

Work Programme: Equality Impact Assessment

Employment Group

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Work Programme: equality impact assessment

Introduction

1. The Department for Work and Pensions has conducted the following equality impact assessment for the Work Programme, assessing the policy in line with the current public sector equality duties.
2. This process will help to ensure that the Department has paid due regard to the need to:
 - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
 - advance equality of opportunity between people from different groups; and
 - foster good relations between people from different groups.
3. The equality impact assessment will show how the Department has demonstrated it has paid due regard when developing new services or processes on the grounds of the protected characteristics. These are; race, disability, gender, age, gender reassignment, sexual orientation, pregnancy and maternity, religion or belief and marriage and civil partnerships (in terms of eliminating unlawful discrimination only).

Outline of the Work Programme

4. The Work Programme will be at the centre of the Government's plans to reform welfare to work. The Work Programme provides more personalised back to work support for claimants with the aim of helping them into sustained work. The Programme will operate alongside flexible back-to-work support delivered to out-of-work benefit recipients by Jobcentre Plus.
5. The Work Programme will provide back to work support for a range of claimants, from long term jobseekers to those ESA and JSA claimants who may previously have been on incapacity benefits for a long time. It replaces much of the employment provision currently offered by DWP, including the Flexible New Deal (FND) and Pathways to Work. The Government intends to introduce the Work Programme by summer 2011.
6. All Jobseeker's Allowance (JSA) claimants will be eligible for referral to the Programme by the time they reach the 12 month point in their claim, with some claimants being eligible for earlier entry.
7. Off-flows from JSA remain high - almost 60% of claimants leave within three months and almost 80% leave within six months of making their claim. We expect earlier entry to be targeted at young people and those with more significant barriers to employment.
8. JSA claimant groups who will receive support under the Work Programme are as follows:

Claimant Group	Time of Referral	Basis for referral
JSA claimants aged 25+	From 12 months	Mandatory
JSA claimants aged 18-24	From 9 months	Mandatory
JSA claimants who have recently moved from Incapacity Benefit	From 3 months	Mandatory
JSA claimants facing significant disadvantage (e.g. young people with significant barriers, NEETs, ex offenders)	From 3 months	Mandatory or voluntary depending on circumstance

9. Those most in need of support, for example ex-offenders or those young people who are struggling to make the transition between education and work, will be offered early access to the Work Programme to ensure they receive it within a timescale that is most appropriate to them.
10. JSA participants in the Work Programme, including those who choose to access the programme, must undertake the activities specified by their adviser whilst on the programme.
11. The disadvantaged group will consist of JSA claimants who face significant barriers to work and are subsequently distanced from the labour market. These claimants will have access to the Work Programme once they have been on benefit for three months. Claimants who are long-term NEET aged 18, or repeat JSA claimants (22 out of 24 months on benefit) will be mandated into the Work Programme at this point.
12. The following claimants included in the disadvantaged group will have voluntary early access, with the agreement of their Jobcentre Plus adviser. Once they have chosen to start on the programme, they will be required to continue to participate.
 - An ex-offender
 - A disabled person
 - A person with mild to moderate mental health issues
 - A care-leaver
 - A carer on JSA
 - An ex-carer
 - A homeless person
 - A former member of HM Armed Forces personnel
 - A partner of current or former HM Armed Forces personnel
 - A person with either current or previous substance dependency problems that present a significant barrier to employment
13. ESA claimants will have the option of accessing the Work Programme on a voluntary basis once they have completed the Work Capability Assessment. Once in the programme, claimants will have to comply with Work Focussed Interviews and Work Related Activity as required by the provider, subject to the exemptions from conditionality for lone parents, full time carers and members of the Support Group.
14. ESA claimants who have access to the Work Programme on a voluntary basis, will, from autumn 2011, be referred to a Work Programme provider to participate in a short Information Session. At these sessions, the provider will promote the Work Programme and provide information on what it can do to support the claimant in their return to work. The claimant will then, at a subsequent follow-up interview with Jobcentre Plus, be able

to make an informed decision as to whether to join the Work Programme or opt for the Jobcentre Plus offer. Whilst it is envisaged that most claimants will take part in an Information Session voluntarily, the Jobcentre Plus Personal Adviser will be able to mandate attendance for those claimants who are not considered to be actively addressing their barriers to work or who refuse to do so with the possibility of a benefit sanction being applied if they do not comply.

15. Additionally, new and ex-IB income-related ESA claimants in the Work Related Activity Group will be required to access the Work Programme if, at their initial or repeat WCA, they are given a prognosis of 3 or 6 months for when they are expected to be fit for work. From October 2011, those given a prognosis of up to 6 months will be considered for immediate referral to the WP. This is to ensure that those who are approaching fitness for work start taking more proactive steps to prepare for a return to work.
16. Some Income Support and Incapacity Benefit claimants in England who otherwise would not be able to benefit from the Work Programme will be allowed to participate on a voluntary basis. The funding for this will be provided by the European Social Fund (ESF) – up to 25% of the funding in England will be made available to cover this. This funding does not cover Wales and Scotland; the department will continue to work with the devolved administrations to improve access to the Work Programme for disadvantaged groups.

Consultation and involvement

17. In order to gather stakeholder views on the proposed changes being introduced as part of the Work Programme, the Department for Work and Pensions held a number of face to face meetings with stakeholder groups, and provided the opportunity for people to comment on the proposals online.
18. Officials from the Department for Work and Pensions met with representatives from around 60 organisations face to face, drawn from claimant representative groups; providers; think tanks and lobby groups. An online forum was launched on 11 September 2010, and was available for comment until 20 October 2010 - around 300 comments on the Work Programme proposals were received.
19. In their responses, stakeholders expressed a range of opinions in relation to the Work Programme proposals. These included:
 - Broad support for fast-tracking vulnerable groups onto the Work Programme, and avoiding payment for people who would have found work anyway;
 - Concern from providers regarding management of volumes of Work Programme claimants;
 - Concern from claimant representative groups regarding ensuring the equality impact of the planned flexible approach to delivery, and how this will be monitored; and
 - Concerns from the voluntary sector regarding monitoring of sub-contracting arrangements.
20. These issues have informed the development of the Work Programme policy. A brief online summary of issues raised in the consultation and a brief response to each substantive point was published in November 2010.

Equality Impact of the Work Programme

Disability

21. A higher proportion of longer term Jobseeker's Allowance claimants are disabled compared with new Jobseeker's Allowance claimants - 17% of new claimants in 2008/09 were disabled compared with 21% of Jobseeker's Allowance claimants reaching 6 months unemployment and 26% of Jobseeker's Allowance claimants reaching 12 months on Jobseeker's Allowance.

Table 1: JSA durations by disability¹

	Disabled	Not Disabled
New JSA claimants	18%	82%
6 month plus JSA claimants	23%	77%
12 month plus JSA claimants	27%	73%

22. Following the planned reassessment of Incapacity Benefit claimants between 2011 and 2013, we expect more claimants with health conditions and disabilities to move onto Jobseeker's Allowance over the next three years. This will have a consequent impact on the proportion of claimants on JSA with a disability.
23. Claimants on Jobseekers Allowance will be referred to the Work Programme regardless of disability. The Department expects the Programme will assist disabled Jobseeker's Allowance claimants to find sustained employment, thereby promoting greater equality of labour market outcomes.
24. Claimants who move onto JSA following their IB/SDA reassessment will have early entry to the Work Programme – they will enter at three months compared with 12 or 9 months for most JSA claimants. Disabled claimants are one of a number of groups that are recognised to have significant barriers to employment; at the discretion of their personal adviser these claimants are eligible to volunteer for early entry to the Programme.
25. The table below shows the distribution of incapacity benefits claimants by medical condition, with mental health and behavioural conditions being the most common.

¹ Source: National Benefits Database. Cohort of new JSA claims in 2008/09. The statistics in the table below are calculated by linking individual level data from the National Benefits database and the LMS Client Evaluation database, and is based on 3.1 million new JSA claims of which 520,000 have declared a disability during a Jobcentre Plus interview.

Table 2: Working-age incapacity benefits (ESA, IB, SDA) claimants by medical condition²

Medical Condition	Share of the incapacity benefits caseload
Mental and Behavioural Disorders	43%
Diseases of the Nervous System	6%
Diseases of the Circulatory or Respiratory System	7%
Diseases of the Musculoskeletal system and Connective Tissue	17%
Injury, Poisoning and certain other consequences of external causes	6%
Other	22%
Total	100%

26. The support delivered through the Work Programme will be flexible and personalised, addressing individuals' needs. The Work Programme will assist disabled JSA and ESA claimants to find sustained employment, thereby promoting equality of outcomes. Work Programme providers will be bound through the terms of their contract to not unlawfully discriminate on grounds of disability, and must comply with the Equality Act 2010.

Gender

27. Males are more likely to claim Jobseeker's Allowance and to reach longer unemployment durations than females. Around 71% of new Jobseeker's Allowance claimants in 2008/09 were male and 79% of Jobseeker's Allowance claimants reaching 12 months on Jobseeker's Allowance were male. A breakdown is shown in Table 2 below

Table 3: Jobseeker's Allowance durations by gender³

	Male	Female
New JSA claimants	71%	29%
6 month plus JSA claimants	76%	24%
12 month plus JSA claimants	79%	21%

28. Males account for around 58 per cent of the incapacity benefits (ESA, IB, SDA) caseload. Therefore it is likely that the Work Programme will provide support to more men than women with health conditions and disabilities.

² Source: Department of Work and Pensions Longitudinal Study February 2010

³ Source: National Benefits Database. Cohort of new JSA claims in 2008/09.

Table 4: Working-age incapacity benefits claimants by gender⁴

Benefit	Number		Proportion	
	Male	Female	Male	Female
Incapacity Benefit	1,138,000	803,000	59%	41%
SDA	98,000	98,000	50%	50%
ESA	277,000	202,000	58%	42%
Total	1,513,000	1,102,000	58%	42%

29. It is therefore likely that more men than women on JSA will participate on the Work Programme relative to the number of Jobseeker's Allowance new claims, as they are more likely to experience long-term unemployment.
30. Claimants will be referred to the Work Programme regardless of their gender, and we expect the Programme to benefit claimants of both genders in finding employment. The Department will monitor on an ongoing basis the characteristics, including gender, of claimants referred to the Programme compared to the overall population of Jobseeker's Allowance claimants. Work Programme providers will be bound through the terms of their contract to not unlawfully discriminate on grounds of gender, and must comply with the Equality Act 2010.

Age

31. The largest proportion of jobseekers who reach the end of one year on Jobseeker's Allowance without having moved into work are those aged 25 to 49. People aged 18 to 24 represent 39% of Jobseeker's Allowance claimant but only 15% of those whose claims reach one year of unemployment, although the claims of young people are limited to a maximum of 10 months in New Deal for Young People areas because they are required to participate in full-time activity. Claimants aged 50 years and over are significantly more likely to remain on Jobseeker's Allowance for a long period. Jobseekers aged 25 and over are significantly more likely to have claims lasting more than one year than jobseekers aged 18 to 24, and are therefore more likely to benefit from improved employment prospects as a result of this measure.

Table 5: Claim length by age⁵

	18-24	25-49	50+
New JSA claimants	37%	49%	13%
6 month plus JSA claimants	32%	53%	14%

32. All Jobseeker's Allowance claimants will be able to access the Work Programme regardless of age. Apart for those claimants who are eligible for early entry due to greater disadvantage, all claimants over the age of 25 will enter from 12 months into their claim.

⁴ Source: Department for Work and Pensions Longitudinal Study February 2010. Totals may not sum due to rounding.

⁵ Source: National Benefits Database. Cohort of new JSA claims in 2008/09. This doesn't include the small number of 16-17 year-olds that claim JSA on hardship grounds.

33. Young people will generally enter the Work Programme from nine months of their claim. This early access happens because:
- The proportion of unemployed young people is greater than for any other group. At any one time 18 to 24 year olds make up around 30% of Jobseeker's Allowance claims, and 30% of working age ILO unemployment, compared to just 14% of the economically active working age population.
 - A lack of work experience and skills are a particular barrier for young people. A 2009 survey of employers found that the main barriers to recruiting young people (aged 16 to 24) were lack of experience (72%) and the availability of more suitable candidates (65%)⁶. Early entry into employment support is necessary to prevent young JSA claimants from becoming long-term NEET and to encourage the development of good work habits early in their career.
34. Young people with additional disadvantages (for example, NEET status or disability) will also be referred even earlier to the Work Programme at three months.
35. Employment and Support Allowance is a working-age benefit and can be claimed from age 16 to the day before a claimant reaches pension age. The help and support provided by Employment and Support Allowance is available regardless of age.

Table 6: Working-age incapacity benefits claimants by age⁷

Age	IBSDA	ESA
16-17	0%	1%
18-24	4%	14%
25-34	12%	18%
35-44	22%	24%
45-49	15%	13%
50-54	16%	12%
55-59	19%	12%
60-64	12%	5%

36. Nearly half of claimants claiming incapacity benefits are over the age of 50 years and nearly half of ESA claimants are over the age of 45 years. This is because older people are more likely to have a disability or health condition. It may also reflect labour market factors such as decline of traditional manufacturing industry having a disproportionate impact on particular age groups. However, this does not mean that they do not want or are unable to work.
37. The Government is committed to promoting employment prospects for older people, indeed for people of all ages, with and without health conditions. All claimants will be able to access the Work Programme after their WCA, regardless of age. There is a potential risk that providers might focus less on older claimants because they see their

⁷ Source Department of Work and Pensions Longitudinal Study February 2010

employment prospects as weaker. We will mitigate this by ensuring that the minimum service the provider will deliver for all claimants is part of their contract.

Ethnicity

38. The table below shows that Jobseeker's Allowance claimants from ethnic minorities are more likely to claim Jobseeker's Allowance for a longer duration than white people. The Repeat Jobseeker's Allowance Spells report also found that ethnic minorities were more likely than average to have spent long periods on Jobseeker's Allowance and New Deal programmes. Introducing the Work Programme is expected to benefit long term Jobseeker's Allowance claimants by helping them find and sustain employment.

Table 7: JSA durations by ethnic background⁸

	White	Ethnic Minority
New JSA claimants	87%	13%
6 month plus JSA claimants	85%	15%
12 month plus JSA claimants	84%	16%

39. The Department expects a positive impact on Jobseeker's Allowance claimants from ethnic minorities as relatively more Jobseeker's Allowance claimants from ethnic minorities reach longer durations of unemployment. No negative impacts are expected on Work Programme participants as the Work Programme will deliver personalised support, tailored to the individual needs of claimants. The Department will monitor the characteristics, including ethnicity, of claimants referred to the Work Programme on an ongoing basis, and Work Programme providers will be bound through the terms of their contract to not unlawfully discriminate on grounds of ethnicity.
40. There is a lower proportion of ethnic minorities on incapacity benefits (6 per cent) relative to the working age ethnic minority population as a whole (12 per cent). Therefore the Work Programme may affect a disproportionate number of white ESA/IB/SDA claimants but that is because a higher proportion is claiming these benefits compared with the working age population.

Table 8: Proportion of incapacity benefits claimants by ethnicity⁹

Ethnicity	Incapacity benefits	Working Age Population
White	93%	89%
Ethnic minority	7%	11%

41. Eligibility to the Work Programme and to work-related activity will apply equally to everyone who claims ESA irrespective of ethnicity. There will be no direct impact on claimants in terms of their ethnicity, though the Department will take steps to be sensitive to the needs of claimants of different ethnicity.

⁸ Carpenter, H. (2006) Repeat Jobseeker's Allowance spells DWP Research Report No 394

⁹ Source: Based on the Family Resources Survey 2006/07, 2007/08, 2008/09

Sexual Orientation

42. The Department does not currently collect data on the sexual orientation of claimants. All participants on the Work Programme, though, will be treated fairly and equally regardless of their sexual orientation. The more personalised and flexible support on offer, however, will enable us to take each individual's personal circumstances into consideration.
43. Work Programme providers are bound through the terms of their contract to not unlawfully discriminate on the basis of sexual orientation.

Gender Reassignment

44. The Department does not currently collect data on claimants who have undergone gender reassignment. All participants on the Work Programme, though, will be treated fairly and equally regardless of their gender. The more personalised and flexible support on offer, however, will enable us to take each individual's personal circumstances into consideration.
45. Work Programme providers are bound through the terms of their contract to not unlawfully discriminate on the grounds of gender. No negative impacts are expected for those who have undergone gender reassignment.

Religion or Belief

46. No data is available on the religion or faith of claimants who will be impacted by the Work Programme; nevertheless, it is not anticipated that the religion or belief of claimants will affect their eligibility or take-up as both advisers and mentors will offer support tailored to individual circumstances. All claimants in the Work Programme will be treated fairly irrespective of their religion or beliefs. They will not be asked to undertake any activity which goes against their beliefs, and allowances will be made to reflect religious holidays and practices.

Pregnancy or Maternity

47. No data is available to assess if the Work Programme will have an equality impact relating to pregnancy and maternity. However, it is not anticipated that pregnancy and maternity will affect claimants' eligibility or take-up because advisers and mentors will offer support tailored to the individual.

Marriage and civil partnerships

48. The Work Programme will have an impact on some claimants who are living and claiming as a couple in that whilst a JSA joint claim partner will be referred according to their own claimant group, should their partner enter the Work Programme they will also be required to enter at the same time, which may be earlier than their claimant group would normally dictate. There is no impact otherwise on married claimants or to those in a civil partnership.

Monitoring and evaluation

49. The Department will commission a comprehensive, independent evaluation of the Work Programme. This evaluation will gather evidence on:

- **Delivery** – exploring the claimant experience and how providers deliver the Work Programme to learn lessons for future policymaking;
- **Performance** – establishing the outcomes and destinations of claimants, how fast they leave benefit and how long they stay in work; and
- **Impact & value for money** – assessing the impact of the programme on job entry, retention and benefit off-flows.

50. In addition to measuring the outcome rates and other impacts of the Work Programme for claimants in each of the JSA and ESA claimant groups, the evaluation will provide an assessment of programme performance and effects by claimant sub-group. This analysis will support the Equality Impact Assessment and will contribute to measuring the Work Programme's contribution to combating child poverty and improving the labour market position of disadvantaged groups.

51. Claimant characteristics to be captured and analysed include:

- gender;
- age – specifically young people (including those not in employment, education or training – NEETs) and older workers;
- sexual orientation;
- religious belief;
- ethnicity;
- marital (including 'living together') status;
- housing status;
- disability or ill-health (including those with mental health conditions);
- parental status;
- caring responsibilities;
- ex-offenders;
- former members of the UK Armed Forces; and
- those with little or no skills/qualifications.

52. The evaluation will be supplemented with DWP Management Information (MI) to monitor programme performance through a limited number of key measures (e.g. starts, job outcomes and sustained job outcomes). This will be available on a monthly basis and will be used to account for public spend and inform performance improvement. Claimant characteristics captured through DWP MI systems include:

- gender;
- age;
- ethnicity;
- marital status;
- disability or ill-health status (where declared);
- parental status; and
- ex-offenders.

53. Where data is available, the diversity breakdown of Work Programme claimants will be monitored to ensure any unintended effects are identified and addressed.

54. The management information collected will be used to account for public spend, enable performance improvement and inform evaluation.

Next steps

55. The Department will monitor the impacts of the Employment, Skills and Enterprise Schemes and revise the equality impact assessment as necessary.

Contact details

56. Mark Powell at the Department for Work and Pensions (Tel: 0114 2408866; email: mark.powell@dpw.gsi.gov.uk) can answer any queries regarding this impact assessment.