

A Manifesto for Inclusive Change: General Election 2019

We are in a politically complex and critical time for protecting and enhancing the future of human and disability rights. This comes amid the context of an ever-maturing technological and digital transformation. The skills, infrastructure, and policies needed to ensure these challenges are approached fairly must be considered in a way that ensures disabled people are **not left behind**.

We are in a period of immense change. Brexit, skills gaps and shortages in many key sectors, developing built environment and multi-sector infrastructures, climate change and the environment, social care, technology and innovation. Not only does every single disabled person have a contribution to make to the way society responds to these changes, it is a **legal and human right** that they have the opportunity to do so.

The businesses we work with believe in this contribution disabled people make. They also believe Government has the power to either further enable or inhibit businesses to push the disability inclusion agenda in the UK forward. **Our manifesto states the actions we want to see the next Government take to ensure the role businesses play in disabled people's lives are enhanced, not inhibited.** These are:

1. Targeted opportunities, including paid apprenticeships, for people with learning disabilities
2. Renewed and robust commitment to equality analysis of all policies, including environmental, international, and human rights policies
3. The development of a new cross-Government approach to disability must bring whole-Government consideration to all policy development
4. Rights must not just be protected, they must be enforced
5. Reform of Access to Work, including removing the 'one size fits all' cap
6. All education and learning opportunities must be inclusive and accessible
7. A wholesale shift from mandatory 'one size fits all businesses' government-led initiatives to an outcome focus

1. Targeted opportunities, including paid apprenticeships, for people with learning disabilities

The UK workforce is amid an increasingly automated, data driven, industrial change. Automation continues to be introduced across the labour force and artificial intelligence is now widely 'the norm' for many businesses. Many employers have 'flattened' the structured of their workforce. Due to this, the 'suitable existing vacancies' that redeployment as a reasonable adjustment once promised as a way of retaining workers with disabilities and

recently acquired conditions are becoming an ever-increasing challenge for employers to offer. Brexit, however, potentially brings employers both challenges and opportunities, particularly to the hospitality, care, and construction industries, which are heavily dependent on a migrant EU workforce.

At the same time, Government has set a target of getting an additional 1 million disabled people into work by 2027 to move towards closing the disability employment gap. Government has not, however, paid attention to the multiple and individual employment gaps that individual groups experience substantially differently. There is a widespread, public conversation about mental health; autistic spectrum conditions receive many autism-specific recruitment opportunities; and the Government has recently offered substantial research funding for keeping people with musculoskeletal conditions in work. While we welcome and support these initiatives, **a gaping vacuum of such initiatives exists for people with learning disabilities** – one of the most disadvantaged groups when it comes to accessible recruitment, inclusive communications, public attitudes, job entry and retention and career development.

We want to see the new Government deliver change for this group of people. **We want to see Government-backed paid apprenticeships, targeted at and accessible to people with learning disabilities, and an associated public awareness campaign** that positions **UK society as an informed and supportive one for the inclusion of people with learning disabilities** in our communities and workplaces. Specific schemes and paid apprenticeships targeted at people with learning disabilities have the potential to both nurture a pipeline of disabled people with relevant skills whilst closing the learning disability employment gap **and** resolving some of the workforce pressures created by a post-Brexit economic landscape.

2. Renewed and robust commitment to equality analysis of all policies, including environmental, international, and human rights policies

We want to see greater use of equality impact analysis processes at the most strategic level in Government. This should be a standard procedure when making decisions on every potential policy change and review **at the stage of design**. Effective equality impact analyses would not only consider and ensure the needs of disabled people are met; this process would also check the needs of other protected groups (race, gender, sexual orientation, carers im/migrants, as a few immediate examples) are also being met, and are not indirectly adversely impacted.

We want to see **equality analyses undertaken during Brexit-related processes** - for example, when agreeing medical supply and accessibility-related processes and securing international agreements post-Brexit. We have also seen a lack of initial consideration in some environment-related policies which then require retro-fitting to address: for example, the banning of plastics straws which caused much anxiety for many people with disabilities and conditions who rely on these to drink; inaccessible electric car charging points; noiseless electric vehicles which pose a serious threat to people with visual impairments and the

announcement of a car-free day with no consideration that public transport is not an accessible option for many disabled people.

3. The development of a new cross-Government approach to disability must bring whole-Government consideration to all policy development

The development of this recent cross-Government approach to disability should focus on each policy area communicating with each other more effectively and **‘moving together’ when creating new policies**. This is not currently happening. For example, Government published an Inclusive Transport Strategy which stated that inaccessible transport is having an impact on disabled people getting into work at a similar time to reducing funding for transport-related Access to Work support. A cross-Government approach could also more consistently bring together the various settings in the “Improving Lives” Strategy (health, work, and welfare) to join up with transport.

A cross-Government approach should also address the gaps disabled people experience when policy areas fail to join up. For example, disabled students who receive Disabled Students Allowance (DSA) experience significant difficulty between leaving university and moving into the workplace and moving to Access to Work (ATW) support. The structure and funding of DSA and ATW is substantially different, meaning disabled graduates expect to work with the adjustments identical to those with which they completed their degrees. When they move to the workplace, they find this is not the case. Joining up these policy areas – and, in this example, creating a smooth transition for graduates and school leavers – is crucial to prevent such situations from occurring.

4. Rights must not just be protected, they must be enforced

It is almost a quarter of a century since the Disability Discrimination Act 1995 was enshrined in law. This legislation changed the lives of very many disabled people, and opened more opportunities as employees, customers, and users of services significantly more widely than any other previous piece of UK legislation. Rights within the Equality Act 2010 must not just be protected by the new Government, **they must be enforced**. We have already seen significant sections of the Equality Act 2010 repealed: for example, the right to bring a claim of dual discrimination; the power for tribunals to make wider recommendations to an organisation; and pre-claim discrimination questionnaires. Each of these were sections of the Equality Act that were incredibly important for both disabled people and businesses respectively, but which can no longer be called upon to uphold and advance rights.

A Government which is genuinely committed to disabled people’s rights and inclusion must **ensure greater enforcement powers**, authority, and resources are given to the Equality and Human Rights Commission (EHRC), which itself must be regulated. Most of the businesses we work with are not aware of the role of the EHRC despite, for example, widespread continued use of unlawful pre-employment health questionnaires, which the

EHRC has powers to police. The EHRC must become **an active enforcer of rights and good practice**, in both employment and service provision settings.

5. Reform of Access to Work, including removing the 'one size fits all' cap

For many disabled people, Access to Work (ATW) is the difference between having a job and being economically inactive. Capping Access to Work support at £59,200 per individual is, however, ineffective and **does not provide support to the people who need it most**. Many highly skilled disabled people are missing out on vital support and the opportunity to work, simply because their support is being assessed as being too expensive as it exceeds this cap. At the same time, many others' support costs fall well below the cap, meaning the overall cost is balanced out.

We therefore want to see the next Government remove the cap and instead assess individuals on a case by case basis. The risk of not doing this is that the system discriminates against certain groups of disabled people – people whose conditions require them to have more costly support in place in order to be able to work. The groups we hear are commonly feeling the brunt of this cap are people with learning disabilities who may require a job coach or support, Deaf people who use British Sign Language (BSL) interpretation, and people who use other 'human support' (such as communication support or a support worker).

Access to Work also needs to **become more 'employer-friendly'**. It is an employer's responsibility to ensure they provide adjustments, yet ATW is an employee-led process. Communications between ATW and employers, we continue to be told, remains poor. This often means employers are not kept up to date with changes to the scheme enough for their policies and guidance for employees to be updated and for manager to be accurately supportive. Lengthy time scales for reimbursement are also causing significant cashflow issues for small employers as well as small suppliers.

6. All education and learning opportunities must be inclusive and accessible

There are too often promises of furthering learning and skills development opportunities that do not include the proviso that such opportunities must be **inclusively designed and accessible**. This includes accessible e-systems, classroom learning delivery, learning resources, built learning environments (such as resources centres as well as eating and social areas), and application systems and virtual learning platforms.

Ensuring everyone can access learning opportunities helps open access to a wider range of employment opportunities. We want to see the Government ensure **learning and education are regulated for disability inclusion** as well as wider learning standards. Too often, an accessible and inclusive learning or education provision is seen as 'good practice', instead of seeing inaccessible and anti-inclusive approaches as **exclusive and discriminatory**.

For disabled students graduating from university, finding employment brings additional barriers. Careers Services are not always geared up to advise disabled students on their career options and the questions many disabled students have about going into employment as a disabled graduate are often met with **silence**. Failing to acknowledge that we need to invest further in supporting disabled students who are about to move from university education to work means the UK workforce is neglecting a whole group section of **statistically high-achieving and highly skilled** people and preventing them from confidently accessing the workforce. Investment in inclusive learning environments and work-ready graduates is an investment in a future workforce that can meet the ever-advancing challenges of a changing industrial landscape.

7. A wholesale shift from mandatory 'one size fits all businesses' government-led initiatives to an outcome focus

Businesses should be free to deliver inclusive outcomes in the way that best suits their own unique workforce diversity profile and inclusion strategies. While some businesses need and value guidance about 'where to start' on disability inclusion, others are already operating **way beyond** Government's disability inclusion frameworks. Mandatory disability-related reporting, 'offering an interview' schemes, and other mandatory requests from the Government are not effective means for ensuring inclusion. Our work with a huge cross sector of businesses shows that measurement in itself does not guarantee better outcomes for disabled employees. We know of many businesses who choose **not** to report on pay gaps or workforce data and yet are among the most inclusive workforces with **increasing levels of disabled employee engagement**.

'One size fits all' approaches to being disability inclusive will not work for every business. Government offering options is helpful, but it is unhelpful to make a set, restricted range of frameworks mandatory for a very diverse range of businesses. Inclusion is not a 'tick box' of a single, same framework of practice for every business. Government's role in facilitating public campaigns and hosting the means for public and cross-sector debates is incredibly helpful; implementing mandatory procedures imposed on businesses as a 'one size fits' all approach to disability inclusion is not. We want Government to **regulate and enforce outcomes, not dictate processes**.

Contact

Business Disability Forum
Nutmeg House
60 Gainsford Street
London SE1 2NY

Tel: +44-(0)20-7403-3020

Email: policy@businessdisabilityforum.org.uk

Web: www.businessdisabilityforum.org.uk

Business Disability Forum works with over 300 employers and service providers, meaning we are uniquely equipped do transform the life chances of disabled people. We do this by bringing business leaders, disabled people, and Government together to understand what needs to change to contribute a balanced voice on how we can together advance the participation of disabled people as workers, users of services, and citizens in our society.

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