Green Paper Consultation – GDA members’ response

Confident, Connected, Contributing: About GDA
Glasgow Disability Alliance (GDA) is run by and for disabled people. Established in 2001, we now have over 3500 members in the Greater Glasgow area, all disabled people and people with long term conditions.

Our vision is a world where disabled people can participate on a full and equal basis in all aspects of our lives, communities and society. GDA build disabled people’s confidence, connections and contributions, through fully accessible programmes of learning and events.

GDA brings together disabled people across Glasgow, to link them in to vital information and services, peer support and social connections, learning, events and coaching to help set and achieve goals, identify and tackle barriers, make valuable contributions and fulfill their potential.

For many disabled people, having choice and control - being in the driving seat in your own life - can seem an impossible dream. GDA supports our members to build their confidence, to find out how to access vital support they may need, and to contribute their valuable skills, voices and expertise to GDA’s extensive partnership working, to inform and influence the services we use and decisions that affect us, to help build a more inclusive, accessible and thriving society, in Glasgow, Scotland and beyond.

GDA’s Green Paper responses
GDA has carried out abundant engagement, capacity building and programmes with disabled people over many years around both employability and in capturing and analyzing their experiences –including the impact of employability supports and benefits- on their lives. GDA is responding to the online consultation based on this engagement along with our organisational perspective of providing supports and our collaborative and partnership work on disabled people’s employability. This additional complimentary report presents the findings from two member-led consultation workshops which we delivered using funding agreed by the DWP and DH Work and Health team. The online submission which we are making is based on our extensive engagement with disabled people over many years combined with our collaborative and partnership work on disabled people’s employment. This report focuses exclusively on sharing the views and concerns raised by GDA members themselves during these two particular consultation workshops.

Both workshops were attended by Work and Health Stakeholder Engagement Manager Adrian Martin, who presented the consultation background and process, and engaged in the roundtable discussions throughout each workshop.

The first event was an in-depth session with 30 members of our most active involvement forum, Drivers for Change. This session involved an in-depth briefing on the proposals and
the discussion questions, to which the group contributed detailed feedback on their experiences and key concerns. This group then attended the following, larger-scale event with over 50 GDA members attending, where Drivers for Change members acted as peer facilitators at the round table discussions with other GDA members.

For the purposes of such a large-scale consultation event and to support participants to express their own priorities, the consultation questions across the 4 proposal topics were summarized, as follows, and discussion materials included detailed background on the proposals themselves relating to each of the 4 areas.

This report presents the key contributions made by GDA members during these discussions, drawing from their own life experiences and expertise, as to how the Government’s aim of halving the disability employment gap can best be achieved. Where contributions correspond directly to a question from the consultation, the question number and/or topic has been noted. Additional, related priority contributions are highlighted at the start and woven throughout where they build on specific areas of the consultation and Green Paper.
Headline feedback
from GDA members’ responses to the Green Paper on Work, Health and Disability.

Any Increase in conditionality, increasing the risk of sanctions, will be counter productive to the Green Paper’s stated aim to halve the disability employment gap. GDA, disabled members, Board and staff can all testify to our experience that the disability employment gap is not caused by a lack of motivation, willing or aspiration amongst disabled people. Thousands of GDA members have sought and accessed our specialist employability advice and support (for which we receive funding outwith statutory employability services, purely on a mandate from our members as the demand is so high).

GDA Members felt that sanctions and conditionality are bad for health, bad for employability, bad for society, and increase strain on other services as more people become destitute and pushed into crisis. To support disabled people to challenge barriers, raise employers’ and coworkers’ awareness, fulfill own potential – basic support needs must be met! How can someone who is in crisis, reliant on a foodbank, facing homelessness, losing their vital care and support, be expected to compete for the very small pool of accessible jobs?

If in the Support group and taking up support to seek employment, will you then be moved to the WRAG?

GDA members reported the view that far too little action is proposed to tackle wider structural barriers and discrimination faced. The proposals are particularly lacking in action to address the impact of inaccessible transport, environmental barriers, and inaccessible workplaces. The proposals also make no mention of challenges which arise from reduced social care provision in relation to disabled people wishing to seek work. Whilst members accept that much of the barriers are not within UK Government control e.g. social care, many are e.g. employability support available to disabled people such as Access to Work which mitigates many barriers.

Reducing the disability employment gap requires the government to acknowledge that having social care support needs and being employed are not mutually exclusive.

The UK government has vastly underestimated the scale of negative attitudes, low expectations and more blatant discrimination towards employment of disabled candidates. This is combined with infrastructural barriers such as inaccessible buildings and transport, and the impact of wider policy decisions such as cuts to disabled students’ grant, cuts to social care, capping of Access to Work, care charges, cuts to PIP and ESA levels and the impact this increased poverty and isolation will have on disabled people’s employability.

Job Centre closures negatively impacting on disabled people.
Conspicuous absence of social care from the consultation: underestimating how much of an enabler social care provision is for disabled people to get into work.

Slow ineffective pace of Health and Social Care Integration - disabled people asserted that Health & Social Care services were being delivered separately often costing more due to inefficiency such as duplication. It was felt that the NHS is highly valued but under extreme pressure and questions were raised about the capacity for health services to add further outcomes such as return to work supports. Members actually questioned appropriateness of this if the aim is to restrict access to Fit Notes and time off.

Attitudes – can’t be changed in isolation, we urge the Government to seriously consider their wider, punitive approach, and the impact this has on public attitudes and perceptions of disabled people – not only evident in rise in hate crime and harassment, but also impacting on employers’ biases. This is fueled by the media and a self perpetuating cycle has been established which is a vicious circle of condemnation, hatred, vilification of disabled people.

Poverty. Members dispute claim that work is the best way to lift yourself out of poverty, pointing to high levels of in-work poverty, and the higher levels of poverty faced by disabled people due to a myriad of reasons (see ‘Disability and Poverty Report from New Policy Institute and Joseph Rowntree Foundation).

Dispute claim that work is good for your health – realistically, working conditions for many people today cause a worsening in many health conditions. GDA members also wish to stress that paid work is not the only nor always the most appropriate way for an individual to contribute to society and the economy, and that the Green Paper could do more to reflect and enable valuable volunteering and social roles disabled people can play in our communities.

The cumulative impact of barriers is extremely brutal in disadvantaging disabled people, impacting on mental health, life chances and employment opportunities and success.
Responses to 4 proposal areas

1) Better support for disabled people to find work

Alongside a briefing on the proposals and consultation questions, to open up discussions we asked:

- What are your experiences of work, or looking for work, as a disabled person/person with a long term condition?
- What are the barriers, and what kind of support can best help you to find and keep work?
- What should this support look like, and who should deliver it?

1.1-1.2 Evidence Base

Lived experience for a stronger evidence base

Without a doubt the best experts on the barriers preventing disabled people from getting into work, are disabled people themselves. There is a wealth of evidence from disabled people themselves about what type of support helps – what works, and what doesn’t. These lived expertise should be given far greater consideration, and should inform policy, planning, commissioning other forms of investment, and delivery: an obvious way to do this is through greater engagement of disabled people’s organisations involved in this work. Pro-active seeking out of disabled people’s involvement in this consultation is welcomed, however GDA members expressed suspicion about how much weighting their views would receive, given that previous welfare reforms have been implemented in consistent opposition to evidence shared by disabled people from their lived experience. An example of this cited was the PIP consultation which GDA members responded to in early 2016, reduction to ESA for the WRAG despite evidence of disabled people’s disproportionate poverty and additional costs faced in jobseeking as in all other areas of life.

Impact of conditionality

One particularly crucial lesson that GDA members want to emphasise from their lived experience is that, currently, any potential supportive function of Job Centres and DWP more widely, are hugely undermined by the levels of instability, fear, stress and anxiety, culminating in ongoing impact on mental health: this is due to the threat and implementation of sanctions, and the punitive, intimidating and authoritarian culture this cultivates within these institutions. This in turn hugely undermines disabled people’s confidence, self esteem and sense of autonomy, impacting on their employability.

GDA members spoke in depth about the impact of the current regime of welfare conditionality on their mental health and wellbeing. They revealed that this undermines ability to effectively manage their lives and conditions, let
alone hope to successfully find appropriate, accessible work. Job seeking from a position of state-imposed instability and uncertainty, fear of sanctions and destitution, and having your knowledge of your condition and support needs systematically disbelieved, further disadvantages disabled applicants against non-disabled competitors.

GDA members queried, at length, the contradictory messages being conveyed by DWP and the UK Government i.e. the expectation that disabled people will be confident and capable of persuading an employer to hire them and openly discuss their impairment, condition and support needs with a prospective employer, whilst having endured the restrictive, arbitrary and inhumane assessment process, where assessors and job coaches have been described as ‘seeming to want to get you off benefits at any cost’.

It was felt unanimously in the room that any ESA claimant commitment should not be mandatory and no one in the support group should face sanctions, as this would in no way help to reduce the disability employment gap. It is however very likely to increase the disability poverty gap which in turn contributes to disabled people’s already considerable disadvantage in the labour market.

It was also strongly felt that when sanctions have been made, payments should continue while appeals are processed, to limit destitution and the impact this has on an individuals’ whole life, not to mention employability, as well as the pressure this crisis puts on other services.

1.3 Innovative support
GDA’s support model – as compared to others, was felt by members to be flexible, innovative and responsive to their needs, providing access and breaking down barriers. This was also true of other disabled people led organisations such as Glasgow Centre for Inclusive Living.

Regarding employability supports GDA offer a range of supports which treat people with dignity and respect:

- Accessible Information
- Person centred and person led development of skills, confidence, self esteem through courses, events and one to one coaching to develop personal goals and action plans – the unique thing is that this is delivered using accessible methods and approaches in a community based setting (community of interest)
- Holistic support which takes into account the cumulative barriers which need to be dismantled e.g. social care needs which are not being met, the need for Access to Work supports, the need to educate employers
- Help to access additional job seeking services - these are frequently NOT accessible
- Careers guidance e.g. dealing with career change
- Information on Access to Work
- Information and supports about volunteering including opportunities to volunteer
2.1 Right support from the Job Centre at the right time?

Halt Job Centre Closures
Glasgow is facing the closure of 50% of our job centres – yet we have higher proportions of disabled people, (highest in Scotland) and higher rates of poverty and unemployment. As GDA has already discussed in our response to the proposed closures of Job Centres in Bridgeton, Maryhill and Castlemilk, there needs to be an equality impact assessment on the proposed job centre closures – we feel that disabled people in particular will be hugely disadvantaged and the employment gap for disabled people in Glasgow stands no chance of being reduced, when the additional barrier of having to travel for potentially several hours to and from appointments is prohibitive and includes overcoming additional physical barriers in both transport and the environment.

The Government’s decision not to carry out EQIAs and to consult only on those proposals where claimants will be expected to travel more than an additional 3 miles prompts us to ask whether disabled people’s additional access barriers have been considered at all, and how disabled people’s employment in Glasgow and elsewhere, can be expected to increase when access to the job centres is being made even more difficult. This seems inconsistent and incongruous.

GDA members wish to emphasise to the government the reality of inaccessible transport: it means that disabled people are very regularly forced to wait for multiple buses to go past before one arrives that is accessible i.e. with a vacant wheelchair space, working ramp, and amenable driver – before they can board and travel on. Many disabled people will now be required to take 2 or more buses each way, to reach their nearest job centre. The impact of inaccessible travel on disabled people’s employability is evident, as we are sure to see a rise in the numbers of disabled people being unable to travel to Job Centre appointments on time and potentially facing sanctions for this. Equally in this way inaccessible transport poses a barrier to employment prospects, with consistently punctual travel to interviews and workplaces being nearly impossible to guarantee despite the individual’s best efforts. This is an example of how inaccessible transport prevents many disabled people from entering work, and of how barriers faced daily are not being considered in DWP’s proposals to close 50% of Glasgow’s job centres. For disabled people to have an equal chance at accessing job centre supports, transport barriers must be considered, e.g. through greater flexibility around in-person appearances. Another potential help would be to reconsider restricting access to mobility cars through reductions in PIP eligibilities - this causes further disadvantage.

Improving support available at the Job Centre - Signposting to other supports
An area of the proposals that GDA members welcome and support is the intention to strengthen links between job centres and local community organisations and other services. Members stated that Job centre staff currently lack awareness of local

“We need better communication and understanding of local sources of help; the whole network needs to understand how to signpost people to the correct avenue.”
support services and are rarely able to signpost claimants for further help, advice, support or opportunities. GDA members felt there should be more responsibility on Job Centre staff to refer on to community supports. This should go hand in hand with increased training and more time made available for staff to learn from, network and engage with local community organisations and support services.

Improving Job Centre staff’s ability to support disabled claimants should also involve in-depth disability awareness training **delivered by disabled people and their organisations.** GDA members particularly felt that Job Coaches lacked awareness that each individual’s access and support needs may vary and that individual is the expert in their own condition.

In searching for vacancies some GDA members said they were given a restricted version of JobMatch to search through and had to ask to be given full access – indicating that job coaches may sometimes limit the opportunities made available, through a lack of understanding of disability in general, and of individuals’ impairments, capabilities and needs. This also suggests a lack of understanding that, where disabled people may struggle to do 100% of tasks, Access to Work can mitigate this by providing funding for a Job Aide/Support Worker or equipment to assist.

Job Coaches were also said to be lacking in a wider picture of the other types of support disabled people may require in order to find and secure employment – in particular, the implication that seeking and taking up work may have for an individuals’ Social care needs, as well as any in-depth knowledge of Access to Work.

**- Material support to access employability supports**

It was the firm belief of members that support would be improved and poverty would potentially be reduced if material contributions were made such as clothing grants and bus passes. Disabled people frequently meet additional costs in relation to disability, and supports which acknowledge and address this are both welcome and more successful. Given the myriad of additional barriers disabled people face in being able to get up, washed, dressed, and travel to an interview, these ‘small things made a huge difference’.

The heavy emphasis of job seeking online is not fully accessible to disabled people either, given disproportionately high rates of digital exclusion disabled people face (again, this is even higher in Glasgow). Inaccessible travel and buildings can restrict many disabled people from accessing public IT facilities. A range of methods of support must be offered and used, alongside more investment in accessible digital learning and facilities for disabled claimants. And alternatives to digital methods must also be available.
2.2 Job Coach support
GDA members felt strongly that there is not currently adequate expertise amongst Job Coaches to support or advise on employability for disabled people. Even Job centres and assessment centres are not all accessible. GDA members said that support provided by DEAs is currently very inconsistent, with some having far more knowledge, enhanced by positive attitudes, and willingness to ‘go the extra mile’, compared with others.
There was concern that the new DEAs being proposed will not carry a case load and that existing expertise will be spread even more thinly.
GDA members felt very strongly that thorough, comprehensive in-depth disability awareness training is needed for job coaches, delivered by disabled people with experience of negotiating barriers and securing vital packages from access to work.

"I had to research it all myself and walk them through it. I was left wondering who was advising who! Not everyone would be able to do that themselves."

Job Coaches lack awareness of many of the barriers disabled people face in life and in working or looking for work, and are therefore not equipped to support disabled job seekers to tackle these barriers, in particular: inaccessible transport, lack of social care support, inaccessible workplace environments, discrimination and how to address this; broaching reasonable adjustments with employers, support available to do this (eg access to work funding and the process of applying for this).

3.1 Support to stay in work and progress
Support to stay in work – employers don’t know what’s available – more investment in Occupational health will be crucial, as it is currently very difficult to access. Members felt this contributed to likelihood of being unable to return to work after become ill or disabled, and prevented disabled people from entering new jobs.

"I was told not to come back to a training course after I had a seizure. They didn’t know how to accommodate my epilepsy so I was excluded."

There were numerous examples of disabled people holding entry level jobs, below their level of qualification, for 15-20 years, with no opportunities to train or progress, or being consistently passed over when opportunities did arise.
Barriers to progression include the unavailability or inflexibility of in-work support, as well as primarily the negative attitudes about disabled people’s capabilities. On this point GDA members welcomed the governments’ proposals to address attitudes of employers and the wider public.

“The DWP had no understanding of reasonable adjustments and the need for flexible working hours.”

“They don’t consider what you’ve worked as previously and your academic level. They just assume you’ll settle for anything.”
Improving support to stay in work will require: greater flexibility, clearer information and understanding and enforcement of the Equality Act re reasonable adjustments, especially flexible working and Access to Work. Training and development opportunities must be available too and disabled people in positions at all levels, as role models and visible, would set a great example and create aspirations. And benefits which “level the palying field” and account for extra costs would make it more economically viable for disabled people at lower levels of employment to stay in work.

Flexible sickness absence management
It was felt, too, that there is potential for a fundamental contradiction between the culture changes required to achieve the Government’s aim of increase disabled people’s employment, cultivating healthier workplaces, whilst reducing workplace sickness absence. The latter would imply that a lower tolerance for sickness is required – while one overwhelming change needed from disabled people’s point of view is greater flexibility and acknowledgement of health needs. Many GDA members were able to back up existing evidence that disabled workers are less inclined to take sick leave for common ailments than their non disabled peers such as cold or flues. This is due to fears that their fluctuating condition might flare up at some point and they may need to be off. Thus, they struggle in and worry about spreading infection for fear of triggering draconian absence monitoring procedures which in turn can lead to disciplinary action and the sanction of sick pay being denied. So not only is the playing field not level for disabled people but they feel the need to prove themselves by being more well and having better attendance than non disabled colleagues. Members who had experience of working reported that they were rarely absent from work despite assumptions that disabled people are off frequently.

Other GDA members pointed out, however, that for some disabled people, effective management of their conditions will mean that sometime may need to be spent attending health appointments – many of which will be inflexible or may need to be made a short notice, while many other conditions affect the immune system, meaning that exposure to common viruses can be considerably more debilitating for a disabled employee. It was also felt that fear of higher rates of sickness absence was an assumption and stereotype that contributes to employers discriminating against disabled applicants. For a culture change that will create more inclusive employment practices and workplaces, efforts must be made to achieve wider understanding and acceptance of necessary sickness absences as an accommodation that some – but not all – disabled people may need. So too are more mature and progressive policies required such as working from home to accommodate a specific condition or protect a disabled immune compromised person when others are infectious!

“Work can have a negative impact on your health, e.g. from the pressure not to go off sick due to staff stereotypes about your disability, or managers who are target driven.”
Access to work
It was felt strongly by all participants that Access to Work support must be protected and enhanced if disabled people’s employment rates are to increase. The proposals appear to emphasise investing in Access to Work’s Mental Health Support Service, and this was welcomed, with praise being given for the great success of previous Access to Work funding for counseling which the Government de-funded last year. This was felt to be a good example of where the health service is so over-stretched, funding for mental health provision continually reducing, and waiting lists are so long that counseling support from the NHS is unlikely to be accessed in a timely fashion to enable someone to stay in work, or quickly return to work.

The Access to Work fund for counseling support had proven highly successful for some GDA members in accessing timely mental health support to enable them to continue working. The support worker model was also felt to represent good practice, where an experienced adviser can act as liaison between an employee and employer to support discussions around reasonable adjustments and support needs in the workplace. This was suggested as a model that could be beneficial to people with a whole range of impairment and it was suggested that this be widened out to all conditions and impairments. The idea is that flexibility and open discussions between employer and employee can be supported with AtW’s external expertise and resources, within the context of the equality act and employment law, to achieve sustainable accommodations and adjustments to enable the disabled employee to maintain and excel in their job. This would also more likely result in progression for disabled employees.

For people with physical or sensory impairments requiring other types of access to work support, the process was reported to be very complicated and difficult to navigate. Long delays threaten disabled people’s ability to sustain a new post while waiting for support and financing e.g. for travel, equipment and Personal Assistants. The complexity of the process and uncertainty as to when and if a suitable support package will be agreed present barriers for disabled candidates seeking to confidently convince employers they are the best person for the job, and huge barriers for employers who are required to take a risk or a perceived risk in making a job offer. This is especially the case if the candidate’s success in the role would be contingent on a successful Access to Work application.

It was strongly felt that these barriers could be massively reduced if a provisional Access to Work assessment was available for disabled people while job seeking. This could deliver an in principle agreement which holds until the person secures employment and could be kickstarted immediately on accepting a job offer.

GDA members unanimously agreed that to level the playing field and allow disabled people equal opportunities to gain work experience, Access to Work support should be made available for volunteering, work experience placements and internships. This could be easily linked in with a provisional Access to Work Assessment and would also help people
gain a better understanding of what support is available. This would raise aspirations of disabled people about what they could achieve with the right support made available.

It was also unanimously agreed that Access to Work support packages should be portable and not tied to one workplace or role. There would of course be variation depending on the job but consistency of support across different jobs would help to tackle the fear and uncertainty shared by employers and employees as to whether the necessary support will be allocated in time for a job starting. This portability of AtW support would also help tackle the barriers to progression in work.

**Accessible workplaces**

As emphasised in the headline feedback, GDA members were concerned that the Green Paper proposals have underestimated the scale of the structural barriers preventing many disabled people from accessing employment. Aside from the huge barriers caused by inaccessible transport and reductions in PIP mobility provisions, the reality is that the vast majority of workplaces are not designed with disabled employee’s access in mind. There were numerous examples of buildings and facilities where, even when disabled access has been built in for clients or customers, staff entrances were not accessible – demonstrating that the prospect of hiring a disabled person is rarely considered even in buildings where access has been redesigned. There were examples given of how the management teams were located upstairs where there was no lift indicating that even if disabled people were employed, they were unlikely to be in management. At the very least, the planning assumptions hadn’t allowed for this!

GDA members shared multiple examples of their work and jobs being hugely hindered by unreliable lifts, or other environmental obstacles preventing them from fulfilling their roles. Employers are liable to invest in their own evac-chairs for use in emergencies but many do not have the funds available, and Personal Evacuation Plans are rarely offered to employees, despite accusations that disabled people are more likely than non disabled people to be a fire hazard and spontaneously combust! Poor understanding and lack of investment in physical access in buildings means that many GDA members have been told they are not allowed to access certain parts of buildings they are using because they themselves would represent a health and safety risk. One GDA member lost her job purely because the employer relocated to an inaccessible building. Disabled people’s employment is rarely given the same protection as it should under employment and equalities law and GDA members testified that it is very difficult to prove cases of direct discrimination, so it is very hard to hold employers to this legislation. Reductions in legal aid and tribunals have made this even more difficult.

“At University I told them that half of the building wasn’t accessible – they said ‘It’s OK because that’s the staff entrance’ It didn’t even occur to them that a disabled person could ever get a job there.”
GDA members also felt that more disabled people would be able to access and retain employment if there was more flexibility about working hours. It was suggested that employment practices be reviewed to encourage more part time opportunities, flexible hours, working at home when needed and job share opportunities.

4.1-4.4 Targeted offer for Support Group

Evidence shared by GDA members shows that very often assessments are not placing people in the appropriate ESA group – with some people being put off claiming ESA at all, despite potential entitlement, as they want to work and feel they won’t be given meaningful support to achieve this, if claiming ESA. Meanwhile, some GDA members spoke of being declared ‘Fit for Work’ and awarded zero points, despite impairments which place significant limitations on their daily functioning. GDA members felt the high success rate of appeals speaks to the unreliability of the current assessment regime. It was felt very strongly that a review and transformation of the assessment process is required in order to more reliably correspond with people’s abilities and ambitions.

It is a great concern shared by many GDA members that targeting those in the Support Group would be likely to expose them to the risk of conditionality and sanctions, and all the crises, instability and negative impacts these have on individuals’ lives. Many were concerned that, if taking up employability support offer, they would be moved from the support group to the WRAG, and face a £30 per week loss which for most disabled people would have a huge impact as they are already disadvantaged economically by virtue of being disabled and facing extra costs e.g. transport, equipment, heating, insurance, special diets, etc. This will certainly deter many people from taking up available support, at the risk of their poverty increasing.

There was a grave concern that the ‘Work and Health’ conversation would lead to the imposition of conditionality on those in the support group. GDA members agreed that employability support should be available for those in the support group who do want to find work – but that this should in no way lead to any kind of additional conditionality or risk of sanctions.
It needs to be firmly recognized by the Government, DWP, assessors, decision makers and Job Coaches, that those in the support group are those who face the most significant barriers to securing paid employment in today’s labour market, and that, whatever their aspirations, their entitlement to support for their basic subsistence levels should not be conditional on them choosing to follow an employability plan. This is particularly so, given that much about securing employment lies outwith the power of the disabled person and is contingent on access to all sort of other services and opportunities as well as positive attitudes. The potential for miscommunication and consequent sanctions around an ESA claimant commitment is huge and would certainly deter many people from exposing themselves to this risk by seeking support.

“I had a DEA and because of my mental health issues and addiction the only job she could get me would be sweeping floors in factories or warehouses, and I would be better off going on the sick. “Who’s gonna take an alcoholic self-harmer on? You could kill someone driving a forklift.”
2) Reform Work Capability Assessments, so benefits don’t stop people finding work

Alongside a briefing on the proposals and consultation questions, to open up discussions we asked:

- What are your experiences of the ESA Work Capability Assessments?
- Do these assessments support you to think about your capabilities and goals, and how you would want to fulfil your potential? Explain why/why not.
- Would the proposals below help more people to feel they could look for work?
- What else could be changed about ESA benefits assessments, to help more people feel able to pursue work related goals?

Assessments

GDA members feel strongly that the overall system of Work Capability Assessments needs to be fundamentally revised. As mentioned above, the reliability, accuracy and effectiveness of the current assessment process is in question, due to the high success rate of appeals. Furthermore, many experiences were shared by GDA members of arbitrary and adversarial assessment procedures. Below is a selection of experiences shared by GDA members:

“I felt Judged, humiliated, embarrassed”.  “Threatening me rather than supporting”.  “It does not support you to think of goals and capabilities. Generic and not person-centred towards individual needs and capabilities: box-ticking to get people off benefits. Not looking at people’s welfare”  “Information was recorded wrongly. Their understanding of my complex medical issues was not good: wasn’t able to receive a fair assessment due to her lack of understanding.”  “Demeaning and insulting during the assessment, ticking boxes.”  “Punitive, lack of respect”. “Fear”.  “I felt that I had been violated because of his questions, not supported through it”.  “Many of the assessors don’t care about the people or their situations, they just want to get through the day inputting data and meeting targets. Not interested in helping make things better for claimants, just interested in making cuts”.

“Despite being doubly incontinent, I scored no points – reasons given were that I carried a backpack (which contains nothing but a change of trousers) and that “despite claiming to be in constant pain” I “managed to smile”.”
“You want to feel positive with a “can do” attitude but have to disclose what you can do. Really demoralising.”
“People who are stressed, depressed, in pain and wrung out from assessments are in no position to feel hopeful or aspirational.”

Some participants said that their experiences of assessments were too distressing to detail. Others felt that assessors were trying to catch them out, that they were “guilty until proven otherwise” that the assumptions was that disabled people are liars, cheats and scroungers.

It is clear from the many such comments shared by GDA members from their experience of assessments, that the current system is not conducive to supporting disabled people’s aspirations, confidence, capabilities. Many reported that the process greatly increased their stress and mental health impacts, triggering panic attacks and deterioration in both physical health conditions and mental health, as a result of this stress. This made them feel less likely to be able to secure employment.

It was felt that the assessment itself is “One-size-fits-all”, and that there needs to be greater scope for an individualized, person-led assessment, if the best employability support is to be identified.

Support is often needed at assessments but many GDA members said that their supporter / advocacy worker was completely disregarded, even when the person may have a cognitive or communication impairment, leading to life-changing decisions being made based on potentially incorrect information or misunderstandings.

There was a strong feeling that assessors driven by profit and targets did not have a balanced approach, had no incentive to take time to understand individuals’ circumstances in their assessments, and were therefore bias: it was unanimously agreed that this was unfair and that the system was stacked against disabled people.
Improving the assessment process

GDA members felt that assessments for financial and employability support should be carried out by firstly through self assessment and secondly supported by someone that they know, such as a GP, consultant, physiotherapist, social worker or charity such as GDA. Primarily the transformation that is required within the assessment system is that disabled people’s own expertise in their own conditions needs to be given greater respect and weighting within assessments and that the fundamental starting point was that people should be believed.

There was broad support for the proposal to separate financial and employability support assessments, as the fear of losing benefits and insecurity of potential jobs is a huge barrier to employability confidence. GDA members sought reassurance that this separation would mean that status in Support Group or WRAG would not be affected by uptake of employability supports and that conditionality would not “creep in”

There was unanimous support for exemptions from reassessment for those with life long, limiting conditions – inappropriate reassessments - particularly the current ineffective processes being used- were felt to be a complete waste of resources.

Assessments are felt to be very rigid, with no space for personal assessment of needs including access needs - skills, capabilities, aspirations, or personal information. It was unanimously agreed that, as well as Job Centre staff, assessors themselves need greater Disability awareness training, delivered by disabled people themselves and disabled-led organisations. Assessors were felt to be frequently ignorant of issues faced by disabled people such as cumulative barriers and discrimination as well as having very limited knowledge, if any, of complex, hidden, multiple or fluctuating conditions, including mental ill health.

It was also unanimously agreed that more weight should be given to supporting evidence from the disabled person’s medical professionals, as well as seeking evidence from someone that knows you and how your condition affects you. Many people had gone to great lengths and sometimes great expense gathering supporting letters from multiple health professionals, only to have all this evidence ignored and an award denied. These cases were most often successful at appeal, after a lengthy process during which time applicants were destitute, starving, sometimes hospitalised and accruing debt.

“There needs to be more trust in our assessment of our conditions, needs and skills. We are the experts in our conditions.”

“It takes an army of people to support you, not just physically to write the application but not to sink mentally and physically. People who are stressed, depressed, in pain and wrung out from assessments are in no position to feel hopeful or aspirational.”
Another valuable point was made about realistic work capability assessments – that for many conditions such as fatigue or MS, a person’s aspirations may not match their physical capabilities – leading to a scenario where a person can be pushing them-self beyond safe level. If conditionality is factored into this, the potential negative health impacts could be catastrophic.

3. Help employers to recruit and support more disabled employees

Alongside a briefing on the proposals and consultation questions, to open up discussions we asked:

- What are your experiences, good and bad, of employers’ disability awareness?
- What are your experiences of support, adjustments and understanding around disability issues, in Job interviews, Applications, Starting a new job? Support and adjustments in work?
- What are the issues more employers need to understand, to better support disabled applicants or workers?
- Do these proposals go far enough to tackle negative attitudes and discrimination disabled people face in society?

Discrimination

GDA members were concerned that the Green paper does not directly acknowledge the existence of discrimination. While we welcome the intention to change culture and attitudes towards disabled people’s employment, this cannot be achieved without full scale awareness and recognition of the wide-scale and multifaceted nature of disability discrimination that persists in our society and has indeed greatly worsened in recent years, as evidenced by the increase in disability hate crime and negative media reporting. GDA members were pleased to see the government ask about its role in changing attitudes, and strongly recommend that the UK Government must acknowledge and redress its own contributions to negative portrayals and perceptions of disabled people as ‘lazy benefits scroungers’ and the widespread messaging undermining the awareness of barriers which disabled people have been campaigning on for decades, as well as undermining disabled people’s rights and entitlement to support to level the playing field. GDA members felt this has in fact strengthened discriminatory attitudes faced, alongside reductions in support available making it increasingly and exponentially harder for disabled people to hope to compete in the labour market.

“Before I became a wheelchair user I had a 100% success rate going for jobs. Since I became disabled, I’ve been turned down for every job I’ve gone for. That tells me: discrimination exists.”
Examples: inaccessible workplaces, attitudes, interview process, failures to make reasonable adjustments, near impossibility of proving discrimination 90% of the time.

Support for Employers
GDA members wanted to emphasise how difficult it is for employers to find information and have confidence in the availability of Access to Work support. They stressed how challenging it is for disabled people themselves to find this information and access the supports available, while Job Centre staff lack awareness as well – making it even harder to raise employers’ awareness and confidence in the support available. All GDA members attending our consultation events said they had been turned down for a work or training opportunity because of fear of extra costs. The Access to Work programme can of course address some of these barriers but awareness of the support available through the programme amongst employers is worryingly low.

However, our experience and evidence from members is that it is the negative attitudes of employers to recruiting disabled people that are the most obstinate barrier as they fear that there will additional costs and they do not feel confident about making the necessary adjustments. They also fear that disabled employees will require additional time off and that this will impact upon their colleagues. That these prejudiced attitudes and misperceptions persist suggests that more efforts need to be made to deliver effective disability awareness training to employers and recruiting managers. We would contend that this training is best delivered by disabled people themselves. Additionally, if more disabled people were employed at senior levels, this would shine a spotlight on what can be achieved and provide case study evidence and role models to encourage both disabled people and employers.

Disability Confident
GDA members were highly skeptical that the Disability Confident scheme would go far enough to challenge employers to change practices, inform themselves and make adjustments or adaptations that would enable them to hire more disabled employees. The skepticism is based on a wide perception that the ‘Two Ticks’ scheme has not been monitored effectively enough for it to have made any difference.
GDA members also shared experiences of reaching interview stage for jobs they are more than qualified to do, and facing a whole line of additional questioning about their health, travel and access needs which other candidates are not exposed to. The guidance on appropriate levels of health related questioning during recruitment and interview needs to be strengthened and monitored to reduce discrimination. There should be greater awareness of this ensured when employers are registering their businesses or organisations. Discrimination audits were suggested as a way to incentivize companies to adhere to the legislation and guidance.

In addition, GDA members felt that all employers need to be encouraged and incentivized to access disability awareness training, delivered by disabled people with experience in negotiating workplace barriers and reasonable adjustments.

There were mixed views as to whether financial incentives for employers are the best way to improve the disability employment rate. Some members shared experiences that similar schemes related to apprenticeships had led to inappropriate unsupportive employers hiring young disabled people purely for the extra money, and providing no support and no appropriate work opportunities. This was true of more mature disabled people of working age where internships ended with no job opportunity to apply for as has been suggested at the outset. There was stronger support for a wider scale levy which could be recouped if an employer demonstrates inclusive employment practices, effectively exerting a levy on those employers who fail to accommodate or continue to discriminate.

It was suggested that companies being incentivised to publish figures about how many disabled employees they have and what sorts of supports and adaptations they have put in place would help encourage and share information about possible adjustments and accommodations, and share info about the benefits of having a more diverse workforce, by hiring more disabled people.

As mentioned above, it was felt that provisional access to work assessments at the job seeking stage would give employers and candidates greater confidence to know that it was an appropriate and fruitful match, and alleviate fears about delays or potentially not receiving the required support.

It was also suggested that a transition period whereby ESA could continue to support a disabled employee for the first period of a new job, this would help towards the costs of filling in gaps while waiting for access to work, or a social care review, or for new clothes, travel or equipment that may be needed upon a successful appointment.
4. Involving Health and social care

We asked:

- What other services might you need support from, as a disabled person, in order to work? (Health, social care, occupational therapy?)
- In your experience, can these services join up quickly to help you find or stay in work?
- What works, and what could be better?
- What are your experiences of Sick Leave, Fit Notes, and the Return to Work process?
- Should GPs and health workers be doing more to encourage disabled people, and people with long term conditions, to look for or return to work?

Health and Social Care Integration

GDA members agreed with the need to make huge improvements to the integration of health and social care services to improve outcomes for people in a much more timely way. The negative ramifications of a lack of support and access to the right services throughout disabled people’s lives, have a limiting impact on disabled people’s participation and contributions not just in the field of employment, but on all other areas of life as well – education, family, community, public life, self-management and independence.

The importance of Social Care for employability

GDA members, board and staff were extremely concerned that the Green Paper fails to mention the importance of appropriate social care to enable disabled people to participate in work, learning, training, and all other aspects of social and public life that can equip someone for the world of work.

Members felt there was an assumption within the Green Paper that those disabled people who are able to work would not be those who are receiving social care. This was felt to be reflected in the language at the start of the paper, when the aspiration is described as being a system which “offers work for all those who can, help for those who could and care for those who can’t.”
It is absolutely crucial that social care be recognized not as an alternative to participation in society, but as a vital enabler of that participation.

We appreciate that social care is decided at a local level and that the decisions being made across the country to reduce support to ‘life and limb’ cover at best are not directly being made at Westminster – however we strongly feel that legislative protection for social care provision needs to be put in place at National Level to hold Local Authorities to account for the isolation and further disablement caused by extensive social care cuts and restrictions. **Social care Charges** also cause a huge barrier for disabled people who may want to work but cannot afford to pay the increased charges this would entail.

Equally, while Self Directed Support should be enabling disabled people to have choice and control over their care and support, in reality the inflexibility of most care provision creates another major barrier to seeking work, work experiences, attending interviews, and to the disabled person being able to be flexible about their own availability for these activities, in the way that many employers would seek. Lack of portability of social care also impedes access to jobs, ability to move, progress in career (limits opportunities for travel, networking, transfers).

**The Role of Health Providers**
There was a concern amongst GDA members that the Government’s view of health workers’ role would involve the arbitrary restriction of access to ‘Fit notes’. There was a concern that health providers are already over stretched to the point that many people cannot access the health care they need when they need it – that adding ‘a return to work’ to the health outcomes GPs are supporting on might compromise the basics of the care they are already stretched in providing.

**Education**
GDA members have shared multiple examples over many years of being unable to take up college or further education places due to a lack of support available.

For young disabled people with physical impairments, very often the only educational institutions that will accept and accommodate their physical needs do not offer the chance to achieve all the qualifications the

“Before even leaving the house you already face barriers because of the reduced care package and having no support. I can’t get to work so I miss out.”

“From day to day when I have not enough hours of support for essential daily needs how can I have support to work? I have never worked because of my condition, I would need extensive support to work so how could they fund and provide that if I can’t have the support I need daily?”

“Attitudes towards disability in education knock your confidence – courses are not accessible.”
young person may be capable of and they can actually find themselves on a course because there is support attached rather than because it meets their aspirations.

Furthermore, the lower rates of disabled people in Higher Education will not be improved by the Government’s cut to the Disabled Students’ grant. GDA members share multiple experiences of having been excluded from crucial aspects of their education at HE level, such as being barred from the library in the name of health and safety, or being excluded from practical vocational opportunities within courses, on an assumption that the disabled student is only there ‘for something to do’ and is not actually aiming to secure employment from their qualification. The Green Paper has no mention of improvements to inclusion within all levels of the education system, and GDA members felt this is a crucial oversight.

For the ‘benefits of work’ to be made available to disabled people, Social Care Provision needs to be protected and enhanced at a local and national level; education needs to become more inclusive and raise the aspirations of young disabled people; lifelong learning is needed to enable disabled people to realize their own capabilities and aspirations; the current, punitive system of conditionality and sanctions must be stopped in order to alleviate the increasing poverty and destitution faced by disabled people, and the impacts this has on their health, before employability can be seen as a realistic goal for many disabled people; Access to Work support needs to be extended to disabled people in work experience placement and internships, and the whole scheme needs greater promotion to employers, disabled people and Job Coaches, with support made available to secure these entitlements, and the AtW processes need to be simplified and quickened.

The social, physical, attitudinal, and economic barriers erected by society need to be removed before disabled people can take up our rightful role as full and equal citizens with equality of opportunity.