Disability Rights UK submission to the Taylor Review of Employment Practices in the Modern Economy

May 2017

Introduction

Disability Rights UK (DR UK) is a national charity led by disabled people seeking change. Our focus is on the full participation of disabled people in UK society – that is people living with any long-term physical or mental health condition or impairment, about 12 million people in the UK.

Our policy and development manager Philip Connolly also provides the secretariat on behalf of DR UK to the All Party Parliamentary Group on Disability and supported MPs and peers to examine many of the issues connected to the Taylor inquiry - in respect of groups disadvantaged in the labour market such as disabled people - during an inquiry into the Government's 2015 manifesto commitment to halve the disability employment gap. The subsequent report launched on December 7th 2016 included a chapter on HR policies and practices. The report was endorsed by fifteen MPs and seven peers from across seven political parties. The report can be viewed at (ref1)

This submission focuses on two of the stated areas of interest of the Taylor Review, firstly how we can harness modern business practices to resolve the under representation of disabled people in the labour market and secondly the contribution to this of new and more diverse business models.

Detachment of disabled people from the labour market

Employers may be more likely to encounter a disabled person through an existing employee becoming disabled than in an interview situation when recruiting new staff. If they were to be supported to retain the individual that would have the effect of 1) giving them experience of making workplace adjustments to accommodate the member of staff, 2) providing confidence to existing members of staff of their commitment to the workforce and thus boost staff morale and possibly productivity and 3) reduce the movement on to benefits of newly disabled people. In addition, good employment practice for people living with a health condition or impairment often supports good employment practice for all: for instance, implementing flexible working practices for someone unable to travel in the rush hour due to an impairment, or different forms of management feedback for someone with a learning impairment, are

examples of flexing management styles to support the differences between employees much more broadly. The cultures that disabled people want are those where you can feel free to be yourself, without fear that your impairment will count against you in promotions or respect at work.

The significance of employment retention as a policy lever cannot be overstated; studies suggest that it is potentially more important than back to work programmes as they are currently operating. Estimates vary of the numbers of people relinquishing their employment status following the onset of a disability or long-term health condition. One study (ref 2) estimated that every year about three percent of the working age population become impaired and within a year one in six of these people will lose their jobs – about 35,000 people. The National Institute Health and Clinical Excellence and the Chartered Institute of Personal Development (ref 3) collectively suggest that around one in a hundred are off work at any one time through long term sickness and around a sixth of these people have an impairment – around 48,000 people. In all likelihood this group of people will go on to claim out of work benefits.

Recommendation 1

'Good work' should be understood to include flexibilities that benefit disabled people and many other employees; and cultures that mean people can be themselves at work, bringing benefits to morale and productivity.

The employment retention framework proposed by researchers at the University of Nottingham (Fox E and Stafford B, 2007) takes an assessment of capabilities as a starting point (ref 4) and employers could be supported by the Government funding this assessment.

We further urge support for employees to have a right to employment retention of twelve months from the point of their diagnosis; a recommendation from the Resolution Foundation's report "Retention Deficit" of 2016 (ref 5).

Attachment of disabled people to the labour market

The DWP data available via their online tabulation tool calculator clearly argues that the currently available employment support via welfare to work programmes is ineffective. Disability Rights UK attribute the reasons for this systemic failure stemming in part from disabled people

having insufficient agency themselves over what the support looks like, too little emphasis on mitigating their isolation from the information and social networks that offer a connection to the labour market and the over emphasis on the disabled unemployed people being only individuals with individual problems rather than members of a community with the resources that that can bring.

Disabled people are more likely to be self-employed, but find that rules in different parts of Government obstruct successful self-employment: for instance, if you have a period out of work for health-related reasons, thereby interrupting your business output, your business may be judged non-viable; this can mean Access to Work support ceases, it affects tax rules and the business may go into liquidation. This is in no one's interests. The principle should be that people can work when well.

Disability Rights UK have identified the following characteristics of effective support generally not provided at present:

- Insufficient use of levers to influence the demand side: we have argued that large employers should work with Government to set expectations for FTSE 250 companies (initially) in terms of reporting on the proportion of disabled people employed at junior and senior levels and taking action to address any disparities. This would build on learning from the Davies Review which has prompted positive changes in the number of women on Boards
- Support systems for individuals that also advise and support the employer – since it is the employer's behaviour that needs to change, not just that of the individual
- An assessment of the job-seeker's need that is strengths based and thus supports people capitalising on their attributes and qualities to gain work and identifies support needed to obtain work
- Minimum standards for accessibility
- Peer to peer support
- Allowing and enabling jobseekers to share information on the barriers they face to the labour market
- Permitting the use of personal budgets in employment support
- Supporting disabled jobseekers to get on line and become IT literate
- Facilitating disabled jobseekers to become members of exchange systems that allow them to trade time, skills, assets etc with other people and thus break down their social isolation, nurture the sense of self-worth and give them access to the resources of

offered by other people including information on the availability of jobs
- Much more consistent state rules and supports for self-employed people.

Recommendation 2

Government to work with large business to lead an initiative to expect large employers to report on their employment of disabled people and to take action to address any inequalities.

All disabled jobseekers should receive the support that enables them to get on line and acquire the digital skills to interact with one another in community. Peer support and support for the employer need investment.

Once the appropriate and effective peer to peer support has been identified and successfully piloted it should be available to all disabled job seekers.

It is possible or probable that when the Government responds to its green paper consultations on the DWP "Improving Lives" or the BEIS "Industrial Strategy" they will respond to some of these points with specific measures. Consequently the remainder of this paper will deal with those issues less likely to be addressed.

Platform thinking allied to a social mission

One inhibiting factor is the lack of innovation in online platforms specifically with reference to disabled users or by known disabled coders in the interest of the general population. Some innovators such as Martyn Sibley of Disability Horizons (ref 6) point the way forward with Disability Horizons and his accessible version of Air BnB, however our sector is likely to benefit from an accessible version of Silicon Valley capable of generating its own spin offs too.

Exchange systems

An example of what exchange systems could potentially offer is an asset exchange whereby disabled people were given automatic registration to an asset inventory so that they could obtain access to under-utilised accessible equipment, buildings or expertise for the purposes of learning skills or entrepreneurial activity. The inventory could be established through mapping and disabled people and their representative organisations could be funded to conduct and complete the mapping

work. A potentially vital dividend from such an asset exchange would be in helping disabled people with bridging social capital - connecting them to resources outside of their own community.

Ecology of business models

The Taylor Review terms of reference refers to a "diverse ecology of business models" and it is an expression we also found ourselves using in our policy response to the industrial strategy. We used the expression because "whole system thinking" permits many problems to be solved at the same time but the compartmentalisation of skills and responsibilities leads to a reductionist approach and the loss of this opportunity.

It is possible to link the aspiration of increasing the capacity of businesses to the work aspirations of unemployed disabled people. The following example is intended to illustrate possibilities in business models but the key point is that innovation is required at a systems level. Seeing businesses as existing within an eco-system of inputs and outputs may offer the opportunity to address more than one problem. Many SMEs struggle to respond to new business because they are already engaged on delivering contracted work when an enquiry comes in. However, if a social firm (where disabled people make up a majority of employees but perform equal work for equal pay as their non-disabled co-workers) operated a call centre and could offer an outsourced sales and marketing function to the SME then a standardised response could be sent to maintain a potential customer's interest until their enquiry could be responded to. In such a way the SME grows its business turnover whilst the disabled person obtains appropriate work to apply for.

Supporting disability entrepreneurial activity

Many disabled people work already in portfolio jobs or the gig economy but could be helped to collaborate with others to obtain skills they don't sufficiently have (e.g. sales, marketing, finance etc) and to be able to collectively obtain a fair/er price for their work. One example of how this is currently being done through an on line platform is provided by "Enspiral" in New Zealand (ref 8).

Enspiral is a network of professionals and companies that work in an online cooperative using open source software to create tools valuable to others. These tools include Loomio for strategic decision making and co-budget for financial control. The Enspiral Foundation also operates as a charity and all members can vote on what its proceeds and expertise

is devoted to. Enspiral use Github an online repository system developed in 2009 and which now has a reported 20 million users.

Recommendation 3

We would not expect such platforms as Enspiral to be funded by Government and the people behind it would not wish for this either but nonetheless the Government benefits in terms of a resilient society from plurality in the ownership of resources or the ability to generate resources. We therefore seek a long term plan from Government on how disabled people and their representative organisation can be independently equipped not simply with information and not simply tools but the ability to generate those tools too.

References

1) https://www.cass.city.ac.uk/__data/assets/pdf_file/0010/339607/All-Party-Parliamentary-Group-on-Disability-Ahead-of-the-Arc-Report.pdf?bustCache=78565688
2) Meager N, Bates P, Dench S, Honey S, and Williams M, 1998. Employment of Disabled people: Assessing the Extent of Participation. RR69 Department for Education and Employment
3) NICE (National Institute for Health and Clinical Excellence) Guidance on the management of long term sickness absence and incapacity for work. (2009)
   Costing Report. (2009)
4) Stafford B and Fox E, University of Nottingham
   200http://eprints.nottingham.ac.uk/731/1/ERL_Final_Report_to_the_RNIB_2007.pdf7
5) http://www.resolutionfoundation.org/publications/retention-deficit/
6) http://disabilityhorizons.com/category/travel/
7) https://enspiral.com/

Contact

Disability Rights UK, Can Mezzanine, 49-51 East Road, London, N1 6AH

Email: