

CHAPTER 6: EMPLOYMENT AND CONTRIBUTION

“Beware the soft bigotry
of low expectations”

Noel Pearson

Noel Pearson is an Australian lawyer, academic, land rights activist and founder of the Cape York Institute for Policy and Leadership.

Having meaning and purpose are key to living a good life. It is important that we can all experience the sense of belonging that comes from feeling valued and respected for the contribution we can make. The opportunity to contribute may take many forms. When we undertake paid employment, the appreciation we experience may come in the form of the salary we earn, it may be positive recognition from colleagues and/or feedback from those we serve or whose lives we positively impact upon. Voluntary work also provides valuable ways to connect and contribute.

Whilst the focus of this chapter is primarily paid employment, we should not underestimate the value of identifying, elevating, and celebrating individual gifts, skills, and strengths. The following story, of Nicola and Lynn Elwell's experience of creative contribution, perfectly illustrates the opportunities available if we change our perspectives from challenges to opportunities, and from deficits to strengths.

Nicola didn't use words to communicate but those who knew and loved her understood her well. She didn't move independently and needed help to move both in her wheelchair, and to get around and about. Lynn, her mum, wanted to ensure Nicola had opportunities to connect and contribute. She focussed on Nicola's gifts and strengths. One of Lynn's observations was that Nicola was very good at being still. Thinking about where this strength would be an asset, Nicola was supported to become a life model for art classes.

Thank you to Lynn Elwell for sharing this story. Nicola passed away some 18 years ago. Her memory lives on and the stories of her life still resonate powerfully.

There is a growing movement to challenge traditional assumptions of desired characteristics, with a greater emphasis being placed on valuing diversity.

This challenge is particularly acute when it comes to people with learning disabilities having access to good quality employment. Less than 6% of people with a learning disability access paid employment. The type of work they do secure is often low paid and insecure. There are some very welcome exceptions to this norm, such as the recruitment of George Webster, a young man with a learning disability, as a children's television presenter. However, with a reported 1,102,000 unfilled job vacancies in the United Kingdom in August 2021, it is long past time that people with a learning disability are viewed as part of the solution for building a stronger and fairer economy.

Michael Marmot's report, 'Health Equity in England: The Marmot Review 10 Years On', highlights the huge health inequalities that exist for people with learning disabilities (among other groups); showing life expectancy in England has stalled. One of the six actions highlighted under 'early intervention to prevent health inequalities' was the need to "create fair employment and good work for all." Suggesting the need for low employment rates amongst people with learning disabilities should be addressed as a matter of some urgency.

WE ASKED AND YOU SAID

There has been a consistent message over years of consultation, that people with learning disabilities want to contribute, to engage, to be included, valued, and respected. For many, this means gaining access to paid employment.

Here are some of things we have heard:

Good quality supported employment is a postcode lottery. It should be available to everyone with a learning disability through education and into adulthood.

Where reasonable adjustments are considered there is often a focus on physical access, rather than adjustments that would support the engagement of people with learning disabilities such as working interviews, job carving and adapted training and induction.

People do not think the Equalities Act is clear and enforced. It requires individuals to make a claim for discrimination when the costs and time involved are prohibitive.

There are no national targets for employing people with learning disabilities.

There is a lack of understanding about Access to Work and what this can fund for people with learning disabilities.

Traditional recruitment practices can make it difficult for people with learning disabilities to showcase their skills and talents for doing a particular job. For example, applications and selection methods may need literacy skills which are not required for the actual job. People need time to learn their jobs and show their worth

There is a lot of information available for employers, but this does not seem to be making a significant difference to approaches to recruitment

The benefit system felt to be confusing and keeps changing. Some people are worried about losing their benefits that they had to fight hard for

The education system is often not aspirational about what young people can achieve, and some people leave feeling unprepared for the world of work

Some young people with a learning disability are not having the opportunity to do work experience with an external employer whilst in education

HUMAN RIGHTS FRAMEWORK

The right to freedom from discrimination is enshrined in Article 14 of the European Convention on Human Rights.

United Nations Convention on the Rights of Persons with Disabilities provides a more detailed account of the rights of disabled people in relation to employment.

ARTICLE 27 – WORK AND EMPLOYMENT

States parties recognise the right of persons with disabilities to work, on an equal basis with others, including the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realisation of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to among other things:

- Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions.
- Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances.
- Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others.
- Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training.
- Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment.
- Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business.
- Employ persons with disabilities in the public sector.
- Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures.

You can find more information about these rights [HERE](#)

HUMAN RIGHTS FRAMEWORK

- Ensure that reasonable accommodation is provided to persons with disabilities in the workplace.
- Promote the acquisition by persons with disabilities of work experience in the open labour market.
- Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

In addition to human rights frameworks, the Equality Act (2010) protects people against discrimination in the workplace at all stages of employment. This includes recruitment, employment terms and conditions, training, pay and benefits, promotion and transfer opportunities, dismissal or redundancy.

Evidenced by the low employment rates for people with learning disabilities, these supportive frameworks need to be more widely understood. This would potentially increase employers' confidence recruiting and retaining from the untapped talent pool of people with learning disabilities.

HUMAN RIGHTS FRAMEWORK

IDEAS WE CAN WORK ON TOGETHER?

Supported employment has for many years been a successful way of supporting people with learning disabilities to get and keep paid jobs.

This diagram from BASE (British Association for Supported Employment) illustrates how the approach works.



Supported employment is based on the following principles:

- Everyone who wants to work, can work in the right job with the right support.
- Everyone can make a positive contribution in the workplace.
- Jobs are real jobs, where wages are paid at the going rate with the same terms and conditions as other employees.

SUPPORTED EMPLOYMENT

A supported employment model uses a partnership approach to help people find good jobs and careers, and helps businesses employ valuable workers. It is about good quality, person-centred support to find the right job for the right person and putting training and support in place to help them do a good job to the employer's standard. The model is called 'place, train and maintain' as it takes the person and the potential employer through the process together from recruitment to retention. The process should be seen as mutually beneficial for the employer and the employee.

Supported Employment meets the needs of both jobseekers and employers through their job matching support. The aim of job matching is to ensure that employers get the right worker and people with a learning disability get the right job. This may involve either carving or designing jobs. Jobs can be 'carved' by selecting and combining duties from one or more existing jobs into a new position. Jobs can be designed based on an individualised match between the strengths and interests of an individual and the identified business needs of an employer.

Supported employment has a range of benefits for people with learning disabilities. It ensures that people are supported to be full and active members of workforces and wider communities, both socially and economically. Employment is a valued social role and becoming employed can help change negative perceptions, with wider positive consequences for the person and the wider community.

IDEAS WE CAN WORK ON TOGETHER?

The following ideas have been gathered from people interested in promoting the rights of people with learning disabilities to work and contribute to the communities in which they live.

- Develop a commissioning model for supported employment that works for people with learning disabilities. This will require partnership working across Department of Work and Pension (DWP), the Department of Health and Social Care (DHSC) and local authorities. This should build on DWP's Proof of Concept pilot where supported employment was co-funded across the local authority and DWP across 12 services and 9 local authority areas. An 18-month DWP 'trailblazer' was announced in March 2020 which should be tracked to see if it benefitted people with learning disabilities.

- There are now National Occupational Standards for Supported Employment practitioners and provision offering supported employment across education, DWP and DHSC. There is also a quality kitemark from BASE. All commissioned services should be required to gain the kitemark. In addition, all staff should be trained to use supported employment techniques.

- There is a need to raise the ambition within the education system starting with early years. Education and Health need to focus on what learning disabled children can achieve.
- Embed supported employment into the curriculum from age 14 so that all young people experience the world of work whilst in education.

- Vocational profiles should be embedded in Education, Health and Care Plans (EHCP) from year 7 with an expectation of employment, utilising supported employment as necessary, as an outcome.
- All advisors at Jobcentre Plus should be required to know and understand the principles and techniques underpinning supported employment and how to apply them in practice.

- Simplify the Adult Social Care Outcome Framework (ASCOF) indicator so that it gives a more accurate figure for the numbers of people with learning disabilities in employment, paid at least the National Living Wage for all hours worked. Health and Well-being Boards should assume responsibility for monitoring this.

- Large publicly funded organisations, such as NHS Trusts, should be accountable for the number of people with learning disabilities they employ, ensuring they meet NHS Long Term plan targets.

- There needs to be a parity of incentives to support employers taking on apprentices with a learning disability across programmes including supported internships, traineeships and Kickstart.

- There needs to be great reliance on evidence-based approaches that offer cost effective ways of supporting people with learning disabilities to gain and maintain employment.

WHAT GOOD MIGHT LOOK LIKE (HOW WILL WE KNOW WE ARE ON THE RIGHT TRACK)

GOOD EXAMPLE 1

In the 2016 Mencap Here I Am campaign, Vijay describes his journey as a young ambassador and his greatest wish that everyone with a learning disability, who wants to work can.

“My hope for the future of people with a learning disability is to make sure they are getting into employment. A lot of people with a learning disability don't get the chance to be able to get a job. People should offer them a work trial or work experience so that they can develop their skills and tell their employer, 'I can do this as well'. It is important that they are not left out. Us people with a learning disability can also do that job”

GOOD EXAMPLE 2

Project Choice is a Specialist Post-16 College that provides work experience as well as a supported internship programme that helps young adults between the ages of 16-24 with disabilities, learning disabilities, difficulties and/or Autism gain work experience and improve employability and independence skills. The College is NHS-based within Health Education England.

It provides internships within healthcare settings and other NHS partner organisations, creating supported environments and helping to get Interns ready for the working world.

GOOD EXAMPLE 3

Hft works with DFN Project SEARCH, and various other partners to run several supported internships in a variety of locations. Hft's role is as the Supported Employment provider. Every intern is supported by an Employability Coach to learn new skills while on their work placement. After the intern graduates, they receive 9 months support to seek and apply for a paid job, and ongoing support as needed once a paid job has been secured.

WHO DO WE NEED TO ENROL/ENGAGE?

Strangely the current employment crisis in terms of the number of unfilled roles may require employers to be more creative in their approach to recruitment. This, in turn, may provide opportunities for the gifts and skill of people with learning disabilities to be recognised. What was considered unthinkable pre pandemic, the level of home working, online access is now the new normal. These opportunities should be grasped. There are many organisations BASE, NDTi, Nasen, Natspec, and DFN, among many others, campaigning for the same cause. It may be more effective to collaborate and speak with one voice on the important issue of paid employment.

NEXT STEPS/FIRST STEP

We need to raise our aspirations for what people with learning disabilities can do when we consider their gifts and skills and how these may be put to good use for the benefit of all of us. The pandemic has required us to reconsider who our 'key workers' really are, our shop workers and shelf stackers, our nurses and doctors, our teachers, refuse collectors and delivery drivers. These are the people we cannot do without when times are tough. We have also begun to look at our neighbourhoods and communities differently as people co-ordinate and support each other to get through the worst of times. Volunteering and contributing to the wellbeing of others has become more common currency as we have been forced to lock down, isolate and in some cases shield against the Covid19 virus. As we move beyond the pandemic, we should endeavour to retain those positive aspects of our humanity that came to the fore and reinforce them to build forward better than before. Our first step should be to build on the good examples detailed above.

FOR SERVICE PROVIDERS

Organisations supporting people with learning disabilities should ensure that the support they provide builds opportunities for human flourishing and contribution. Everyone has something to offer, even if, on occasion, the person may be unaware of it themselves. It is the role of service providers to ensure every person has opportunities to contribute, through paid employment, volunteering, or other civic action.

FOR GOVERNMENT

There needs to be more accurate and available data on the number of people with learning disabilities in paid employment, including hours worked, collected nationally to support targeted investment, the NHS Long Term Plan priorities and local commissioning.

There is a requirement for national investment in supported employment with local delivery based on agreed quality standards (such as the BASE supported employment standards).

Engaging with employers and people with learning disabilities to develop supported employment service specifications.

Access to Work support and welfare benefits need to consistently support working.

FOR COMMISSIONERS

All local authorities should commission a supported employment service where the proportions of people who are in paid work would become a performance indicator for support providers.

FOR PEOPLE WITH LEARNING DISABILITIES AND THEIR FAMILIES

Access to advocacy and peer support needs to reinforce increased aspirations through school into adulthood with an expectation of lives filled with meaning and purpose. People with learning disabilities and their families should be supported to use human rights frameworks to reinforce such aspirations that are based on the realisation of existing rights. Sharing stories of success should sustain the vision that better is possible.