**Qn 1: Have things have got better or worse or stayed the same since the last examination in 2017?**

In only one respect for disabled workers could we identify any progress since 2016/17—Access to Work is now available for working at home and the government disability strategy promises that there will be accessibility passports and portable awards. However, we believe more people now are refused AtW assessment or unable to access a grant[[1]](#footnote-1) because they earn too little.

In relation to the experience of workers in claiming benefits; in gaining reasonable adjustments at work, being allowed extra time for medical appointments; and in being awarded promotion or disproportionate selection for redundancy—the situation has got worse. In our lives outside the workplace, for example re independent living support needed to get up and get ready for work cuts have made it more difficult to manage.

**2. Which if any of the Committee’s recommendations from 2017 and 2016 have been implemented by the government?**

In short none.

**Re 2016 Legislation/Policy.**

There is a disconnect between rhetoric and promises and the reality of our working lives.

Even with the improvements re AtW above, it is necessary to get employment and benefit to access this. The Equality Act 2010 makes it unlawful to discrimination in selection for employment, but without effective sanctions and without proper assessment and monitoring in place the situation has not improved. The Disability Confident Scheme is ineffective and without any robust monitoring and DWP research in 2018 showed that only half of Scheme employers claimed to recruit at least one disabled person because of it[[2]](#footnote-2) --

Many disabled people, especially people with learning disability, are being trained for low paid jobs, many of which will not survive the coming structural reorganisations in the retail sector in which their employment is concentrated;

Many disabled people are not in a position to look for work because of

* a lack of accessible transport;
* lack of appropriately qualified DWP staff to advise;
* failure to gain benefits such as PIP which support the additional costs incurred
* the rarity of facilities such as changing places toilets in workplaces

and we are not equal as the disability pay gap is increasing[[3]](#footnote-3)

thus there is no possibility of gaining employment on an equal basis with non disabled people for many of us.[[4]](#footnote-4) Added to this, the lack of any kind of effective punishment for breaching the equality employment duty and the failure to provide adequate, free and accessible legal advice means that there has been no progress

**Re monitoring in partnership with DDPOs**

Absolutely no progress on this. And to add insult to injury, the government seems to be hand selecting non DDPO organisations to consult and approve their strategy

**2017 recommendations**

1. **Effective policy to increase work, focussing on women, people with learning disabilities and visually impaired:** Although there has been an increase in disabled people going to work between 2013 and 2020, and a greater percentage of these have been women, it does not represent quantifiable improvement for the following reasons.

* more had left work, with union reps consistently reporting disabled members being “managed out” of good jobs and selected first for redundancy.
* From Mid 2020 the disability employment gap has again grown[[5]](#footnote-5) and the first redundancies of the pandemic showed significantly disproportionate redundancies among disabled people and women due to a combination of discrimination re need to shield and the retail sector being the first hit in mass redundancies[[6]](#footnote-6). The sector hardest hit in the early redundancies being retail has particular implications for people with learning disabilities as well as for women and the government has shown no understanding that the sectors for which it is training people with learning disabilities and where disabled people are finding work are those which in the longer term face huge changes and reorganisations that will effect employment.

1. **ensure reasonable accommodations and training for employers etc**

We have mentioned issues with AtW we would add:

* employers are not trained in their duties to provide accommodation with or without funding
* while AtW might provide equipment eg voice activating software or screen readers etc, they do not provide any technical support and many employers are therefore ineffective in supporting this equipment and we have known this to lead to discrimination and unemployment
* AtW support must be made available for all forms of work including volunteering and trade union duties for this policy to be effective

C) **Legal and admin processes re work capability:**

No progress at all in this regard and we note that the fear of being subject to WCA and sanctions has kept disabled workers in jobs that impact their health and wellbeing and created fear of standing up for their rights.

**3. Have any new issues emerged since 2017?**

* the impact of pandemic—not only regarding the disability employment gap discussed above, but also significantly on the level of stress in the daily activities of life which support our ability to work (getting food, travelling to work; cuts in independent living support) and in workplace bullying, with many public sector workers sent home with an instruction to “get on with it” or “do what you can” without their specialist equipment or personal assistant support and feeling a pressure to overwork to avoid being tapped on the shoulder to “volunteer for redundancy” or being managed out of their jobs as unable to manage them.
* the lag in training for work available to many disabled people in FE etc and the structural changes within whole sectors of the economy caused by technology, on which there is little research or planning

**4. Which are the top three issues in this area are most important to bring to the Committee’s attention?**

* Failure to make any progress with effective AtW/reasonable adjustments
* Ongoing and increasing disability employment and pay gap
* Lack of effective sanction for discrimination which means it has reached record levels in redundancy selection this year

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1. Many disabled workers are earning less than £184 a week while AtW does not award you a grant the DWP are paying “stamp only” ESA. Other workers report to disabled reps that they have been refused assessment by AtW as they do not get PIP. In one case an autistic person with learning disability reported that they now cannot afford to get to work as their hours are now too few and earnings too low on supported accommodation to access AtW travel support. AtW also does not support social engagement at work and in most cases, unless facility time is granted, does not support trade union duties, it does not cover voluntary work or pro-bono work thus limiting the lives of many disabled people who would wish to engage to some extent in such activities, especially in DDPOs [↑](#footnote-ref-1)
2. [dwp 2018 accessed 15/11/21](https://www.gov.uk/government/publications/touchbase-dwp-news-about-work-working-age-benefits-and-services/april-2018-touchbase-edition-126) [↑](#footnote-ref-2)
3. According to the TUC in Nov 2021, the In 2020/21, median hourly pay for disabled employees was £1.90 lower than it was for non-disabled employees. This means that non-disabled employees earn 16.5 per cent more than disabled colleagues. [↑](#footnote-ref-3)
4. There is a growing body of evidence that the narrowing of the disability employment gap is more connected to a greater number of disabled people declaring disability rather than actual increase in employment [Briefing-Note-disability-measurement-.pdf (disabilityatwork.co.uk)](https://www.disabilityatwork.co.uk/wp-content/uploads/2020/08/Briefing-Note-disability-measurement-.pdf) [↑](#footnote-ref-4)
5. Although the raw number of disabled people in some form of employment had grown, The House of Commons Briefing paper 7540 24/05/21 shows that the percentage of disabled people in employment was down from 54.1% in Dec 2019 to 52.3% in Dec 2020 and the disability employment gap had increased from 28.1% to 28.8%. The absolute number of disabled people in employment rose between 2013-2020 but so did the number of disabled people of working age and there has been a “revolving door” effect which has increased during the period of covid. [↑](#footnote-ref-5)
6. A report by the CAB, published on 06/08/20, reported that while one in six of all workers were at risk of redundancy, more than one in three disabled workers who reported their disability had a significant impact on daily life faced redundancy and that employers, including of course Disability Confident Scheme employers, were relating redundancy risk to need to shield. The greater proportion of redundancies has been connected to the disproportionate location of disabled people within the retail sector. Most further education schemes for people with learning disabilities connect them to work within retail and the lower skilled roles in the service sector. The CAB report also showed that women were disproportionately at risk of redundancy by discriminatory employers and that this was related to childcare when schools were closed. This cocktail of discrimination by individual employers **and** the structural location of disabled people within sectors of economy most hit but Covid and also with employment threatened by technology which is reconstructing the retail industry in the longer term, has been especially toxic for disabled women and people with learning disabilities. Covid has had a significant impact on the rise in the disability employment gap with the rise occurring largely between Oct and Dec 2020. [↑](#footnote-ref-6)