

Agenda – Equality and Social Justice Committee

Meeting Venue:	For further information contact:
Committee Room 3 (Senedd)	Rhys Morgan
Meeting date: 30 September 2024	Committee Clerk
Meeting time: 13.30	0300 200 6565
	SeneddEquality@senedd.wales

- 1 Introductions, apologies, substitutions and declarations of interest**
(13.30)
- 2 Disability and Employment: evidence session 1**
(13.30 – 14.30) (Pages 1 – 43)
Professor Debbie Foster, Cardiff University
- (Break 14.30 – 14.45)**
- 3 Disability and Employment: evidence session 2**
(14.45–16.00) (Pages 44 – 69)
Professor Melanie Jones, Cardiff University
Professor Victoria Wass, Cardiff University
Ruth Nortey, Cardiff University
Dr Marc Bryan, Sheffield University
- 4 Papers to note**
(16.00)
 - 4.1 Correspondence from the Royal College of Speech and Language Therapists to the Chair regarding the Committee's report: "60%:giving them a voice"**
(Pages 70 – 74)
- 5 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of this meeting**
(16.00)

(Private)

6 Disability and Employment: consideration of evidence

(16.00–16.20)

7 Forward work programme

(16.20–16.40)

(Pages 75 – 88)

Document is Restricted

By virtue of paragraph(s) vii of Standing Order 17.42

Document is Restricted

Written evidence for the Equality and Social Justice Committee Inquiry into the Disability Employment and Payment gap

Debbie Foster, Professor of Employment Relations and Diversity, Cardiff Business School, Cardiff University; Co-Chair of the Welsh Government Disability Rights Taskforce (DRT); Chair of the Employment and Income Working Group of the DRT

Introduction

I wish to thank the Equality and Social Justice Committee for providing this opportunity to give evidence both written and oral on this topic. It is noted that the Committee issued 'Terms of Reference' for the Inquiry. Many of the topics included will be addressed in this submission, although some in greater depth than others. Other contributors will be able to provide more detailed evidence to the Committee in specialist areas.

The intention here is to provide an overview of the work that has been undertaken primarily by the Welsh Government's Disability Rights Taskforce (DRT), which was established to respond to the recommendations of the 'Locked Out Report' (2021). I was author of the co-produced Report and have had the privilege to Co-Chair the DRT (as chosen representative of the Disability Equality Forum (DEF) of Welsh Government), with the Minister(s) for Social Justice. As a Professor of Employment Relations and Diversity with a research interest in disability and employment at Cardiff University, I will also offer some brief reflections at the end of this written submission in this capacity.

Developments since the 'Locked-Out Report'

'Locked-out: Liberating Disabled People's Lives and Rights in Wales Beyond COVID-19' (Welsh Government 2021), known as the 'Locked-Out Report', was written and coproduced during the pandemic with a steering group of disabled representatives chosen by the DEF of Welsh Government. In many respects, however, the socio-economic and labour market problems faced by disabled people before the pandemic, which it argued were merely amplified by it, were the focus of its concerns. The Report referred to a 'long term persistent problem with employment' among disabled people, and a 'poor understanding of legal responsibilities to provide workplace adjustments' among employers and some disabled people.

The pandemic itself presented new challenges and opportunities for disabled people in the sphere of employment, most notably the potential to re-design and relocate work activities. For example, during the pandemic I was involved in research that examined the experiences of disabled people working in the legal profession of England and Wales forced to work from home, which has since reshaped working practices in that sector (Foster and Hirst, 2020b). During and immediately after the

pandemic, Wales appeared to be at the forefront of debate about the possible opportunities this change in working practices and attitudes towards remote working might bring. Several years on, it would be helpful to revisit these ambitions in depth to better understand whether the potential opportunities and benefits identified have been realised for disabled people.

The above themes were all discussed in the 'Employment and Income Working Group' of the Disability Rights Taskforce (DRT), which drew on the lived experiences of disabled people. To provide context a summary of how the Taskforce was established will be provided.

The DRT was established by the former First Minister Mark Drakeford in 2021. Part of the official Programme for Government it became fully operational by 2022, following the appointment of a secretariat of civil servants. It represents a significant investment by Welsh Government, not just of resources but also of ideas, in terms of developing a new more inclusive approach to policy formulation. To understand the significance of the latter it is important to understand the methodology and underlying philosophy of the DRT.

In a recent article (Foster, 2024, 411-12) the work and membership of the DRT and its relationship to the 'Locked-out' report is described. The DRT membership embraced "DPOs, Welsh Government policy leads, relevant external stakeholders (including some academics), and individual disabled people". Detailed work of the DRT has taken place in eight (later to become ten) working groups. "After some discussion it was agreed that these would, among other things, address key areas of policy identified by the 'Locked-out' Report. Working groups examine existing evidence, including the way policy is currently experienced by disabled people. Recommendations they draw up are then presented to a full Taskforce meeting, at which the relevant Minister holding that policy portfolio, is invited".

When the 'Locked-Out Report' was written, it was coproduced with a Steering Group of disabled people chosen by the Disability Equality Forum of Welsh Government. This provided a range of contributions from people with lived experience, most of whom had a wider understanding of the social model of disability and disabled people's human rights. As author of the report, I brought my experience as an academic researcher with lived experience to the process of writing a document that used secondary evidence-based research and primary evidence from the experiences of participants. The co-production of the report was important but so too was the perspective shared by participants that many of the problems disabled people face in society are essentially interrelated. When considering one barrier faced by disabled people - e.g. employment, therefore, it is necessary to consider other barriers - e.g. housing, transport, poverty, education, access to healthcare, social exclusion, discriminatory attitudes. Some barriers are physical, nevertheless, the Report argued, many are attitudinal and, therefore, socially constructed. This includes the historically low aspirations social policy makers have attributed to disabled people and their prospects for employment and careers.

"The pandemic represented a watershed moment that exposed the consequences of systemic social and health inequalities, prompting some politicians to argue that

unless groups that bore the brunt of deaths were part of the re-building process, lessons would not be learnt. The demand of the Disability Rights Movement – ‘Nothing About Us Without Us’ – began to gain traction (Foster, 2024:412) This was reflected in the what became the guiding principles of the Taskforce, namely: “adherence to a social model of disability; respect for human rights detailed in the UNCRDP (UN 2017); the value of lived experience; and co-production as a way of working” (ibid, 2024).

Since the ‘Locked-Out Report, it is significant that the United Nations (UN) has undertaken a formal investigation of the “disproportionately negative impact of austerity on disabled people in the UK.” The UN took the “decision to launch its formal investigation in 2016 under Article 6 of its Optional Protocol. Drawing attention to ‘the cumulative impact of the legislation, policies and measures adopted by the State party relating to social security schemes and to work and employment’ (UN 2017: 3), the UN feared the basic right of disabled people to live independently, was under threat.” (Foster, 2024: 413).

The Employment and Income Working Group of the DRT

One of the Working Groups of the DRT focused on Employment and Income. The Group, which met 5 times, consisted of Welsh Government policy officials, DPOs, third sector organisations, individual disabled people, representatives from public sector organisations (e.g. health and local government), Wales TUC, Business Wales, Disabled People’s Employment Champions, the EHRC, Bevan Foundation and other stakeholders. A focus group on employment was also organised to ensure that the views of disabled participants were properly documented. Employment and Income are policy areas that are strongly influenced by UK Government policy and, therefore, there are limitations on actions at a devolved level. Consideration had to be given to the role of UK Government, specifically in the areas of employment law and policy as well as Social Security.

A range of evidence-based presentations from external and Welsh Government contributors helped to stimulate debate in Working Group meetings. A flavour of some of the topics discussed is provided below:

- Disabled people’s experiences of employment and employment rights, access to advice, representation, justice, and dispute resolution.
- An evaluation of Welsh Government training and employment initiatives, which included contributions from disabled people who had experiences of participation.
- A consideration of in-work poverty, pay and career inequalities including discussions of the role of social security benefits and work; disability pay gap reporting; the need for well supported opportunities for flexible and remote working; job re-design/ job carving; the role of volunteering.

- Disabled people's poor access to good quality jobs; low aspirational stereotyping; problems related to staying in work.
- Discussion of the UK Government's 'Disability Confident' scheme. While it was acknowledged that an employer scheme is needed, concern was expressed about current benchmarks in the scheme and inadequate scrutiny and accreditation of participating employers. The current scheme's association with the Department for Work and Pensions was also viewed as problematic by many disabled people. There was debate about whether an employers' kitemark for Wales might replace or complement any reformed UK scheme.
- The important role of the public sector as a large employer in Wales was discussed and the need to ensure that Public Sector Equality Duties, as well as the very distinctive Welsh tradition of social partnership could be better utilised to improve the employment of disabled people in this sector.
- The positive role played by the Disabled People's Employment Champions.
- The potential benefits of a disabled persons 'Universal Basic Income+' were explored with speakers from Sheffield University.
- The cost-of-living crisis and the potential for Wales to co-ordinate and strengthen its own Welfare strategy were explored with a speaker from the Bevan Foundation.
- How to embed the Social Model of Disability into the activities of Welsh Government and the potential to do so through public procurement standards. As well as the wider potential role of the Social Partnership and Public Procurement Act to advance equalities.

Outcomes from the DRT Employment and Income (E&I) Working Group

A range of suggested recommendations were put forward by the E&I Working Group for consideration by the full DRT and Minister holding the relevant portfolio, which at that time was Vaughan Gething. My understanding is that these are currently being reviewed and will need to be discussed by Cabinet before a decision can be made about whether they can become part of a proposed 10 year Disability Action Plan for Wales that would then go out for public consultation. The full and final recommendations are not yet in the public domain. The summary below, however, outlines many key areas considered:

- a) **The need for a campaign or public conversation in Wales** to raise awareness of the social model of disability, disabled people's employment rights, challenge limiting stereotypes, and build positive relationships with employers. It was felt that too often those the law is intended to protect are unaware that they have rights or, are unable to access support to exercise them. The consequence is that disabled people often feel compelled to exit the labour market because they cannot secure relevant reasonable adjustments. This loss of talent, experience, and skills represents a failure in the operation of law.

It was recognised that Wales needs a sustainable approach to work that takes account of changes throughout the life-course. Work can provide economic independence, reduce social isolation, and improve well-being, but only if accompanied by good working conditions. Strengthening education and accountability is required to improve the poor provision of legal advice in Wales to enable disabled people to access their rights (Articles 12 & 13 of the UNCRDP).

- b) **Reform or replacement of the current UK Disability Confident scheme** to address a lack of confidence among disabled people and employers in the current scheme. Subsequently, a piece of research is being co-produced involving Chairs of the DRT and Welsh Government Social Researchers, which is considering the feasibility of potential reforms to the scheme with key stakeholders. It was felt that any reform to the scheme should attempt to incorporate and celebrate distinctive Welsh values of social partnership, fair and decent work (Article 27 CRDP), commitment to a real living wage, and well-being. A reformed scheme could be a vehicle for providing education, training, and developing good employment practice. Currently, only 40 employers in Wales have achieved Disability Confident Leadership status, just 12 in the private sector.
- c) **The need for better representation of disabled people's interests in the application of the Social Partnership and Public Procurement of Wales Act.** Public procurement was identified as a potential lever for change and a means of embedding positive employment practices for disabled people and others with protected characteristics in Welsh Government contracts. For example, contractors might be obliged to demonstrate they have effective procedures to deal with reasonable adjustment requests, report disability employment data, procedures for recruiting and retaining disabled employees. Demonstrating good **dispute resolution procedures** to address grievances might also be a requirement. Too often non-disclosure agreements conditional on disabled employees exiting organisations, which also serve to hide the extent of the problems disabled people face, are used by employers.
- d) **Proactively Equality Impact Assess (EIA) procurement decisions co-productively.** Audit Wales has questioned whether EIAs had become 'tick

box' exercises. EIAs and the Public Sector Equality Duty must be used not only for 'eliminating discrimination' but to address the broader aims of 'promoting equality' and 'fostering good relations'

- e) **Ensuring that disabled people are prioritised in relation to flexible working arrangements.** It is poorly understood that disabled people occupy a different status in employment law. Disabled workers should always be treated differently, and it is often lawful to treat a disabled person more favourably than a non-disabled person. Employers and disabled employees need to be better supported to understand the law. The role of Employment Champions and Business Wales could be instrumental here.

Opportunities to work remotely and from home post-pandemic have provided some new employment opportunities for disabled people. Further detailed analysis is, however, required to understand to what extent potential has been realised and continued barriers. It was hoped that remote or homeworking would become an accepted reasonable adjustment. Concern was also expressed that homeworking must be supported, safe, and suitable. The choice not to work from home is essential because the home is not always a safe environment and concerns were expressed that revised DWP work capability assessments threatened this. Homeworking must never be used as a justification for failing to improve the accessibility of public workplaces, transport systems, or wider infrastructure.

- f) **Employment retention** is a dimension of the disability employment gap that is often overlooked. More data is needed on what steps employers are taking to retain disabled people in their workforces. In addition, proactive measures such as flexible working arrangements; redeployment; retraining; mentoring; creative job re-design/ job carving and case studies of where these have been successful, need developing.
- g) **Transitioning from Education to Employment** - The 'Inclusive Apprenticeships: Disability Action Plan for Apprenticeships 2018-21' recognised that too few disabled people are accessing apprenticeships and identified employers being insufficiently aware of the support available to them if they take on a disabled apprentice. A thorough evaluation of the objectives and impact of this Action Plan is needed, and a group established to build on its achievements and coproduce a strategy with disabled people for the next 10 years.

Other Welsh Government initiatives involving young people wanting to access work, such as 'Engage to Change' were discussed. It was, however, believed such schemes needed longer term funding to ensure existing programmes are maintained and future initiatives such as a Mentors and Ambassadors programme and a National Job Coaching model, are developed.

More tailored support is needed for disabled people wanting to return to education and training, some of whom may have fragmented education and employment histories. A distinctive 'disabled returners pathway' could be developed to allow for confidence and CV building. It was recommended that Welsh Government work with Further and Higher education institutions in Wales to establish appropriate pathways to re-skill and up-skill disabled people. A Welsh specific intervention is needed. This should not just be viewed as the responsibility of the UK Department of Health and Social Security.

- h) **An 'Anti-Ableism Network'** was discussed for **Welsh further and higher education sectors** to challenge stereotypes and monitor educational needs, provision, and achievements of disabled people and address their under-representation among staff in these sectors. The Network could also share good practice, collecting data on the disability pay gap and be responsible for promoting an anti-ableist culture in post-16 education. With a duty to report to Welsh Government and measure its progress annually, it was suggested the Network also develop the first Disability Equality Chartermark in the UK further and higher education, (to be co-produced with DPOs and groups/ organisations representing staff and students).
- a) **Self-Employment, Entrepreneurship and Freelancers.** Discrimination can force disabled people out of the labour market into self-employment, however, others make a positive choice to become self-employed or become freelance workers. Both situations can involve challenges. Better awareness of the support available to disabled people through Business Wales is needed. Business Wales reported that engaging with disabled people remains problematic. More coproduced research is needed in this area to address the reasons why.

Business Wales and Welsh Government Relationship Managers and Disabled People's Employment Champions have an important role to play in encouraging and promoting conversations with businesses on how to adopt and promote the Social Model of Disability in their organisations and employment practices. Social Model of Disability training is available through Business Wales and further engagement with DPOs might provide further tailored advice and training involving people with a range of lived experiences.

It was suggested that Business Wales consider developing a Disability Employer Hub, providing a central portal of advice, guidance, resources, and examples to support employers to employ disabled people. The Hub might signpost other support programmes and funding schemes, and should reflect the full pathway of recruiting, retaining, and supporting disabled employees of all ages, including those who become disabled while in the workforce. The content of this hub might be co-produced with disabled people and regularly reviewed/updated.

Discussions highlighted how freelancers as a distinctive group are poorly understood and their specific needs are often overlooked. Disabled people in the creative industries who play an important role in challenging stereotypes, for example, reported barriers including inaccessible venues, absence of procedures to reasonable adjustments and a benefits system that does not support short-term, unpredictable periods of work. Many public spaces like theatres and music venues, are insufficiently accessible and the status of disabled freelancers as self-employed, often mean their needs are overlooked and they find it difficult to access legal rights and work.

It was noted that freelancing as an employment status required better recognition and consideration within co-produced 'Fair Work' principles. More data is also needed to gain a better understanding of the number of disabled people in this group and how freelancing fits into debates about our understanding of disability pay and poverty gaps. Furthermore, freelancing requires greater recognition as a positive choice by some disabled people rather than negatively as casualisation.

i) Income

While acknowledging that Welsh Government has limited powers to act in areas of social security, it has however, introduced policies and discretionary payments to alleviate disadvantage. It also plays an important role in collecting data and evaluating the socio-economic circumstances of Welsh citizens, as well as lobbying for change in UK Government policy.

More and better data was identified as the basis for understanding how gender pay gap reporting has affected employer behaviour in Wales, so that positive benefits can be extended to include pay gap reporting on disability and ethnicity. (<https://www.equalityhumanrights.com/en/publication-download/measuring-and-reporting-disability-and-ethnicity-pay-gaps>).

The Working Group also identified a need for comprehensive publicly available data on the recruitment, retention, and progression of disabled people in Welsh organisations. The group discussed how Welsh Government might consider introducing a positive duty that requires employing organisations to track and report such data as part of its review of specific duties for Wales. This would include a requirement for public authorities to publish their analysis of why gaps exist and be required to set in place action plans to reduce them. By providing formal oversight of this process Welsh Government might adopt a leadership role, one that is compatible with its objective to place socio-economic disadvantage at the centre of strategic decision-making.

The introduction of a Basic Income (universal or otherwise) for disabled people was discussed. Potential benefits to disabled people might include improved access to education and training, as well as supporting disabled people in volunteering experiences. By providing a safety-net during disruptions in employment caused by ill-health, treatment, rehabilitation, or the

need to implement reasonable adjustments, a basic income could contribute to job retention and reduce the administrative costs associated with means-tested benefits. For the many disabled people in precarious forms of employment, a guaranteed basic income would also free them from a frustrating and often punitive social security system that can in some circumstances penalise them for working. Furthermore, disabled people unable to work at all would have a security of income to help them to live more independently and with dignity. Welsh Government are uniquely placed to apply learning from its current Basic Income Pilot to disabled people. It was, therefore, suggested when evaluating the current pilot (scheduled for 2026), it conducts a feasibility study and cost-benefit analysis of its application to this group.

The Working Group welcomed the Bevan Foundations presentation about proposals for a Welsh Benefits Charter, which Welsh Government have subsequently developed further. The commitment to use the Social Model of Disability in the design and delivery of Welsh Benefits is positive.

Additional Reflections

There was limited evidence from the participation of disabled people in the DRT to suggest that the social model of disability was being used to underpin employment and recruitment practices. My wider academic research would support this and suggests that existing law does not encourage this. The very concept of 'reasonable adjustments' encourages employers to adopt a defensive and reactive position, which is at odds with the social model of disability (Foster and Scott, 2015). The expectation that an employer will need to 'adjust' its practices inevitably conceptualises disabled people as 'other' and different from the 'norm'. The use of the concept of an 'ideal worker' in recruitment practices and job design thus continues to prevail and is based on ableist assumptions (see Foster and Wass, 2013).

It is often not appreciated, moreover, that the act of having to request an adjustment as a disabled person, places too much responsibility on individual employees in what is already an unequal power relationship: the employment contract (Foster and Fosh, 2010). Add to this the reluctance of many people who might benefit from workplace adjustments to self-identify as disabled because it is regarded as a stigmatised identity, and it suggests the law alone cannot deliver fair employment opportunities for disabled people.

The two critical questions that employment policy needs to address if the labour market opportunities of disabled people are to be improve are: how to get disabled people who are able, into work? Then, how to support them to stay in work. Historically, Governments have focused on the former to the detriment of the latter and see 'any work', however low aspirational, as suitable rather than focusing on developing flexible long term career opportunities. If this means benefits and grants are required to support disabled people through these different stages, this implies

that policymakers may need to think differently. For example, encouraging people to volunteer used to be encouraged by the benefits system but these opportunities have diminished. These opportunities might offer a pathway to paid employment but in themselves were valuable to the individual and to voluntary organisations.

In terms of paid employment, disabled people participating in the DRT consistently referred to a poor understanding of the realities of being a disabled person and lack of flexibility on the part of employers/ organisations. Many disabled people manage different levels of pain and fatigue in their daily lives, often caused by having to negotiate an ableist society. This can mean they experience fluctuating energy. Being able to manage the location of work can be important (e.g. having hybrid and home working options) but also having access to other flexible working arrangements and mentoring/ informed support.

A recurrent problem raised by disabled people participating in the DRT was the slow response of Access to Work, particularly since the pandemic. In terms of eventual outcomes, satisfaction with this service is generally high but criticisms that it is bureaucratic and slow in delivering essential equipment, widespread. Access to Work is essentially a *reactive* service and only supports disabled people who have already secured employment, not those undergoing recruitment processes or volunteering as a step towards getting back into paid employment. Research into the legal profession (Foster and Hirst, 2020a; 2022) found Access to Work services were also poorly understood by private sector employers and among self-employed disabled people.

Because of time and space in this written submission there are limitations on what I have included. Having conducted extensive academic research on disabled people and employment over many years I am happy to further discuss findings with members of the Committee. The intention here has been to primarily concentrate on aspects of the work I have been engaged in with Welsh Government.

References

Foster, D. 2024. [Co-production with disabled people during the pandemic: the creation of a new political discourse that acknowledges the role of human rights in policymaking in Wales](#). Scandinavian Journal of Disability Research 26(1), pp. 410-422. ([10.16993/sjdr.1054](#))

Foster, D. and Hirst, N. 2022. [Doing diversity in the legal profession in England and Wales: why do disabled people continue to be unexpected?](#). Journal of Law and Society 49(3), pp. 447-469. ([10.1111/jols.12382](#))

Foster, D. and Hirst, N. 2020a. [Legally Disabled? The career experiences of disabled people working in the legal profession. Full report](#). Cardiff University. Available at: <http://www.legallydisabled.com>

Foster, D. and Hirst, N. 2020b. [Legally disabled? The impact of Covid-19 on the employment and training of disabled lawyers in England and Wales: opportunities for](#)

[job-redesign and best practice](#). Project Report. [Online]. Cardiff University. Available at: <http://legallydisabled.com/research-reports/>

Foster, D. J. and Scott, P. J. 2015. [Nobody's Responsibility: the Precarious Position of Disabled Employees in the UK workplace](#). Industrial Relations Journal 46(4), pp. 328-343. ([10.1111/irj.12107](https://doi.org/10.1111/irj.12107))

Foster, D. J. and Wass, V. J. 2013. [Disability in the labour market: an exploration of concepts of the ideal worker and organisational fit that disadvantage employees with impairments](#). Sociology 47(4), pp. 705-721. ([10.1177/0038038512454245](https://doi.org/10.1177/0038038512454245))

Foster, D. J. and Fosh, P. 2010. [Negotiating 'difference': representing disabled employees in the British workplace](#). British Journal of Industrial Relations 48(3), pp. 560-582. ([10.1111/j.1467-8543.2009.00748.x](https://doi.org/10.1111/j.1467-8543.2009.00748.x))

Welsh Government. 2021. "Locked out: liberating disabled people's lives and rights in Wales beyond COVID-19." <https://www.gov.wales/locked-out-liberating->

Agenda Item 3

The Equality and Social Justice Committee, Disability Employment Inquiry, August 2024

Written evidence submitted by:

Professor Melanie Jones, Cardiff University (JonesM116@cardiff.ac.uk)

Professor Victoria Wass, Cardiff University (Wass@cardiff.ac.uk)

We are two academic researchers who have a longstanding shared interest in disability inequality in the labour market and, as members of Disability@Work, a collaboration of four academics, we seek to make this research available to policymakers.¹ Our expertise is particularly in relation to applying quantitative data analysis to large-scale data to provide nationally representative evidence on disability-related gaps in labour market outcomes in the UK. We have previously submitted evidence to the Westminster Work and Pensions Committee Disability Employment Gap (DEG) Inquiries (2016, 2021 and 2024).² Building on these previous submissions, we are pleased to present evidence for Wales in this submission, which we set into the broader UK context. We make several recommendations based on this evidence to ensure disability gaps in the labour market are more accurately and widely monitored in the future. We believe that data on disability which is accurate and meaningful, and is measured consistently over time and between organisations, is fundamental to future understanding, the evaluation of changes in policy and practice, and monitoring national progress. It should therefore be a priority for government in supporting labour market equality for disabled people.

Executive Summary

Our submission makes the following key points:

1. Trends in the Disability Employment Gap (DEG)

- We argue there has been a narrowing trend in the DEG in the UK and Wales between 2014 and 2019 but less clear trends in the DEG since the pandemic.
- We provide evidence of rising prevalence of disability among the working-age population. This increases the importance of addressing disability-related gaps in the labour market. It also confounds a positive interpretation of the narrowing pre-pandemic trend in the DEG.

2. In-work disability gaps

- We argue that a more complete understanding of the DEG and disability-related inequality in the labour market is possible by considering disability gaps across a wider range of indicators, including hours, pay (the disability pay gap (DPG)) and the nature of work.
- We present evidence on disability gaps in pay, hours, and job satisfaction between workers in comparable jobs.

¹ Further information, including more detailed information in relation to the evidence presented here, is available at: www.disabilityatwork.co.uk.

² The reviews made a series of recommendations based on our oral and written evidence: <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/work-and-pensions-committee/disability-employment-gap/written/32826.html>, <https://committees.parliament.uk/writtenevidence/16287/pdf/> and <https://committees.parliament.uk/writtenevidence/129317/pdf/>.

3. *A priority for government should be to improve data collection and monitoring of disability-related labour market inequality*
- We recommend a movement away from the exclusive focus on employment and the DEG to a more comprehensive set of measures as part of a national monitoring of disability labour market inequality. These include disability prevalence, the employment loss due to disability and disability gaps at work.
 - We argue that to narrow the DEG, DPG and other disability-related gaps at work, measurement and monitoring of disability inequality at a national level needs to be complemented by a consistent framework of organisational (employer) monitoring. This will only be achieved by a government-led national disability measurement project.

Context

The gap in employment rates between disabled and non-disabled people of working-age, the disability employment gap (DEG), is large and enduring in the UK. This is the measure of disability-related employment inequality recommended in the Black Review (Black, 2008). In 2015, the Government pledged ‘to halve the disability employment gap [and] transform policy, practice and public attitudes so that hundreds of thousands more disabled people who can and want to be in work find employment’ (Conservative Party Manifesto, 2015). However, in light of the failure to make much progress on this target, it downgraded its ambition in 2017 to increase the number of disabled people in work by 1 million by 2027. We have been very critical of this change and the focus on an absolute measure, which depends on the economic cycle as well as the number of disabled people and, at the time, was likely to be met on the basis of prior trends alone.³ We argue that policymakers should focus on the DEG, a relative measure of disability inequality, the meaning of which is not distorted by macroeconomic trends.

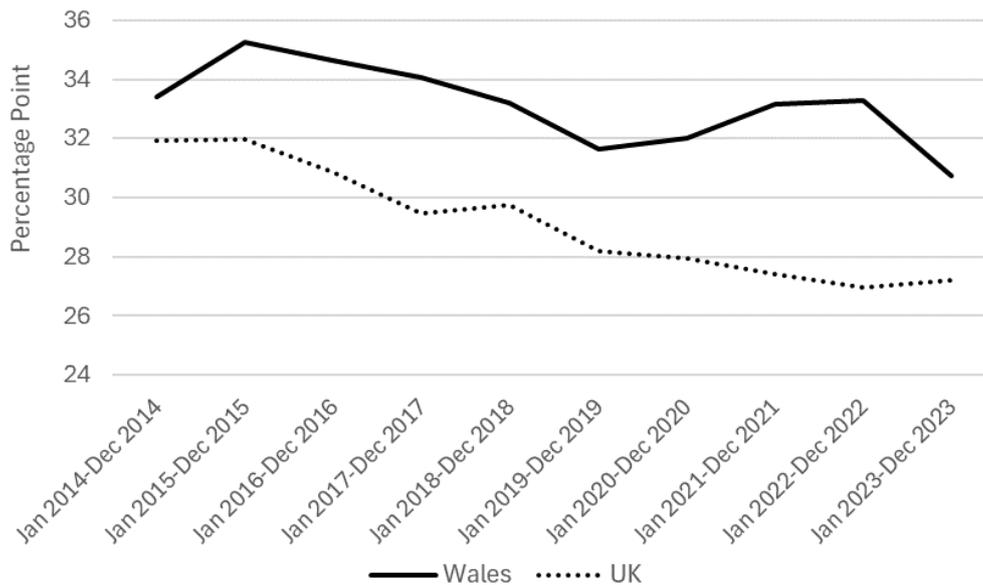
Employment rates by disability status are typically estimated from the Labour Force Survey (LFS), a nationally representative household survey undertaken by Government. This survey forms the basis of data for the Annual Population Survey (APS) which contains a sample boost for Wales, and supports more accurate regional comparisons in relation to disability.⁴ In Figure 1 we plot the trend in the DEG between 2014 and 2023 (the longest period over which we have consistent information on disability) in Wales and the UK.⁵ The DEG is consistently higher in Wales than in the UK, and whilst the trend in both cases has been downwards the narrowing has been stronger in the UK than in Wales. However, we argue that UK government claims of policy effectiveness in the period prior to the pandemic were overstated since the fall in the DEG was likely to be at least partially a result of increasing disability prevalence (see below). Analysis since 2019 suggests that the narrowing trend in the DEG has stalled.

³ For details see: <https://www.disabilityatwork.co.uk/wp-content/uploads/2017/12/changetargetsvwmj.pdf>

⁴ All the data analysed in this submission are obtained from Nomis: www.nomisweb.co.uk.

⁵ In terms of UK regions, the DEG in Wales is more similar to the North West, Scotland, North East and Northern Ireland. The DEG is lowest in the South East, South West, East and London. None of the qualitative patterns we identify and highlight in the submission are, however, driven by the inclusion of London, East and the South East in the UK average. Focusing instead on the ‘Outer UK’ (see Davies *et al.*, 2011) which excludes these regions given their relatively favourable economic conditions still results in a higher DEG in Wales of about 2.3 percentage points.

Figure 1: DEG UK and Wales 2014-2023, APS



Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. APS 2014-2023.

Despite widespread evidence of a sizeable and persistent DEG in the UK, our understanding of its drivers remains relatively limited. Evidence from existing surveys shows it is largely unexplained by the other personal characteristics that disabled people hold (Jones, 2006), including, for example, well-established differences in the average age or educational attainment between disabled and non-disabled people, leaving a potentially important role for factors unobserved in survey data, including employer discrimination.

In relation to the latter, recent UK analysis by Armenak *et al.* (2024) uses an experimental (correspondence study) approach whereby otherwise comparable hypothetical CVs are submitted by disabled and non-disabled applicants to real world job vacancies and employer responses monitored to test for evidence of employer discrimination. The evidence suggests that hiring discrimination against disabled wheelchair users in the post-pandemic labour market is occupation specific, being evident for financial accounts assistants but not certified accountants despite both occupations being selected for having minimal physical requirements. The research further finds no evidence that enhancing qualifications and skills among job seekers reduces disability discrimination in hiring.⁶ The extent of disability discrimination is however found to relate to the characteristics of jobs, being greater for roles involving teamwork and customer/client contact suggesting that actual or perceived coworker or customer discrimination contribute to disability-related hiring gaps. The research also finds no evidence that discrimination is lower among employers promoting themselves as equal opportunities employers and vacancies with the potential for remote work. These findings are consistent with previous criticism of the government Disability Confident accreditation scheme (Hoque and Bacon, 2024) and question recent government emphasis on remote work as an effective channel for reducing the DEG.

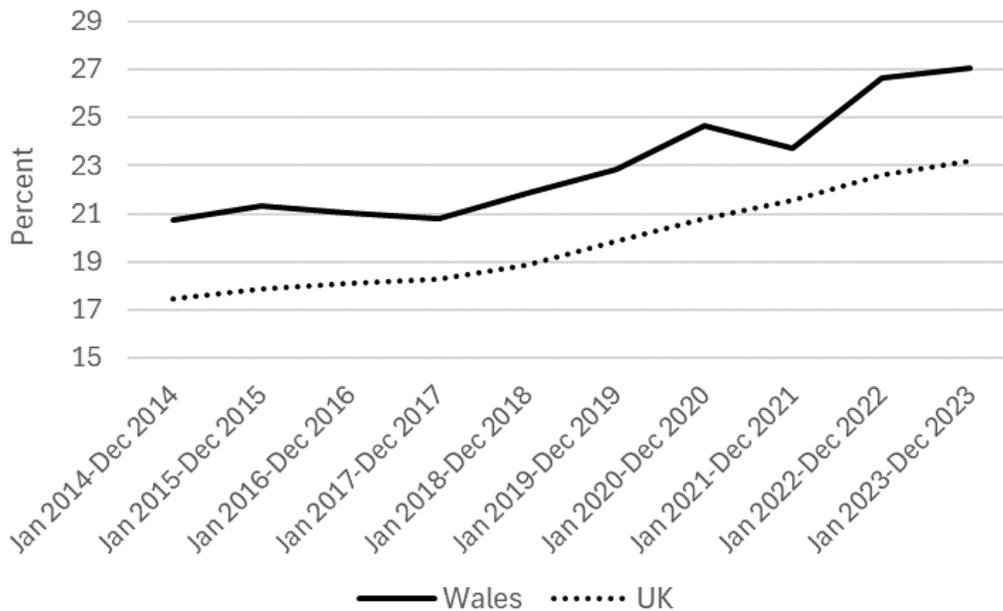
⁶ Further details of the project are available at: committees.parliament.uk/writtenevidence/129255/pdf/.

1. Disability measurement

Disability is typically measured using an activity-limiting definition of disability that is, the presence of a long-term health problem (defined as lasting 12 months or more) which affects day-to-day activities. It is designed to be consistent with 2010 Equality legislation. As a self-reported measure, it is sensitive to legal and social norms.

The definition and prevalence of disability in survey data underpins our understanding of disability gaps in labour market outcomes. A rising trend in disability among the UK working-age population was evident in the APS prior to COVID-19 but has become more pronounced since then. Figure 2 plots disability prevalence in the APS (as measured by the proportion of the working-age population classified as disabled according to the Equality Act definition) for Wales and the UK. It shows that disability prevalence is higher in Wales (27.1% in 2024) than the UK (23.2% in 2024).⁷ In both cases disability prevalence has been on an upward trend since 2014. The extent of increase is sizeable (30.4% in Wales and 32.9% in the UK).

Figure 2: Disability Prevalence 2014-2023, APS



Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. APS 2014-2023.

The most likely explanation for the rise in disability prevalence at least prior to COVID-19, is the broadened social interpretation of disability as awareness and acceptability of disability has grown. The increase in disability prevalence is unlikely to reflect changes in underlying health and functional impairment and/or their impacts on activity-limitation. Rather it is likely the result of changes in recognition, acceptance, law, policy and practice. This ‘cultural effect’ potentially confounds the ability of the DEG to measure progress on disability equality or the outcome of policy innovations. To measure and account for this, we recommend further data collection to measure disability using multiple definitions, including measures based on functional limitations which

⁷ The corresponding figure for ‘Outer UK’ is 24.9%.

capture more medical (objective) components of disability that can be used to understand why (Equality Act) disability prevalence has changed. This would fit best practice internationally. For example, the UK could use the questions recommended by the Washington Group on Disability Statistics.⁸

Changes in the composition of disability, such as in terms of the type and severity of disability will also affect trends in the DEG. Here we highlight two consistent findings:

- (1) The DEG is well-established to be larger for those whose main condition is a mental rather than physical health problem.⁹ This is true even after accounting for differences in other observable personal characteristics, for example age and education, consistent with differences in the probability of employment relating to the nature of disability *per se* (Jones, 2011; Jones 2022). This additional disadvantage associated with mental compared to physical health problems also extends to hourly pay.
- (2) The DEG also increases with the severity of disability, including measures of severity based on the presence of multiple health problems or self-reported limitation (limited ‘a lot’ versus ‘a little’). Again, this is not simply a consequence of differences in other personal characteristics between those with different severities of disability, consistent with severity itself having an additional role (Jones, 2011; Jones 2022). The pattern further also extends to pay (Jones, 2022).

Given this, it is particularly important to note that the rising prevalence of disability has coincided with changes in its composition. This has included an increase in disabilities due to mental health problems.¹⁰ We therefore recommend that the monitoring of disability-related employment inequality needs to extend to include, and more carefully consider, disability prevalence and the heterogeneity of disability.

The total impact of disability on employment has not declined.

An alternative measure of the employment impact of disability is given by the combination of disability prevalence and the DEG and can be interpreted as the total employment loss in the labour market as a result of disability. Figure 3 presents a measure of the product of prevalence and the DEG (prevalence x DEG) which we advocate as a supplementary indicator. Even over the period of narrowing of the DEG until 2019, the combined measure, the (prevalence x DEG), does not show evidence of narrowing in either Wales or the UK.¹¹ Instead, pre-COVID-19, the total employment loss as a result of disability remained fairly constant at about 5.6 percentage points for the UK and 7.2 percentage points for Wales.¹² This suggests that the rise in disability prevalence and likely decline in average severity as more people report disability for cultural reasons might have contributed to the narrowing DEG in Figure 1 and questions the extent to which the relative employment prospects of the disabled population in 2014 would be superior in 2019 as is often inferred by the narrowing DEG. Post-COVID-19 the rise in disability prevalence is not matched by a

⁸ See http://www.cdc.gov/nchs/washington_group/wg_questions.htm.

⁹ Mental health problems are defined to include depression, bad nerves or anxiety; severe or specific learning difficulties; mental illness or suffer from phobias, panics or other nervous disorders.

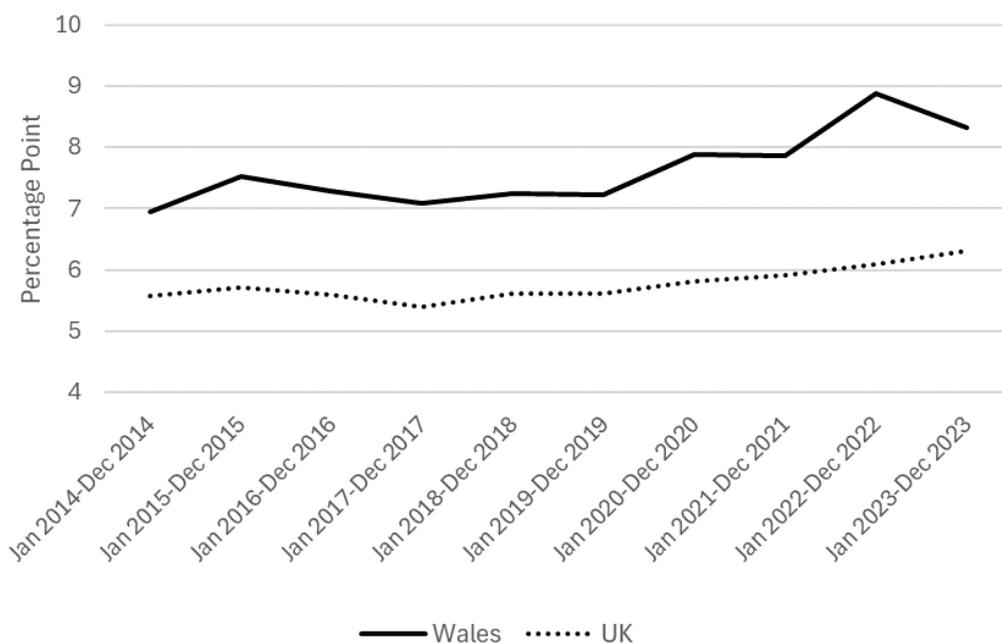
¹⁰ Recent work by the Health Foundation and the Resolution Foundation (2024) has highlighted the contribution of mental health problems (depression, anxiety or bipolar disorder) to rising disability prevalence among young people (particularly those aged 18-24).

¹¹ For a more detailed analysis see: <https://www.disabilityatwork.co.uk/wp-content/uploads/2020/08/Briefing-Note-disability-measurement-.pdf>.

¹² The corresponding figure for ‘Outer UK’ is 6.3 percentage points.

fall in the DEG, which results in the total employment loss due to disability rising in Figure 3.¹³ One potential explanation is that the rise in prevalence post-COVID-19 is driven by more severe functional restrictions such that average disability severity increases. The recent increase in the total impact of disability has prompted new focus and concern about the impact of disability on labour supply shortages and the performance of the macroeconomy (see Haskel and Martin, 2022, for example). This rising trend in the total employment impact is also more pronounced in Wales than in the UK. In this context it is useful to consider other likely implications including the consequences for the government budget of the associated rise in disability-related welfare recipients.

Figure 3: DEG x Prevalence 2014-2023, APS



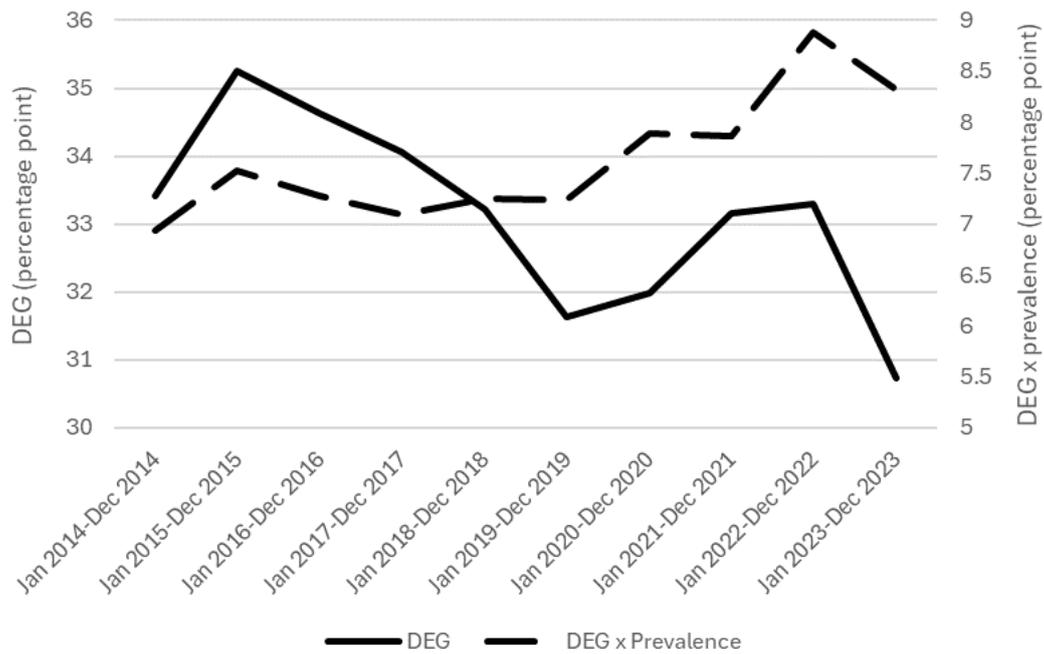
Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. APS 2014-2023.

In terms of assessing progress, including in relation to policy effectiveness, the contrast between inferences based on the DEG and the measure of total employment loss, which takes into account of rising disability prevalence can be most easily illustrated in Figure 4, which plots the two measures simultaneously for Wales. Over the period 2014-2023 the downward trend in the DEG (measured on the left-hand axis) can be contrasted to the rising trend in the DEG x prevalence measure (measured on the right-hand axis). The same pattern is also evident for the UK.¹⁴

¹³ This is consistent with recent attention on the rise in inactivity due to long-term sickness post COVID-19 (see for example: [A U-shaped legacy • Resolution Foundation](#))

¹⁴ See [Home - Disability at Work](#).

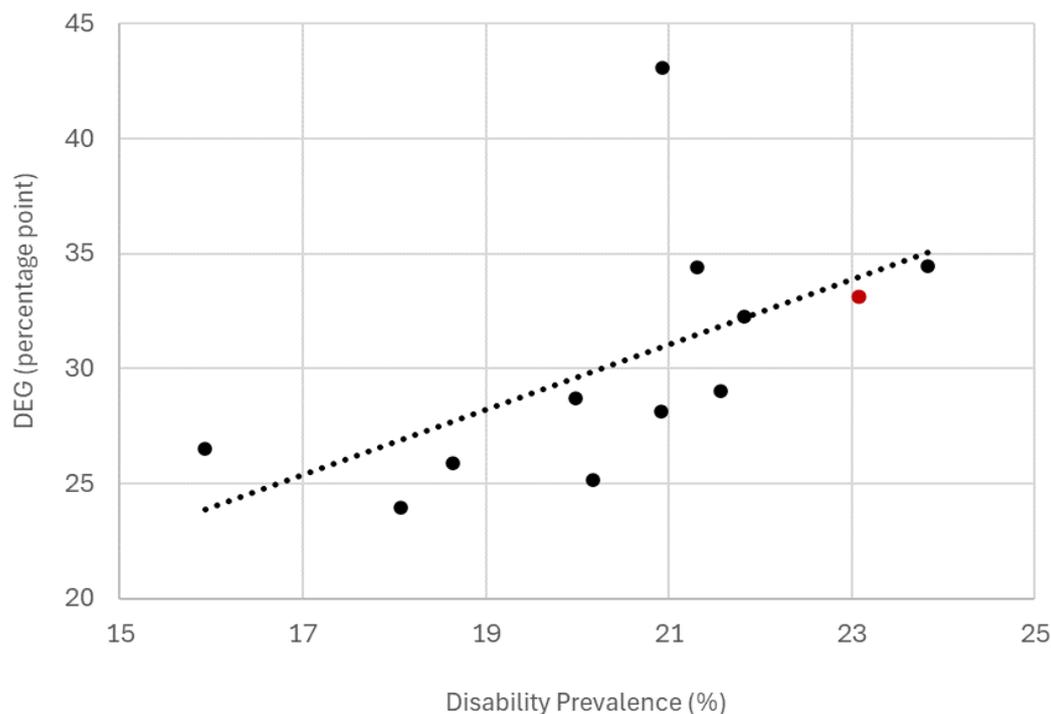
Figure 4: DEG and DEG x Prevalence in Wales 2014-2023, APS



Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. APS 2014-2023.

Since there is a positive correlation between the prevalence of disability and the DEG at the regional and local level, the two effects are reinforcing, leading to greater variation in the employment loss across areas than indicated by the DEG. By way of illustration, in comparison to the UK, Wales has a greater prevalence of disability which magnifies the impact of the higher DEG since it affects a greater proportion of the working-age population. Figure 5 presents a regional illustration by plotting disability prevalence by the DEG for the 12 standard regions of the UK. Wales is highlighted in red. The line of best fit, which is indicated by the dashed line clearly shows the positive relationship between regional disability prevalence and the DEG which leads to the reinforcing effect on total employment. Even if we exclude Northern Ireland, which is somewhat of an outlier with a particularly large DEG, the positive relationship remains.

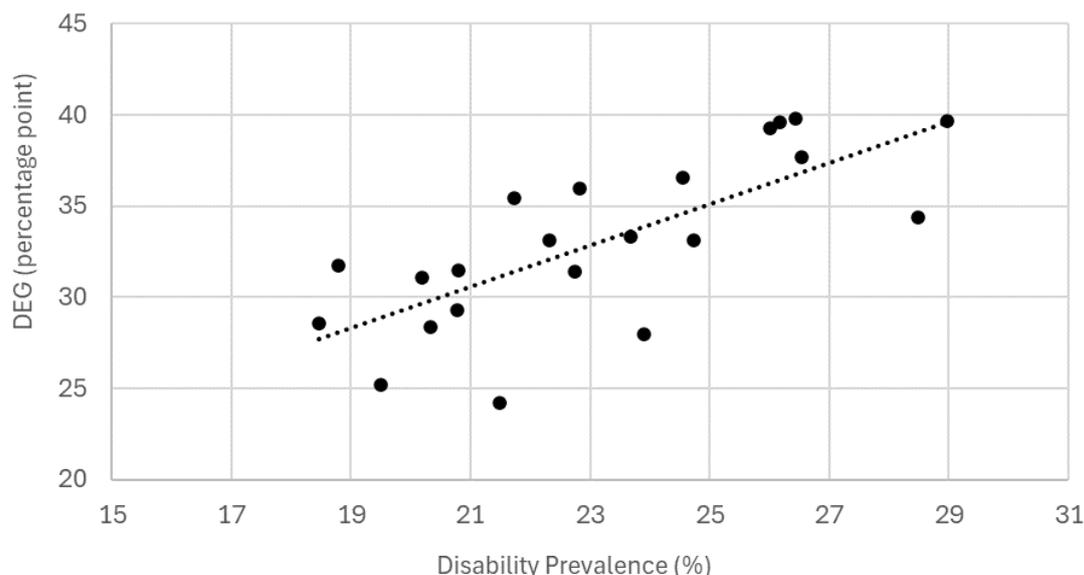
Figure 5: Scatterplot of Regional Disability Prevalence and the DEG in the UK, APS



Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. Figures reflect the average between 2014-2023. Each point denotes a region of the UK. Wales is highlighted in red. The dashed line is the line of best fit.

Importantly, the same pattern exists at a local level (see Figure 6). That is local areas in Wales with a high prevalence of disability also tend to have a high DEG. This results in the employment loss due to disability being much larger in some local areas including Blaenau Gwent, Merthyr Tydfil, Neath Port Talbot and Rhondda Cynon Taff where it has been 10 percentage points or more between 2014-2023. This contrasts with losses of less than 6 percentage points in the Vale of Glamorgan, Monmouthshire, Ceredigion, Cardiff and Gwynedd over the same period. Recognition of this spatial variation supports the case for differentiation in the intensity of policy interventions.

Figure 6: Scatterplot of Local Area Disability Prevalence and the DEG in Wales, APS



Notes: Authors calculations based on APS data on the economic activity of people with Equality Act disability. Sample is aged 16-64. Figures reflect the average between 2014-2023. Each point denotes a local authority in Wales. The dashed line is the line of best fit.

2. In-work disability gaps

We continue to argue that the intense focus on the probability of employment offers a partial and incomplete understanding of labour market inequality for disabled people. Our research over several decades has shown disability-related inequality extends to outcomes among those in employment. These are important in their own right but they are also key to understanding and addressing the DEG.

We illustrate our argument using a select group of in-work indicators.

(1) In addition to a DEG there is a disability gap in hours worked, with disabled workers on average more likely to work part-time (Jones, 2007). While part-time employment can form an important way of accommodating disability at work and thus facilitate employment for those who would otherwise not work, it means the disability gap in total employment hours is larger than the simple DEG (measured by the number of people). As such, the impact of disability on employment is under-estimated by focusing on employment levels alone.

(2) There is a sizeable disability gap in hourly earnings, with disabled employees in the UK earning on average between 10 and 15% less than non-disabled employees. About half of the pay gap can be explained by differences in personal and job characteristics between disabled and non-disabled workers, leaving a substantial unexplained gap (Jones *et al.*, 2006). Recent work suggests the hourly pay gap has, if anything, widened over the last decade, is most prominent higher up the earnings distribution, consistent with a ‘glass ceiling’, and is larger on average in the public compared to the private sector (Jones, 2023). The historical neglect of the disability pay gap (DPG) in the UK stands in particular contrast to public, academic and policy interest in the gender pay gap. In this respect we note the contrast in Wales, with the elimination of the DPG by 2050 a National Milestone. Nevertheless, the lack of more widespread attention severely limits our understanding of the drivers of the DPG.

(3) There is a disability gap in wellbeing at work as measured, for example, by job satisfaction and perceptions of fairness of managers (Jones 2016; Hoque *et al.*, 2017). These measures likely capture a wide range of job characteristics, including but also extending beyond pay. Again, the evidence suggests this is not fully explained by the nature of jobs held by disabled relative to non-disabled workers (Jones 2016; Hoque *et al.*, 2017). Such evidence is important not least because subjective measures like job satisfaction have previously been found to relate to workplace performance and worker quits.

(4) The economic cycle. Our previous evidence based on nationally representative data showed that disability gaps in in-work indicators widened in the UK during the Great Recession (Jones *et al.*, 2021).¹⁵ Disabled employees were significantly more likely than non-disabled employees to report outcomes such as increased workloads, work reorganisation, a wage freeze or cut, and restricted access to paid overtime and training as a result of the recession, even after controlling for personal, job and workplace characteristics.

(5) Remote work. As part of analysis of the impact of COVID-19 on disability labour market inequality, Jones (2022) showed that prior to COVID-19 disabled workers were slightly more likely than non-disabled workers to work at home even in the same job, consistent with this being a reasonable adjustment. However, she also shows that disabled workers were less likely to benefit from the rise in homeworking during COVID-19, consistent with earlier evidence from the US that disabled employees are less likely to work in the high skilled jobs which have the higher potential for remote working (Schur *et al.*, 2020).

(6) Self-employment.¹⁶ Rates of self-employment have traditionally been higher for disabled relative to non-disabled workers in the UK, particularly for solo self-employment (Jones and Latreille, 2011). This may be the outcome of both negative ‘push’ and, more positive, ‘pull’ factors. There is evidence of both factors, including that the flexibilities offered by self-employment are used by disabled people as a mechanism through which to accommodate their disability at work. In this respect, self-employment is potentially important in facilitating work for those who otherwise might not be able, thereby contributing to reduce the DEG. However, there is currently limited evidence on differences in the nature of, and success in, self-employment between disabled and non-disabled people. This is critical to establish the extent to which self-employment is a sustainable form of employment and a mechanism through which the quality of life and wellbeing of disabled people can be improved.

In what follows we make two core recommendations to strengthen evidence-based government policy in relation to labour market equality for disabled people. These focus on national monitoring by government, and government support of organisational monitoring, essential if employers are to improve disability equality policy and practice.

3. Future national monitoring

Collecting and reporting on disability and disability-related outcomes at the national level allows understanding and scrutiny of progress in relation to disability equality. It is essential that such

¹⁵ For more information see: <https://www.disabilityatwork.co.uk/research-areas/in-work-disability-gaps/all-in-it-together-the-impact-of-the-recession-on-disabled-people/>

¹⁶ This forms a brief summary of our evidence to the Work and Pensions Select Committee on self-employment and the gig economy inquiry [SGE0021 - Evidence on Self-employment and the gig economy \(parliament.uk\)](https://www.parliament.uk/business/committees/committees-a-z/work-and-pensions-select-committee/evidence/2021-22/sge0021-evidence-on-self-employment-and-the-gig-economy/)

information is collected consistently and accurately, and that the statistics generated are interpreted meaningfully. In this respect disability measurement, prevalence and the DEG need to remain at the fore of attention and analysis by ONS needs to understand the consequences, and therefore minimise the impact of, discontinuities.¹⁷ There is a real risk that, as with prior changes to the LFS (in 1998, 2009 and 2013), the main source of data on disability in the UK will not be comparable pre- and post- its forthcoming transformation.

In addition to more robustly measuring disability and the disability-related employment impact (see Section 1) by undertaking comparisons of the DEG across surveys and measures, monitoring and adjusting for disability prevalence and new data collection in relation to functional measures of disability from which to benchmark and understand the rising prevalence, we recommend the government extend its focus beyond employment levels (see Section 2). First, we recommend that the government monitor employment flows, that is, rates of entry and exit from employment to better understand the underlying dynamic patterns of recruitment and retention. These give rise to changes in the stock of employment but have distinct implications for policy. However, we also recommend the government extend its monitoring to in-work indicators consistent with a growing body of evidence on the range of dimensions of disability inequality in the labour market which are neglected by government policy. Not only are these measures important in their own right but they contribute to the recruitment and retention of disabled people and hence the DEG.

Given the availability of these measures in existing large and representative surveys, we recommend that a basket of indicators around disability and work are monitored, which cover disability prevalence and the experience of work, to provide a more comprehensive picture of disability inequality in the labour market and broader foundation for policy.¹⁸

4. Organisational monitoring and reporting¹⁹

We have long argued that employers play a critical role in determining labour market equality for disabled people, a role historically insufficiently recognised in government policy. The recent draft Equality (Race and Disability) Bill announced in the 2024 King's Speech at the State opening of Parliament suggests a major change in this regard, with the proposed extension of Gender Pay Gap Reporting to disability. However, in the majority of organisations disability is not currently measured or monitored. This means there will be significant practical challenges in the implementation of organisational disability reporting. Monitoring workforce disability is, however, essential if employers are to assess the need for, or impact of, their policies and practices on disability inequality, or meet their obligations under the Equality Act. The existing information deficit is not sufficiently appreciated. There is a clear need for a lead from government to address it, with potential for organisations to learn from national best practice in disability measurement and monitoring.

¹⁷ See Baumberg *et al.* (2015) for a discussion of the sensitivity of disability measures to definition and survey methods.

¹⁸ While in 2019 the ONS started to address the dearth of evidence on disability in the UK (see <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/improvingdisabilitydataintheuk/2019>), including providing evidence on the DPG, the absence of inclusion of broader measures in government policy limit the extent to which they will be addressed. The ONS analysis also rightly highlights the need for a programme of work to address issues in the measurement of disability.

¹⁹ Wass and Jones (2023) provide a more detailed and comprehensive discussion. See also [Disability@Work-submission-to-the-Disability-Workforce-Reporting-Consultationfinal.pdf](https://disabilityatwork.co.uk/wp-content/uploads/2023/06/Disability@Work-submission-to-the-Disability-Workforce-Reporting-Consultationfinal.pdf) (disabilityatwork.co.uk) for our evidence to the disability workforce reporting consultation.

The introduction of the *Voluntary Reporting on Disability, Mental Health and Wellbeing* framework, which recommends monitoring disability prevalence among the workforce provided a useful starting point, but requires significant amendment if it is to provide a platform for mandatory disability reporting.²⁰ The most important and immediate change that is required is the integration of organisational and national measurement by ensuring a consistent Equality Act definition of disability is applied by organisations.²¹ This not only ensures consistency between national and employer monitoring but in applying a common definition of disability it facilitates comparability *between* organisations. The latter is key if organisational reporting of the DPG is to be effective and, if the government is to use such information, for example, as part of strengthening Disability Confident to include objective outcomes or integrating disability equality into Public Procurement in line with the Social Value Act.²² Indeed, accurate and consistent measurement of disability is a prerequisite for the development of organisational measures of disability inequality e.g. in relation to recruitment and retention, or pay and job satisfaction gaps, from which employers can track progress and evaluate changes in practice.

Given the complexities in measurement, organisations need clear guidance and support from government to collect meaningful and comparable statistics on organisational disability inequality. In short, while co-produced with organisations, organisational measurement must be a government-led national project. The government can also act as a role model employer illustrating best practice in this regard. The benefits of such approach in terms of raising the profile of disability gaps within organisations and in providing useful data for understanding the role of organisations, currently not identified in any contemporary nationally representative UK survey on disability, should not be underestimated.²³ Indeed, such data would enable the government to explore how individual organisations contribute to the national employment of disabled people, and whether the DPG is predominately a within (that is, it exists for disabled and non-disabled employees with the same employer) or between (that is, it reflects that disabled employees typically work for different employers than non-disabled employees) employer phenomenon.

Such a nationally designed and implemented organisational measurement framework would also serve as a template to monitor disability in other contexts, including activities supporting employment, such as in terms of access to training or finance. Indeed, it is key in providing reliable data to answer questions raised in this inquiry, such as the uptake of apprenticeships. Indeed, more generally, used alongside qualitative evidence, a framework for measuring disability would provide a foundation for consistent nationally representative evidence on the social, political and economic experience of disability, support the evaluation of changes in policy and practice, and the monitoring of progress in relation to many of the broader recommendations set out in the ‘Locked Out’ report.

We therefore recommend the government provides clear guidance to employers on measuring and reporting disability among their workforce on the basis of the 2010 Equality Act, that they

²⁰ For a more detailed discussion of the changes we recommend to the voluntary reporting framework, see: <https://www.disabilityatwork.co.uk/wp-content/uploads/2020/04/Recommendations-for-revision-of-the-voluntary-reporting-framework.pdf>

²¹ We recommend that organisations use the harmonised definition and LFS questions to achieve this.

²² For recommendations in relation to Disability Confident see: <https://www.disabilityatwork.co.uk/wp-content/uploads/2019/11/disability@work-Disability-Confident-level-3-briefing-paper.pdf>

²³ The last nationally representative survey of employers containing information on employee disability, the Workplace Employment Relations Survey (WERS) was undertaken in 2011.

adopt best practice as an employer and embed these measures in government policy to encourage widespread monitoring and reporting of disability equality by employers.²⁴

References:

- Armenak, A., Burn, I. and Jones, M. (2024). Productivity signals and disability-related hiring discrimination: evidence from a field experiment, mimeo Cardiff University.
- Baumberg, B., Jones, M. and Wass, V. (2015). Disability and disability-related employment gaps in the UK 1998-2012: different trends in different surveys? *Social Science and Medicine*, 141: 72-81.
- Black C (2008) *Working for a Healthier Tomorrow: Work and Health in Britain* Department of Work and Pensions. <https://www.gov.uk/government/publications/working-for-a-healthier-tomorrow-work-and-health-in-britain>
- Davies *et al.* (2011) *An Anatomy of Economic Inequality in Wales*, A report prepared on behalf of the Wales Equality and Human Rights Commission, WISERD Research Reports Series No. WISERD/RRS/002.
- Haskel, J and Martin, J. (2022). Economic inactivity and the labour market experience of the long-term sick. Working paper. Available at: <https://t.co/B06wJvPUJJ>
- Health Foundation and the Resolution Foundation (2024). We've only just begun, February 2024. Available at: [Weve-only-just-begun.pdf \(resolutionfoundation.org\)](Weve-only-just-begun.pdf (resolutionfoundation.org))
- Hoque, K. and Bacon, N. (2024) Do employers' equality certifications improve equality outcomes? An assessment of the United Kingdom's Two Ticks and Disability Confident schemes, Early View, *British Journal of Industrial Relations*.
- Hoque, K., Bacon, N., Jones, M. and Wass, V. (2017). Are high performance work practices enabling or disabling? Exploring the relationship between selected HPWPs and work-related disability. *Human Resource Management*, 57(2): 499-513.
- Jones, M. (2006). Is there employment discrimination against the disabled? *Economics Letters* 92: 32–37.
- Jones, M. (2007). Does part-time employment provide a way of accommodating a disability? *The Manchester School*, 75(6): 695-716.
- Jones, M. (2011). Disability, employment and earnings: an examination of heterogeneity, *Applied Economics*, 43(8): 1001-1017.
- Jones, M. (2016). Disability and perceptions of work and management, *British Journal of Industrial Relations*, 54(1): 83-113.
- Jones, M. (2022). COVID-19 and the labour market outcomes of disabled people in the UK, *Social Science and Medicine*, 292: 114637.
- Jones, M. (2023). The disability pay gap in the UK: What is the role of the public sector?, mimeo Cardiff University.

²⁴ Our recommendation is clearly aligned to *Criteria 1 (Gathering evidence systematically and comprehensively)* of the recent Independent report exploring the effectiveness of organisational equality and diversity practices [Report on the Inclusion at Work Panel's recommendations for improving diversity and inclusion \(D&I\) practice in the workplace - GOV.UK \(www.gov.uk\)](Report on the Inclusion at Work Panel's recommendations for improving diversity and inclusion (D&I) practice in the workplace - GOV.UK (www.gov.uk)).

Jones, M., Hoque, K., Wass, V. and Bacon, N. (2021). Inequality and the economic cycle: disabled employees' experience of work during the Great Recession in Britain, *British Journal of Industrial Relations*, 59(3): 788-815.

Jones, M. and Latreille, P. (2011). Disability and self-employment: evidence from the UK LFS, *Applied Economics*, 43(27): 4161-4178.

Jones, M., Latreille, P. and Sloane, P. (2006). Disability, gender and the British labour market, *Oxford Economic Papers*, 58(3): 407-459.

Schur, L., Ameri, M. and Kruse, D. (2020). Telework after COVID: a "silver lining" for workers with disabilities?, *Journal of Occupational Rehabilitation*, 30: 521-536.

Wass, V. and Jones, M. (2023). Organisational disability measurement and reporting in the UK. In J. E. Beatty, S. Hennekam and M. Kulkarni (eds.) *De Gruyter Handbook of Disability and Management*. 63-79. Berlin: De Gruyter.

SENEDD EQUALITY AND SOCIAL JUSTICE COMMITTEE INQUIRY INTO THE DISABILITY EMPLOYMENT AND PAYMENT GAP

August 2024

Evidence submitted by:

Mark Bryan, Andrew Bryce, Jennifer Roberts, Cristina Sechel

School of Economics, University of Sheffield

PLEASE DO NOT CITE THESE FINDINGS WITHOUT PERMISSION FROM THE AUTHORS

Please address correspondence to Mark Bryan, M.L.Bryan@sheffield.ac.uk

Our evidence is primarily submitted in response to the following questions:

What progress has been made to deliver the recommendations set out in the 'Locked Out' report and to reduce and remove barriers faced by disabled people who want to access Wales's labour market. Why progress to reduce the employment and pay disability gap has been so difficult to achieve.

How the social model of disability is being used to underpin employment and recruitment practices, and what barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes).

What further policy measures are needed to support disabled people, young disabled people and employers to increase participation rates and what can be learned from elsewhere.

We present evidence about the employment disability gap (DEG), not the pay disability gap. We summarise the results of two separate pieces of research:

- A comparison of the DEG in Wales with the other countries of the United Kingdom, followed by an analysis of how the DEG varies across local areas within Wales (and Great Britain more broadly) and what explains this variation. These results address the first and second questions above.
- An analysis of the role of education in the DEG. The analysis was conducted for the whole United Kingdom, but holds lessons for policy in Wales. It addresses the second and third questions above.

1. WHO ARE WE?

We are a team of health and labour economists who have many years of experience of research on the complex relationship between health and work. This evidence is part of a larger 3 year research project on '*Unpacking the Disability Employment Gap*' funded by the Nuffield Foundation. Full details of the data, methods and results can be found in the papers listed in the References.

2. WHERE DOES OUR EVIDENCE COME FROM?

Our main data source for this evidence is the Annual Population Survey (APS), a large-scale, nationally representative UK data set. It is derived from the Labour Force Survey (LFS). The LFS is the key source of labour market information for the Office for National Statistics (ONS), and is used by the DWP to monitor the DEG. The APS can be used for national-level analysis but also includes extra respondents (to the LFS), specifically to provide better local area estimates. The sample sizes are sufficient to generate meaningful results for most of the UK's 166 ITL3 areas.¹

The APS contains information on health and disability, labour market status and many other socio-demographic variables at individual and household level. It also contains geo-located identifiers to allow spatial analysis and the merging of area level data from other sources (see Bryan et al., 2024, for details).

The local area (ITL3 level) analysis uses combined data from 2014-19 in order to guarantee sufficient sample sizes within each local area. The analysis at country level uses data from 2019, in order to avoid the confounding effect of the pandemic and also concerns about its impact on the reliability of the LFS data (Francis-Devine, 2023). We look at more recent trends in forthcoming work (Bryan et al., forthcoming), although this is at UK level.

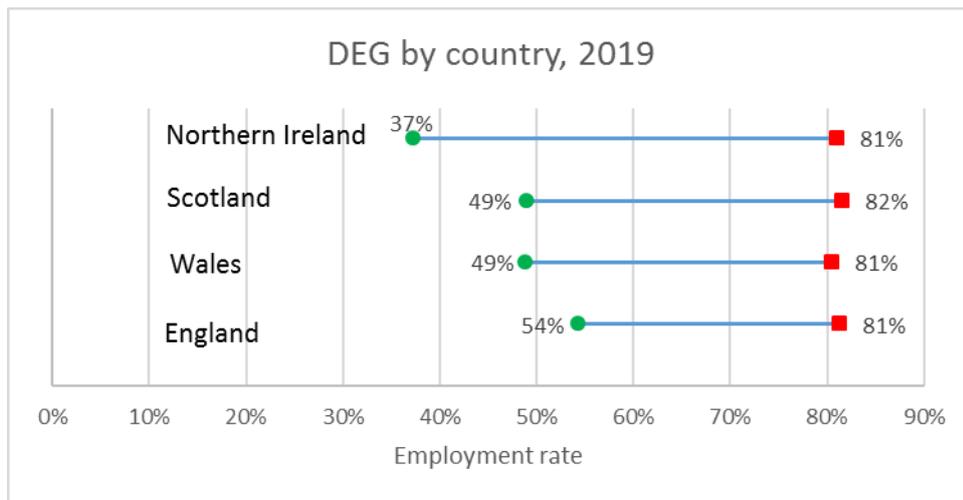
3. GEOGRAPHICAL VARIATION IN THE DEG

3.1. COMPARING WALES WITH THE OTHER UK COUNTRIES

In 2019 the employment rate among non-disabled people in Wales was 81%, compared with only 49% for disabled people, resulting in a DEG of 32 percentage points (pp). As shown in Figure 1 this DEG was significantly larger than that in England (27pp), about the same as the DEG in Scotland (33pp), and much smaller than that in Northern Ireland (44pp).

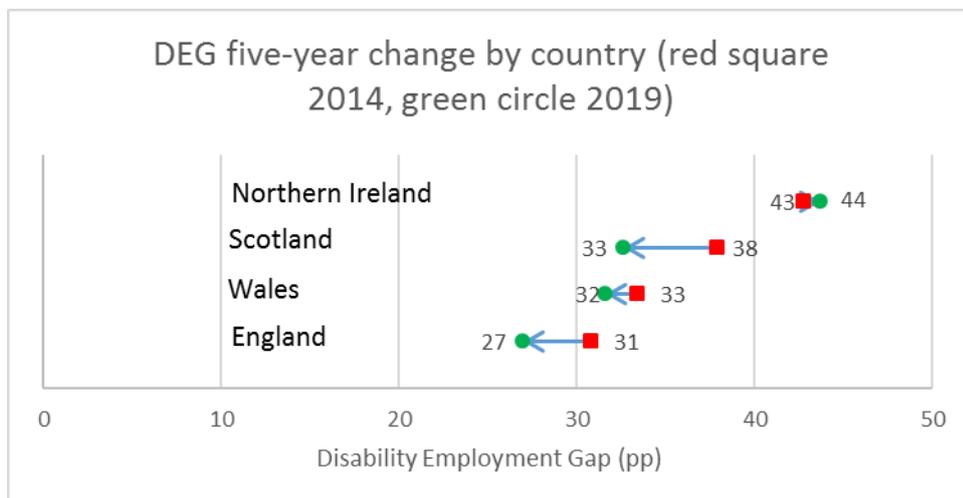
¹ ITL3 areas are administrative areas formerly known as NUTS3 areas. They are composed of one or more local authorities. Due to small sample sizes, Orkney and Shetland are excluded. We also exclude Northern Ireland due to inconsistencies with the rest of the UK in some other data sources used in our analysis.

Figure 1: DEG by country



However, unlike Scotland and England, Figure 2 shows that the DEG in Wales barely changed between 2014 and 2019. If it had shrunk by the same amount as in England (4pp), it would have been 29pp in 2019, not 32pp. It is clear from the chart that the reason for the higher DEG in Wales compared with England is that disabled people had a lower employment rate: 49% compared with 54%. This suggests that, at the country level, policy should focus on disabled people’s employment prospects rather than overall employment (the employment rate of non-disabled people is very similar across the two countries). As we will see below, this does not necessarily apply when looking at differences in the DEG at a more local level.

Figure 2: Change in DEG by country

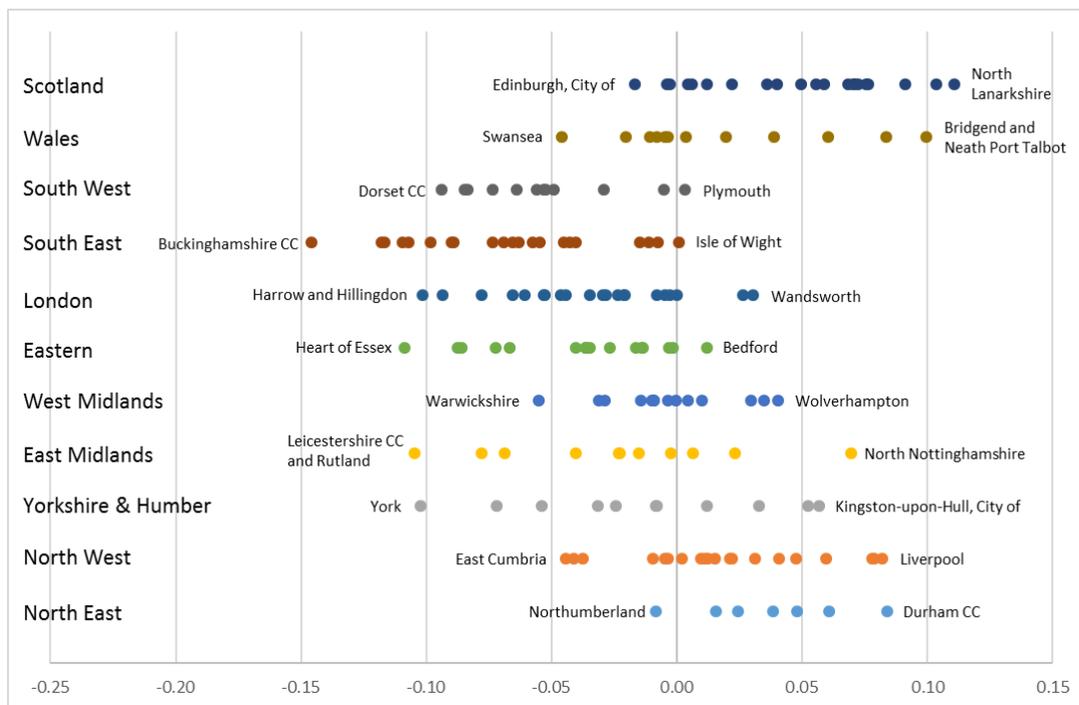


3.2. LOCAL VARIATION IN THE DEG

Figure 3 shows a more disaggregated picture, across the ITL3 areas of Great Britain (GB), using combined data from the years 2014-2019. Each point on the chart shows the DEG for an ITL3 area relative to the GB average (the vertical zero line). It is clear that there is wide variation

within countries and regions. For Wales the local DEGs range from nearly 5pp less than the GB average in Swansea to 10pp to more than the average in Bridgend and Neath Port Talbot. The latter DEG is almost the highest in GB (exceeded only by two areas in Scotland, East Ayrshire & North Ayrshire mainland and North Lanarkshire).

Figure 3 – Difference from national DEG (2014-19) by ITL3 area



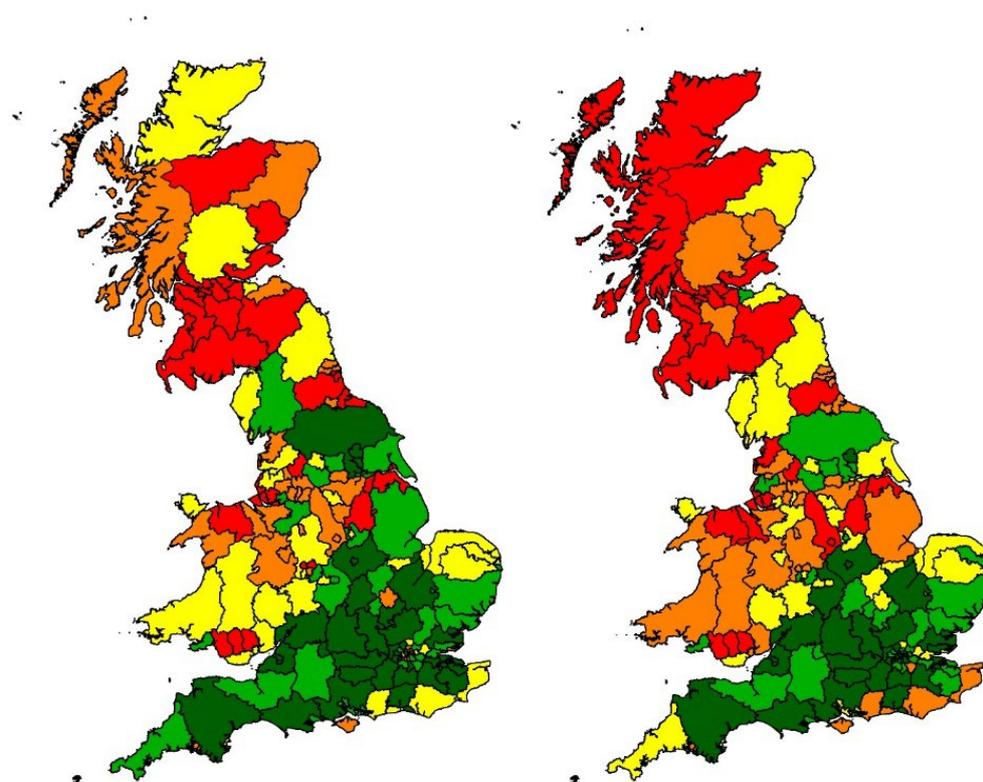
The map in Figure 4(a) also represents the local DEGs, which have been divided into 5 quintile groups according to their size, ranging from red (the largest DEGs), though orange, yellow, light green and dark green (the smallest). Four areas (Conwy & Denbighshire, Central Valleys, Gwent Valleys and Bridgend & Neath Port Talbot) stand out as being in the highest quintile group of the GB distribution.

Using statistical decomposition techniques (Bryan et al, 2024), we analyse what lies behind the geographical variation in the DEGs. Some of the difference between each area’s DEG and the national DEG can be explained by the profile of the working age population living in that area – characteristics such as age, education level and family type. This is called the people effect. Any remaining difference between each area’s DEG and the national DEG is termed the place effect – reflected in features such as the state of the local economy and infrastructure.

Figure 4 – DEG quintiles by ITL3 data

(a) Total difference in DEG

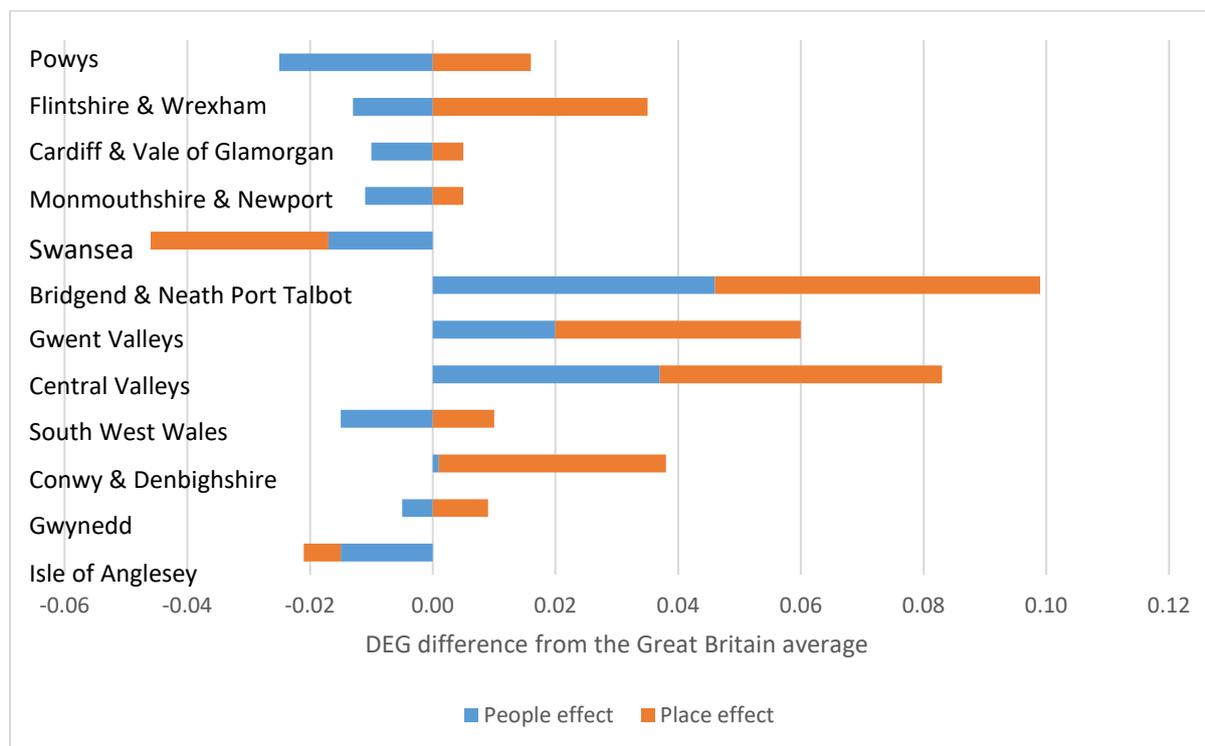
(b) Difference in DEG due to place effect



These place effects are shown in Figure 4(b). Comparing them to the total DEGs of Figure 4(a), we see that Conwy & Denbighshire, Central Valleys, Gwent Valleys, and Bridgend & Neath Port Talbot are still in the highest quintile group. But three other areas have moved up: the place effects of South West Wales, Powys, and Monmouthshire & Newport are now in the second highest quintile group (in orange) and Flintshire & Wrexham is now in the highest group (in red). The change in ranking for these areas is because they have population characteristics that lead to a lower DEG, and these characteristics were previously masking the effect of their unfavourable area characteristics.

The relative roles of people and place effects emerge more clearly in Figure 5, where we can identify the underperforming areas as those with large positive place effects (in orange). The two exceptions to the general picture are Anglesey and, most noticeably, Swansea. Swansea has a total DEG that is 4.6pp less than the GB average, and this can be attributed to favourable population characteristics and, in particular, favourable area characteristics. Despite the positive performance of Swansea, the place effects for all but three areas in Wales fall within the top two quintile groups of the GB distribution. This suggests there is considerable scope for place-based policies to reduce the DEG.

Figure 5: Breakdown of DEG in ITL3 areas in Wales (difference from GB average)



3.3. EXPLAINING THE PLACE EFFECTS

Based on a GB level analysis, we explore a set of area-level characteristics which contribute to the place effects. Industrial composition makes the largest contribution to explaining geographical variation in the DEG. Areas with a large proportion of people in ‘knowledge services’ have high employment of disabled people, after accounting for people effects. In comparison, there is no relationship between the employment rate of non-disabled people and industrial composition. Therefore, overall, a large knowledge sector is associated with a smaller DEG. Related to this, a higher concentration of jobs suitable for working from home is also associated with a lower DEG. This finding provides some support to the recommendation in the ‘Locked Out’ report (Welsh Government, 2022) to increase employer support for working from home.

Given an industrial composition that favours the knowledge sector, areas with a high proportion of people working in elementary occupations have a smaller DEG. This is not surprising as disabled people are often concentrated in lower skilled occupations. Moreover, local unemployment rates affect the employment prospects of disabled people to a larger degree than non-disabled people, suggesting that both the level of and composition of labour demand is important for the DEG.

In contrast, geographic variation in the provision of services that might be expected to help disabled people find employment (namely healthcare provision, strength of social institutions and public transport travel times) has minimal influence on the DEG. Similarly, very little of the geographic variation in the DEG can be explained by local differences in disability employment policies. Specifically, we find minimal geographic effects from employer engagement with Disability Confident or the strictness with which benefit sanctions are applied.

3.4. POLICY IMPLICATIONS

Strong local labour markets characterised by low unemployment and a thriving knowledge sector, coupled with good availability of elementary jobs, can disproportionately improve the employment prospects of disabled people and narrow the DEG. Attracting high value investment in the knowledge sector (IT, finance, professional services and education) to left behind areas in Wales (in particular the 5 areas with the largest DEG place effects) could help to boost the employment prospects of disabled people to a greater extent than their non-disabled counterparts (even if this employment is not concentrated in the most high-skilled occupations).

However, levelling up is not a magic bullet. Even if all areas had the same characteristics, there would still be considerable variation in the DEG. So there is also a need for bespoke local interventions to address the specific barriers to disabled people’s ability to access employment. Recent UK government proposals to empower local leaders to develop work, health and skills plans appear to offer potential, although it is unclear at this point how they will apply to Wales.² However, they chime with the recommendations in the ‘Locked Out’ report (Welsh Government, 2022) about encouraging “meaningful co-production” on the part of local authorities and health boards.

4. THE ROLE OF EDUCATION IN THE DEG

In other research (Bryan et al., 2023), we explore the extent to which differences in education explain the DEG, using APS data from 2019 on a sample of 134,103 25-64 years olds (an age group that has generally completed full-time education). We break down how much of the DEG in 2019 is due to education, how much is due to other measured socio-demographic characteristics, and how much is due to other factors that limit the employment of disabled people after accounting for education and these other measured characteristics. We use the term ‘structural barriers’ to refer to the latter component, which can include lack of suitable

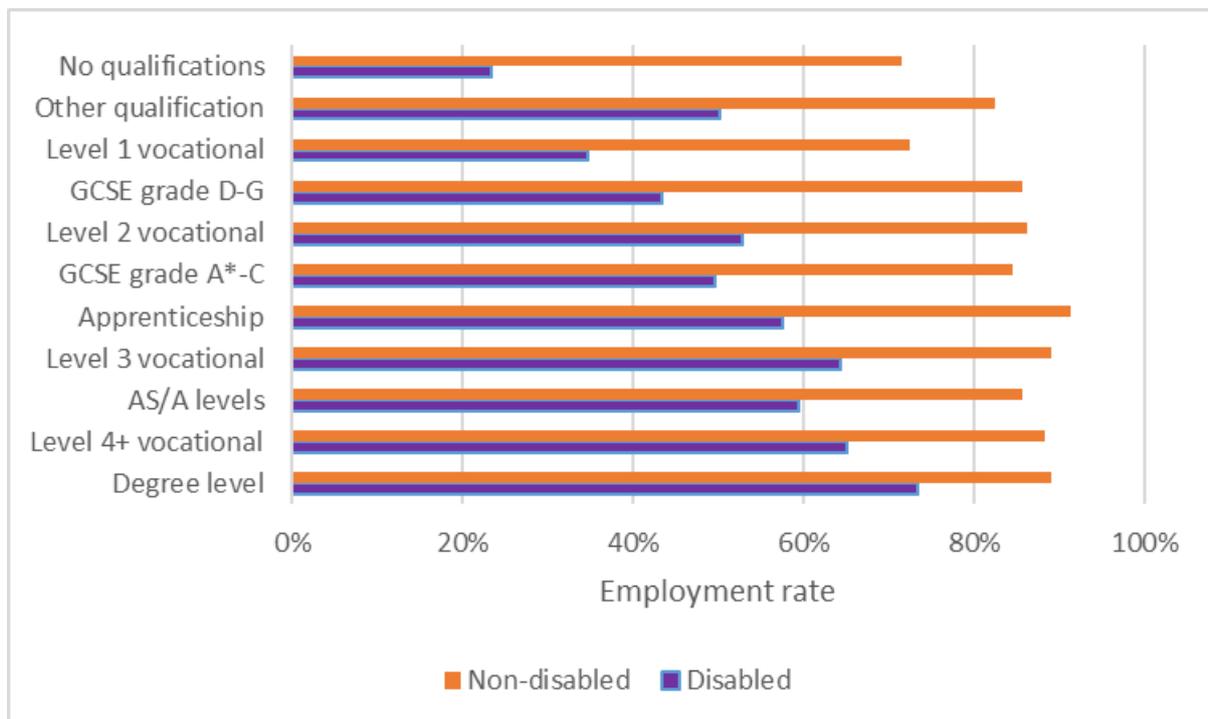
² See the UK government’s announcement at: <https://www.gov.uk/government/news/kendall-launches-blueprint-for-fundamental-reform-to-change-the-dwp-from-a-department-of-welfare-to-a-department-for-work>

equipment in the workplace, inappropriate working arrangements, poor access to transport, as well as discrimination and negative attitudes.

4.1. EDUCATION LEVELS AND EMPLOYMENT RATES

Disabled people have lower levels of education, on average, than non-disabled people. In our sample, nearly two-fifths (39%) of non-disabled people are educated to degree level or higher compared to less than a quarter (24%) of disabled people; and disabled people are nearly three times as likely not to have any qualifications (17%, compared to 6% of non-disabled people). There are also stark differences in employment rates of disabled and non-disabled people across education levels (Figure 6). In particular, there is a steep education-employment gradient for disabled people, with is not evident for non-disabled people. This means that the DEG is much smaller at higher qualification levels, ranging from 16pp among those educated to degree level to 48pp among those with no qualifications.

Figure 6 – Employment rates of disabled and non-disabled people by highest qualification, 2019



4.2. UNPACKING THE ROLE OF EDUCATION IN THE DEG

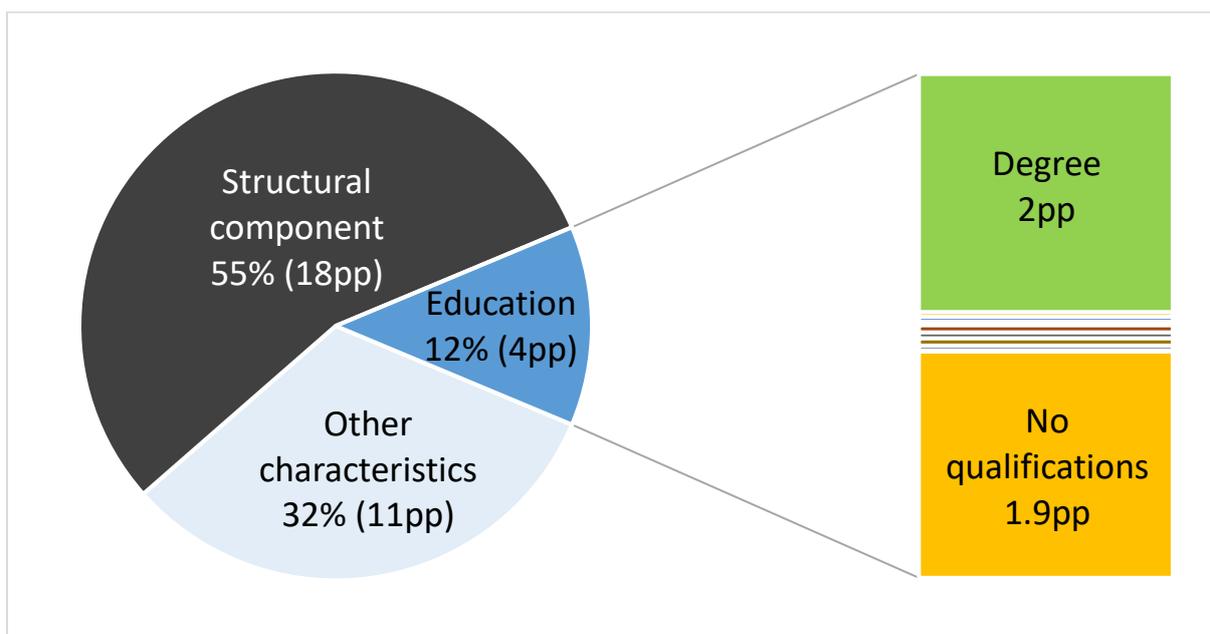
In light of these difference, we address two questions:

1. If the educational divide were to be eliminated entirely (by raising disabled people’s qualifications), without changing anything else, by how much would the DEG be reduced?
2. How do the remaining structural gaps in employment vary across different qualification levels, and at what point in the qualifications hierarchy are the main effects seen? For example, does the main explanatory power come from contrasting people who do and do not have any formal educational qualifications; or it is more informative to consider the different prevalence of higher education among disabled and non-disabled people?

The DEG in 2019 for people aged between 25 and 64 was 33.2pp. As shown in Figure 7, differences in educational attainment explain 12% (4.1pp) of this DEG. Other observed characteristics that we control for in our model explain 33% (10.7pp). The remaining 55% of the DEG is attributed to structural barriers. This means that if the educational divide between disabled and non-disabled people were to be eliminated, the DEG would be reduced by 12% (holding all else constant).

We can further break down the education component to see how much of the DEG is explained by each of the education levels we consider. Out of the eleven education levels shown in Figure 6, two stand out as the main drivers behind the education component of the DEG, namely having a degree and having no qualifications (Figure 7). Together they account for a difference in employment rates of 3.9pp, which suggests that policies aimed at improving the employment outcomes of disabled people should focus primarily on increasing the number of disabled people with a degree and decreasing the number of disabled people with no qualifications.

Figure 7 – Breakdown of the overall DEG



The size of the structural component in Figure 7 suggests that eliminating structural barriers to employment would have a much greater impact on the DEG than on simply improving the education levels of disabled people. The factors that make up this structural component are complex and numerous and it is beyond the scope of our research to identify them in detail, however we can ascertain how much of the DEG could be eliminated if structural barriers were removed for each qualification level.

Wider structural gaps exist at lower levels of educational attainment: for people with no qualifications the structural gap is 32.2pp, compared with 12.3pp for people with degrees. This means that higher education mitigates some of the barriers to employment that disabled people face. It also suggests that eliminating structural barriers for a disabled person with no qualifications would have a larger impact than eliminating them for a disabled person with a degree. However, looking at the sample as a whole, the greatest impact on reducing the DEG would be achieved by focusing on disabled people with a degree because they are relatively numerous (24% hold a degree versus 17% with no qualifications). More specifically, the structural gap among people with a degree accounts for over a quarter (26%) of the overall structural gap of 18pp.

Since most education is acquired at a young age, and young people are one focus of this Inquiry, it is also relevant to look at the DEG among those who recently completed full time education. Repeating the analysis for the 25-34 year olds, we find that the DEG is 27.7pp. This is somewhat smaller than the overall DEG of 33.2pp, however the share explained by education is larger at 18% (compared with 12% for the overall DEG), emphasising the potential benefits to improving education among young people.

4.3. POLICY IMPLICATIONS

Whilst the above results apply to the UK rather than Wales specifically, they suggest that a significant proportion of the DEG can be explained by inequalities in educational attainment between disabled and non-disabled people. If disabled people could achieve qualification levels equal to those of non-disabled people, this may by itself reduce the gap by up to 12%, an effect that would be greater for younger people. This would be equivalent to 24% of a target to halve the DEG (which was briefly the goal of the UK government; Department for Work and Pensions & Department of Health, 2016).

In England since 2015, all young people must continue to participate in education until the age of 18 (HM Government, 2011). While this does not guarantee that everybody leaves full time education with a qualification, over time this should reduce the number of working age adults with no qualifications and limit the intersectional disadvantage of being disabled and having no qualifications. Preliminary findings from new work (Bryan et al., forthcoming) suggest that improved education can explain about a third of the fall in the UK DEG over 2014-22.

Currently, the school leaving age in Wales is 16, but there have been calls for a 'skills participation age' of 18 (Fawcett and Gunson, 2020), which could accelerate the fall in the DEG. However, the investment required to achieve educational equity should not be underestimated. Many disabled students at the margins will need additional support to achieve these qualifications, relative to the support required by existing student caseloads. Moreover, a bigger challenge is to address the structural barriers to employment that exist among people with the same education levels.

5. REFERENCES

Bryan M., Bryce A., Roberts J., and Sechel C. (2023). The role of education in the disability employment gap. Sheffield Economic Research Paper Series (SERPS) no. 2023010, Sheffield: University of Sheffield.

Bryan M., Bryce A., Roberts J., and Sechel C. (2024). The geography of the disability employment gap: Exploring spatial variation in the relative employment rates of disabled people. Sheffield Economic Research Paper Series (SERPS) no. 2024002, Sheffield: University of Sheffield.

Bryan M., Bryce A., Roberts J., and Sechel C. (forthcoming). Unpacking trends in disability, health and employment in the UK, 2014-2022.

Department for Work and Pensions & Department of Health (2016). *Improving lives: The work, health and disability Green Paper*. Cm9342.

Fawcett, J. and Gunson, R. (2020). *Shaping the Future: A 21st Century Skills System for Wales*. Institute for Public Policy Research.

<https://www.ippr.org/articles/shaping-the-future>

Francis-Devine, B. (2023). Has labour market data become less reliable? House of Common Library.

<https://commonslibrary.parliament.uk/has-labour-market-data-become-less-reliable/>

HM Government (2011). *Building engagement, building futures: Our strategy to maximise the participation of 16-24 year olds in education, training and work*.

Welsh government, (2022). *Locked out: liberating disabled people's lives and rights in Wales beyond COVID-19*.

<https://www.gov.wales/locked-out-liberating-disabled-peoples-lives-and-rights-wales-beyond-covid-19-html>

Agenda Item 4.1



Jenny Rathbone MS

Chair, Senedd Equality and Social Justice Committee

Senedd Cymru

Cardiff Bay

CF99 1SN

13 September 2024

Dear Jenny Rathbone MS,

Thank you to the committee for your continued interest in supporting young people with speech, language and communication needs in the youth justice system, following the publication of the '60% Giving them a Voice' report in April 2023. Please see below an update from the Royal College of Speech and Language Therapists (RCSLT) on this issue.

This briefing;

- provides a short summary on the latest statistics on the speech, language and communication needs (SLCN) of young people within the youth justice system
- provides an update on the current position of the provision of the speech and language therapy within youth justice services in Wales
- discusses findings from HM Inspectorate of Probation (HMIP) reports
- provides an update on discussions with Welsh Government
- suggests several key asks

We are also sharing this report with the Senedd Children, Young People and Education Committee as part of its inquiry on Children and Young People on the Margins.

As the briefing reveals, despite clear evidence of the overrepresentation of young people with speech, language and communication needs (SLCN) within the criminal justice system, there remains

a postcode lottery of speech and language therapy provision within youth justice services in Wales and limited action from Welsh Government. We would be extremely grateful for the committee’s continued support in advocating for our most vulnerable young people.

Background

In the latest available statistics, 71% of children sentenced in the youth justice system in England and Wales (Apr 19 - Mar 20) had speech, language & communication needs¹.

At the most established speech and language therapy youth justice team in Wales at Neath Port Talbot and Swansea (which gave evidence before the committee in December 2022), the 2023-2024 annual service report revealed that 89% of the young people within the service have been identified with SLCN.

Update on speech and language therapy provision within youth justice services

Speech, language and communication need is mentioned in the foreword of the Youth Justice Board Strategic Plan 24-27. The plan notes the high level of need quoting the 71% statistic alluded to above². The table below highlights that whilst there has been an increase in the number of speech and language therapists employed within youth justice services since the inquiry, there continues to be no speech and language therapist posts funded by youth justice services in North Wales. Many of the newer posts in other parts of Wales have been funded on a fixed term basis via Turnaround Programme funding from the Ministry of Justice. This funding is due to end in March 2025 and no further funding stream has yet been announced.

Youth justice service	Whole time equivalent (wte) speech and language therapists (SLTs) in December 2022 at time of Senedd Equality and Social Justice Committee inquiry	Whole time equivalent (wte) SLTs as of July 2024	Contract and Funding
Blaenau Gwent and Caerphilly	0.4 WTE	0.4 WTE	Annual service level agreement (Permanent NHS SLT employee covering this, backfilled by SLT on a fixed term contract)
Bridgend	0.2 WTE Band 8A via	0.4 WTE	3 year contract (permanent staff)

^{1 1} Youth Justice Board and Ministry of Justice (2021): ‘Assessing the needs of sentenced children in the Youth Justice System 2019/20

² Ibid

	service level agreement		member seconded into post)
Cardiff	0	1 WTE	Substantive post; long-term funding from youth justice service (YJS).
Carmarthenshire	0	0.6 WTE	Fixed term contract funded for 18 months
Ceredigion	0	0	
Conwy and Denbighshire	0	0	
Cwm Taf (Merthyr and Rhondda Cynon Taf)	0.4 Band 8a via service level agreement	0.4 + 0.2	0.4 WTE – funded for 3 years (permanent staff member seconded into post) 0.2 WTE from Turnaround Programme funding
Flintshire	0	0	
Gwynedd and Ynys Môn	0	0	
Monmouthshire and Torfaen	0.2 WTE	0.2. WTE	Annual service level agreement (Permanent NHS SLT employee covering this, backfilled by SLT on a fixed term contract)
Newport	0.4 WTE	0.6 WTE + 0.2 Pupil Referral Unit	18 month service level agreement. Of the 0.6 WTE in the YJS, 0.2 is from Turnaround Programme funding. Employment is fixed term based on the service level agreement.
Pembrokeshire	0	0	
Powys	0	0	
Swansea and Neath Port Talbot (NPT) (incl Hillside Secure Home) (combined arrangements)	0.7 WTE 0.7 WTE	1.91 WTE SLT 1 WTE SLT - Technical Instructor	3 year service level agreement with NPT YJS and Hillside. Commitment made to secure SLTs. Majority funding from NPT YJS is core budget, with additional grant elements.
Vale of Glamorgan	0	0	
Wrexham	0	0	

Inspection reports

We have reviewed recent youth justice inspection reports and youth justice plans in Wales. It is clear that HMIP actively considers speech, language and communication provision as part of the inspections regime despite it being a non-statutory requirement for youth justice teams. Services which employ speech and language therapists such as Carmarthenshire and Newport are commended. Conversely, those that do not provide speech, language and communication provision are criticised within reports. Access to speech language and communication support for children

was a theme across recent inspection reports from Conwy and Denbighshire, Gwynedd and Ynys Môn and Flintshire. All three youth justice partnerships had direct recommendations to address the gap in speech, language, and communication provision for children and ensure that services are provided which assess and respond to children's communication needs.

Update on Welsh Government discussions

Despite our disappointment at Welsh Government's rejection of the key recommendation within the 2023 '60% Giving Them a Voice' report to embed speech and language therapists within every Youth Justice Service in Wales, we have continued to engage with civil servants in this area. We were pleased to support the Welsh Government Youth Justice summit in January 2024. The summit, as recommended by the committee, brought together stakeholders working in youth justice to improve support for young people with speech, language and communication needs. The summit was a productive forum to discuss key barriers and was very well-attended. However, despite a number of enquiries, we have yet to see a post-event report or feedback on further actions. Our request to meet with the Cabinet Secretary for Social Justice to discuss next steps was declined. We plan to write to the new Cabinet Secretary shortly.

There has been limited progress in terms of other report recommendations around improving awareness and early identification of SLCN by specialists working in frontline services, particularly schools. We were pleased that the recent Welsh Government guidance on school attendance included a section on SLCN and highlighted the necessity to have clear systems in place to ensure children develop their speech and language skills to their full potential. It is also positive that a speech and language therapist has been commissioned by Welsh Government to undertake interviews with school staff around the link between exclusions and SLCN.

We also welcome recent early intervention initiatives being trialled within youth justice services in Neath Port Talbot and Cardiff. The model is based on a project which has been in place within Milton Keynes Youth Justice Service since 2019 whereby the Speech and Language Therapists offer comprehensive assessments of the SLCN of the pupils identified as being at risk of exclusion, produce reports summarising any identified needs and suggest recommendations and resources to support this pupil. Training, if required, is then offered to schools to upskill education staff in how best to support the communication needs of the pupil. Initially, a small number of secondary schools in Cardiff and Neath Port Talbot have been identified as a pilot for this project with the aim of the project being upscaled if successful. We are anticipating that a high proportion of the pupils assessed will present with SLCN as in April 2021-April 2022, Milton Keynes Youth Justice Service PRRE project identified that 96% of the pupils assessed within the project had SLCN.

Key asks for the Senedd Equality and Social Justice and Children, Young People and Education Committee

- Continue to call for dedicated speech and language therapists to be embedded within youth justice services across as per the recommendations in the '60% Giving Them a Voice' report.
- Write to the Ministry of Justice for an update on Turnaround Programme funding post March 2025 and whether future funding streams will prioritise speech and language therapy.

We would be happy to discuss this briefing further. Please contact Caroline Walters on caroline.walters@rcslt.org, External Affairs Manager (Wales) or myself on philippa.cotterill@rcslt.org

Yours sincerely.



Pippa Cotterill

Head of Wales Office

Royal College of Speech and Language Therapists

cc. Buffy Williams MS, Chair, Senedd Children, Young People and Education Committee

Agenda Item 7

Document is Restricted

By virtue of paragraph(s) vii of Standing Order 17.42

Document is Restricted