between Government and employers (business and public sector). The United Kingdom's AtW arrangements are regarded internationally as a model for both what the programme actually delivers and what the very existence of the programme communicates. In essence, AtW enables us to overcome the huge obstacle preventing disabled people from contributing to business success – that is, the deep-rooted assumption that, ‘It is too hard and they cost too much’.

The ‘system’ had learned that paying for work-related accommodations – sometimes even relatively expensive adjustments – which then moves people off benefits saves more for the public purse than keeping disabled people on benefits, as well as saving on the higher health and social care related costs associated with long-term unemployment. In addition, employers are learning that they can – and do – employ disabled people on the basis of their ability to do the job.

AtW delivers economic and social benefits on a number of levels:

- The strong message to employers that it does not and will not ‘cost too much’ to employ disabled people who then contribute to business success;

- The strong message to every disabled job seeker – including the vast majority who will never need AtW – is that they can, with confidence, counteract any
The economy, the employer, and the individual benefit as AtW transforms ‘benefit recipient’ into ‘employee’. Whilst there are costs associated with supporting adjustments, this is counterbalanced by savings in benefits payments and social and health care costs associated with long-term unemployment and the additional revenue generated through tax receipts;

As recently as this year\(^1\), DWP have quoted a £1.40 gained for every £1 spent model for AtW. It is self-evident that AtW delivers a significant return on investment.

It is essential that AtW is well managed and continues to deliver value for money. From our discussions with DWP, we are encouraged by their stated commitment to ensuring the system delivers on the personalisation and flexibility agenda and to deliver more consistency and more streamlined processes across the country. However, we are concerned that funding for AtW is not ring-fenced in DWP and incentives to grow AtW – and move many more disabled people from benefits into work therefore increasing cost savings and business performance – may therefore not be seen to be as compelling as they need to be.

If Treasury could be encouraged to invest revenue generated through increased tax receipts and reduced benefits payments into AtW, the incentive for the Department to continue to encourage (and significantly expand) support for disabled people to move from benefits into work would be much clearer. This could be neatly positioned as, ‘Why have a limited budget for AtW when we have an unlimited need for benefit savings?’ Is a 30 per cent, 40 per cent revenue share possible with AtW? A ‘whole-of-government’ approach is clearly required and we encourage the Work and Pensions Committee to make recommendations about how to effectively incentivise the expansion of AtW.

**Cost sharing with employers**

As you may know, BDF was represented by our CEO on the recent AtW Panel and endorses their recommendations. This includes the proposal that, in the interest of cost efficiency, no employer should be obliged to pay the AtW ‘cost share’ in addition to what they are already investing in terms of time and adjustment costs. While we are delighted that AtW no longer requires smaller enterprises to pay towards the AtW related costs, it remains the case that larger enterprises do. This does not represent good value for money for government given the small sums involved and the time and effort required on the part of the Department to retrieve them.

---

\(^1\) Disability Employment and Health Strategy, 2014.
The business process costs of chasing small sums from individual organisations should be measured against the actual income collected, combined with how the ‘red tape’ process reinforces the ‘It’s too hard and time consuming’ perception on the part of the employers – and whether this, in turn, serves to motivate their employment of more people with disabilities in the future.

We would encourage the Work and Pensions Committee to support the Panel’s recommendations and recommend the abolition of cost sharing, acknowledging the financial and managerial time that the employer is already investing. At a minimum, the Committee should recommend modelling the real costs associated with managing ‘cost-sharing’ to determine the cost benefit it actually delivers.

**Structuring agreements with AtW’s three customers to streamline the service**

AtW frequently behaves as though it is managing relationships with the employer as a single ‘customer’ and with the individual as a single ‘customer’. In fact AtW has three ‘customers’:

- The employer as ‘corporate’ entity;
- The employer as the manager of the disabled person;
- The disabled individual.

Failure to understand and manage accordingly the difference between the ‘corporate employer’ and the ‘line manager employer’ causes unnecessary confusion and is a waste of time and resources.

The first relationship is with the ‘corporation’ as a legal entity which enters into arrangements with AtW. For organisations employing fifty or more staff this includes cost share contractual agreements and signing the cheque on behalf of the organisation. It is also the ‘corporate’ employer that has its own policies and procedures and empowers (or does not empower) the line manager to employ, manage, and make adaptations for the employee.

The second relationship is with the line manager who is asked to dedicate time to attend assessments, to problem solve on a daily basis, to agree particular adjustments (such as, for example, flexible work hours, training for team members, or use of support workers on site).

The third relationship is with the disabled individual at each stage of their journey to find and or retain employment. This includes potential and future candidates with the very helpful opening up of AtW to work experience, trainees, and apprenticeships.

**Design straightforward structured written agreements for each party**
We would recommend that AtW works with the employer, line manager, and
disabled individual to establish tailored structured agreements that establish
expectations for each party. This would support transparency and accountability for
all parties while at the same time improving consistency of support from AtW. One
line, for example, (could we suggest) ‘should’ state that the manager was not
expected to chase the corporate employer for their cost share, as AtW would have
an agreement with a named representative of the ‘corporate’ employer who is
committed to making the payment and therefore deals directly with that individual.

Our consultations with disabled employees, line managers, and organisational
representatives of the ‘corporate’ entity suggest that there remains considerable
inconsistency in the delivery of AtW support and there is too much reliance on
telephone discussion rather than use of documentation to record discussions and
agreements.

While we recognise that AtW is not able to spend a lot of time with individual
businesses and public sector organisations understanding their different policies and
procedures and is indeed seeking to minimise ‘red tape’, they would find it helpful in
the long run to recognise that different businesses operate differently and, therefore,
different service responses and relationships are required.

**Understanding the ‘corporation’ as ‘customer’**

To hugely oversimplify, AtW needs to interact with organisations of different sizes
and with different levels of disability competence. These could be categorised as:

- The large organisation that is reasonably disability competent and may have
  quite sophisticated systems for interacting with AtW (BT and Lloyds Banking
  Group, for example) or at least genuinely wishes to treat disabled people fairly;

- The large organisation that is not disability competent and responds in an ‘ad
  hoc’ way. It is not systematic in its approach to engaging with disabled applicants
  and employees and – in some cases – has no interest in, cannot imagine doing
  better, or may even be hostile to hiring people they regard in general as
  ‘unemployable’ or ‘unfit for work’;

- The SME that has a Human Resources (HR) manager and therefore may have
  processes and an interest in linking systematically to AtW;

- The SME that does not have a HR manager and is unlikely to have a systematic
  approach to the employment and recruitment of anyone – let alone be ready to
  interact with organisations such as AtW.

Our recommendation is to design structured agreements that offer the opportunity to
cut through the different systems, processes, and cultures of all the different
organisational types. While employers do not welcome ‘red tape’, more formal clarity regarding who (i.e. AtW or the line manager) does what, when, and how when seeking to ensure that disabled people work and remain productive in work is much more likely to ensure that the adjustments are effective.

BDF would happily consult employers – including leveraging the expertise of and relationships with our Partners and Members – to test the feasibility of a more detailed set of template AtW agreements if this would be useful to the Committee.

Clarity regarding the role of support workers

Employers are asked to accept support workers on site but are often not given any information or guidance other than when they will arrive. Such support workers include:

- Job coaches;
- Interpreters;
- Personal readers and PA’s;
- People delivering personal care (toileting or helping with meals, for example);
- Travel buddies;
- Skilled mentors (for example, teaching people with dyslexia to handle technical aides).

This lack of employer understanding regarding what these workers do and what constitutes best practice in ‘managing’ their input reinforces the value of establishing structured agreements with disabled employees, the corporate employer, line managers, and AtW. These agreements would then provide very specific advice and guidance regarding how to integrate these support workers into specific workplaces for specific individuals.

In addition, AtW could make it easier for both the person and the employer if guidance were available to the employer describing what best practice looks like in relation to the role of support workers. For example:

- Should the support worker have unlimited access to the buildings the individual works in?
- How do support workers go through security?
- When should the support worker be on site – when is it best they meet disabled colleagues off site?
- What facilitates is the employer expected to provide when the support worker is not needed but need to wait on site until they are required?
- Who decides how visible the support worker should be to colleagues, given the risk of ‘stigma’?
Communication that answers the questions that line managers are actually asking

Following on from understanding that there are different customers for AtW, it is essential that communications reflect their different requirements. This has workforce development implications for AtW to ensure that AtW advisers are confident and skilled in supporting effective adjustment processes within different workplaces, and that they can provide reassurance and practical advice to line managers. Our consultation with our Partners and Members suggests there are real opportunities to improve the consistency of advisors’ skills and knowledge of line manager reality.

More generally:

- At present, too much of AtW’s communication makes generalisations about millions of disabled people and about everything AtW could do to help, rather than give confidence that the specific requirements of individuals and managers within their specific environments will be addressed. It is important that AtW’s communication makes clear that the specific needs of specific disabled people in specific work environments is what is taken into account;

- On specific communications for line managers engaged with AtW, this communication is also too generic. Our Partners and Members tell us that line managers receive a brochure after a first phone call that includes a long list of support and adjustments (many of which may well not apply to the employee) as ‘key elements of the programme’. However, the manager is asking:
  - ‘How do we figure out what ‘extra’ this person needs? I recruited them because I thought they could do the job....’
  - ‘Who is going to timetable these assessments? Am I supposed to make these appointments? How long is this going to take?’
  - ‘Who is going to actually order the equipment and from where? It says we can buy what is needed but I have no idea where you get that kind of thing.’
  - ‘Am I supposed to send this person to Occupational Health?’
  - ‘Am I supposed to pay the support worker? How much?’
  - ‘What is a support worker? Are they going to be here (underfoot) forever? Do they need parking?’
  - ‘Who is going to pay what and how?’
  - ‘Who from our Corporate side should be involved to make sure we get the right cost sharing deal and who then pays the invoices from A2W?’
  - ‘What am I supposed to do differently as this person’s line manager?’
  - And more.

It is important to also recognise that too much information regarding the wide range of support and adaptations needed by disabled people in general, can distort a
particular manager’s expectations of the needs and potential of any particular individual;

**Double the numbers AtW prevents from moving out of work onto benefits**

We would encourage DWP to at least double the numbers benefiting from AtW, We would focus particularly on those in work but who are at risk of moving onto benefits due to the combination of their disability or health condition combined with the lack of awareness of AtW on the part of the employee, their employer, and their medical advisors including occupational health providers.

Many employers assume, incorrectly, that occupational health are experts on ‘disability’ and so will assume that the first response when someone develops a disability (or when their condition changes) is to send them to occupational health for an assessment even when a medical opinion is inappropriate – for example, many employers even refer employees with dyslexia to occupational health. Our Partners and Members advise us that too often these occupational health advisors are unaware of AtW and lack the necessary disability/adjustment related expertise.

Given that minimising the numbers moving onto benefits from work is a clear government priority, evidenced by the planned introduction of the Health and Work Service, we would suggest that there are real opportunities to expand the benefits of AtW to those who acquire a disability or have a change in their health condition and may otherwise lose their jobs. We would suggest as follows:

- Encourage ‘corporate employers’ to require occupational health providers to be ‘disability/adjustment competent’ and to only use providers who can demonstrate that they know when and how to refer an employee to AtW;

- Encourage employers to learn from the Lloyds Banking Group and other Partners and not require employees to see a medical advisor before setting out to make adjustments which enable them to be more productive.

- DWP should have a publicity campaign specifically targeted at the occupational health profession to ensure that they are aware of and confident in supporting employers, line managers and employees to successfully engage with AtW, particularly where people are at risk of losing their jobs due to disability. A major occupational health provider working for a Whitehall department could be encouraged to partner with government to support and amplify the impact of such a campaign, so that the message is clearly seen to be from occupational health to occupational health;

- The Government’s new Health and Work Service needs to understand how and when to refer individuals in work to AtW. To embed this, we recommend
that conditions are incorporated into the Health and Work Service’s operational specification requiring that they will seek to ensure that they work closely with AtW, as well as with employers, and employees that acquire a disability and/or have changes in their long-term health conditions, to ensure that employees remain productive in work;

- Jobcentre Plus (JCP) and DWP should routinely measure the performance of its Employer Relationship Managers, Disability Employment Advisors, and Welfare to Work providers by the extent to which they enable corporate employers to use AtW when recruiting and when seeking to retain employees with disabilities. This should extend to ensuring that every disabled job seeker knows about the availability of AtW – including those who do not need the service – so that they as job seekers are themselves able to reassure the recruiter who suspects that they will ‘cost too much’;

- Ensure that the JCP website tells every organisation that registers a vacancy that ‘Access to work is here to help. If you need expert advice and/or financial support to enable an applicant or an employee with a disability or health condition to continue to contribute to the business, call this number’. The website currently assumes that the reader knows about AtW and instead publicises Work Choice while describing AtW as a service for disabled people omitting to mention that it is also a service for employers.

We would welcome the opportunity to work with AtW/DWP to generate the guidance and the communications plan needed to help occupational health enable significantly more disabled employees and their managers to use AtW as a key tool when retaining someone with a disability in employment.

**Build on the success of the AtW Passport to Employment**

AtW will also benefit from anticipating the growing demand for disabled people to work as freelancers in an increasingly flexible labour market. BDF’s Broadcaster Network pioneered with AtW a ‘Passport’ arrangement which enabled disabled freelancers working in broadcasting to move from project to project and from broadcaster to broadcaster in the knowledge that their adjustments funded by AtW automatically travel with them – a ‘passport’ to employment if you like - which saves AtW needless duplication of assessments as well as reducing red tape for employers and disabled freelancers.

We would like to take this opportunity to commend AtW for their openness in piloting this Passport model and suggest that the Committee could very helpfully support this approach and encourage similar approaches to supporting disabled self-employed freelancers working in other sectors.
Again, we would be delighted to bring our broadcaster Partners and Members together to review progress with the Passport in the broadcasting sector and suggest how AtW might enhance the impact of this flexible approach, in order to maximise the participation of disabled people in employment and reduce red tape.

We trust that the Work and Pensions Committee – like BDF and our Partners and Members – recognises the positive benefits and impacts of AtW in securing the employment of disabled people, which ensures disabled people move from ‘benefits recipient’ to ‘tax paying contributor’ and also encouraging increased opportunities for disabled people to secure and retain employment. We welcome the opportunity to discuss or address any queries in relation to our submission with the Committee.

24 June 2014