

To: Justin Tomlinson
Minister for Disabled people, Health and Work
ministers@dpw.gov.uk

Hugh Pullinger
Head of Disability and Work Opportunities Division
Department for Work and Pensions
HUGH.PULLINGER@dpw.gov.uk

29 April 2020

Dear Sirs,

Concerns about barriers experienced by Disabled people in receipt of Access to Work support during the coronavirus pandemic

We are writing to both of you as the concerns we raise below are about operational and policy issues related to Access to Work.

Inclusion London is a user-led organisation which supports the development of Deaf and Disabled People's Organisations (DDPOs) across London and campaigns for equality and inclusion across all aspects of Disabled people's lives. This includes supporting Deaf and Disabled people who are employed across London, some of whom receive support from Access to Work (AtW).

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We appreciate that this is a very difficult time for all government departments. However, we have been contacted by many Deaf and Disabled people who are concerned about the way the Department for Work and Pensions (DWP) is running its Access to Work disability employment scheme during the coronavirus pandemic.

We are therefore writing to you to outline these concerns and provide some suggestions about changes that could be made on a temporary or permanent basis to resolve these difficulties. We think that these changes could eliminate many of the barriers which Disabled people are currently experiencing.

1. It is our understanding, from the evidence to the Work and Pensions Committee given on the 23rd of April '20 that some operational changes have been made, such as extending awards, extending deadlines for submitting claims and accepting emails from managers to confirm claims. This is welcome news however, we have evidence from our staff and staff at other DDPOs and Deaf and Disabled people who contacted us that these significant changes have not been communicated to all AtW claimants. There is no information available on GOV.UK, including information in BSL (British Sign Language). As far as we know there has been no specific communication directly with award holders to update them on those changes. The only information in the public domain is a pre-recorded message on the phone. We consider this not an accessible way to communicate with award holders, especially as many AtW users are Deaf.

Solution: Information about the changes that have been introduced should be urgently published on GOV.UK and should also be available in alternative formats. AtW should contact all award recipients to update them directly about the changes.

(NB One DDPO that we work with has reported that they have been receiving daily updates to support them from various government bodies since the COVID lockdown but has received nothing from AtW to share with its clients. This raises questions about how AtW is communicating with its key stakeholders).

2. Disabled people who receive AtW are finding it very difficult to get responses when they contact the DWP. This includes communications by email and by telephone and it is particularly difficult when these communications are time-sensitive. For some Disabled people this situation is potentially putting their jobs at risk (e.g. Disabled people who need to get their AtW support renewed or

changed). We know people who have waited weeks to get responses to their queries and it does not feel like things are getting better.

A solution to this problem could be to pre-empt most common queries and send all service users general information together with the information mentioned above. Again, this information needs to be available in different formats to meet everyone's access needs.

3. There is no information about the options that are available in terms of managing support workers.

(i) Can support workers funded by Access to Work be furloughed and put on the government's Coronavirus Job Retention Scheme?

(ii) What will happen to support workers who need to shield?

(iii) Can AtW recipients get their full awards to continue paying AtW-funded staff, even though these staff cannot do full hours of support? This would ensure that these staff, who often have unique skills are retained post pandemic.

(iv) What will happen to support workers if the Disabled person being funded by AtW to employ them is furloughed? Will AtW continue to pay for support workers of Disabled employees who have to self-isolate or shield but can continue working with remote support?

Solution: Given the exceptional circumstances of the lockdown and the importance of Disabled employees retaining skilled staff, the government should continue funding existing levels of awards and allow AtW users to maintain the same levels of pay for their staff as before the lockdown, even though the actual level of support provided during lockdown may be reduced.

It is also vital that existing and new award holders are given detailed information on the options to manage support workers.

4. Currently there is a six-month deadline after support has been received to submit claims. We heard that this might have been extended to 9 months. We are not certain this 3-month extension is enough, especially for people who need to shield. Some Disabled employees who are now working from home, following government guidance, cannot submit claims because (i) their AtW files and receipts etc. are in the workplace and (ii) they do not have a support worker visiting their homes to complete the forms on their behalf, if they have limited dexterity or a visual impairment, for example. If a stringent deadline is applied, these Disabled people could lose hundreds of pounds and their suppliers (e.g.

agencies that provide support workers and taxi firms) cannot be paid either, causing even more problems.

Solution: This issue could be resolved by extending the six-month deadline until two months after Public Health England decides it is safe to end the lockdown and it is safe for people to stop shielding. In addition electronic versions of claim forms need to be created.

5. The current procedure for making claims to AtW is paper-based and requires users of AtW to complete forms by hand and then get them approved and signed by their managers. Claims cannot be made electronically. Although it is our understanding that the requirement to obtain ink signature from a manager has been relaxed, the requirement to submit paper forms (by post) with ink signatures still remains. This procedure is not accessible for Disabled people who are blind, have limited manual dexterity or who need help to fill in paper forms, for example. The requirement to post documents is simply not practical to follow during a lockdown, as it requires people to leave their homes to post forms.

Solution: An alternative system must be developed urgently. This system must comply with the requirements of the Equality Act 2010 and be accessible to all Disabled people. There must be an option to submit all documents electronically. Other government departments, such as HMRC, do that.

6. It is our understanding that processing new and/or ongoing claims for AtW support for Supported Internships (SIs) is on hold for the immediate future. If this is the case, we are concerned about the impact this will have on the young Disabled people doing SIs. We have extensive experience of supporting young Disabled people into meaningful paid work through SIs but the coronavirus pandemic means that many such programmes have had to be suspended because the establishments in which the young people were doing placements have had to close (hopefully temporarily). This means that many young Disabled people with significant support needs have suddenly found themselves without an engaging daily routine which provides them with a range of opportunities to gain valuable workplace skills. However, in many cases, the teams of Job Coaches (partly funded by AtW) who have been providing tailored, one-to-one support could continue to provide ongoing support remotely, if the requirement for the job coach to be physically present in the place of internship was lifted.

Solution: We would like to suggest, therefore, that AtW should revisit and reverse this policy, where necessary, in order that young Disabled people with the most

significant support needs can continue to build on the progress they have made during the first six months of their SIs by continuing to receive remote support from Job Coaches who understand their access needs. If this support is not provided, many of the young people supported by AtW may lose this opportunity to get meaningful paid work. We also believe it is important to consider the risk of losing skilled job coaches if the AtW policy is not changed.

We would be very grateful if you can address these issues as soon as possible in writing and we look forward to hearing from you. We are also happy to explain the above barriers in more detail, if required, over the phone.

We also have wider concerns about Access to Work which we raised in our meeting with you last summer and would appreciate an online meeting to discuss these with you further.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tracey Lazard', written in a cursive style.

Tracey Lazard
CEO of Inclusion London