

Cyflwynwyd yr ymateb i ymgynghoriad y Pwyllgor Cydraddoldeb a Chyfiawnder Cymdeithasol ar Anabledd a Chyflogaeth

This response was submitted to the Equality and Social Justice Committee consultation on Disability and Employment

DE23

Ymateb gan: Mencap Cymru | Response from: Mencap Cymru



Disability and Employment: Mencap Cymru's response to the Senedd's Equality and Social Justice Committee's Consultation

About us

There are estimated to be around **75,000 people** with a learning disability living in Wales, with approximately **15,000 known** to social services. This includes people with a wide range of impairments, from people who have a mild or moderate learning disability, who live independently in the community with or without support, to people with profound and multiple learning disabilities who may require support 24 hours a day. Mencap Cymru's mission is to transform society's attitudes to people with a learning disability and improve the quality of life of people with a learning disability and their families. We want to make Wales the best place to live if you have a learning disability, and everything we do is about making sure people with a learning disability are valued equally, listened to and included.

Our Response

Mencap Cymru welcomes the Equality and Social Justice Committee's decision to undertake an inquiry into the disability employment and payment gap in Wales. We want to see a future where people with a learning disability receive the right support to access and stay in work. Alongside this, we want employers to understand that many people with a learning disability can make a valuable contribution to the workplace when supported properly.

In preparing our response to the Committee, we have spoken with **two former employees** who both have a learning disability about their experience of employment; their experiences will be referenced throughout our response.

What barriers continue to exist throughout society that impact on access to work (i.e. transport, attitudes)

There are currently around 870,000 working-age adults with a learning disability in the United Kingdom¹, but fewer than a third of them (26.7%) are in work². According to the DWP's most recent statistics, this is amongst the lowest employment rate experienced by people with a specific health condition or impairment.³

There are a number of barriers which continue to exist for people with a learning disability and/or autism face during the process of finding, and staying, in employment. These include:-

- a lack of good quality support to find and stay in employment

¹ <https://www.mencap.org.uk/learning-disability-explained/research-and-statistics/how-common-learning-disability>

² <https://www.mencap.org.uk/2022-big-learning-disability-survey-results>

³ <https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2023>

- a lack of support to build skills
- failure by government programmes to provide the necessary adjustments required by people with a learning disability
- fears and negative attitudes from employers
- inaccessible recruitment practises
- misconceptions and a lack of understanding of what people with a learning disability can achieve with the right support

People with a learning disability can find it harder than others to learn, understand and communicate. They may need some support with learning new tasks or with understanding new situations. They may lack confidence and need a little extra support at the start, particularly as many may not have had any work experience before. Accessing employment should be considered as a fundamental part of life for the personal, financial and social benefits it brings. However, too few people with a learning disability have the opportunity to access this.

Inaccessible Recruitment Practises

We know a far greater number of people with a learning disability want and can work; research commissioned by Mencap from the National Development Team for Inclusion found that **86% of unemployed people with a learning disability** who responded to our survey wanted a paid job.⁴

One of the greatest barriers for people with a learning disability and/or autism to employment are inaccessible recruitment practises. **23% of people** who would like a paid job told Mencap that application forms not being accessible was stopping them from getting a job.⁵ Mencap Cymru believe that there is much that needs to be done to raise awareness levels of what a learning disability is among employers, and what support or reasonable adjustments a person they may need in their role. A former employee told us of their experience of an interview for a position in retail:-

“They asked me whether I had a disability, and I said yes. It was as if they moved my CV to the other side of the table”.

The [Equality Act 2010](#) requires employers to make reasonable adjustments that will remove barriers to disabled people seeking to find and keep a job. Employers should make sure that they have processes in place to ensure that reasonable adjustments are available to applicants and employees. They are required to take reasonable steps to avoid disadvantaging a disabled person compared to a non-disabled person. The duty applies during recruitment and all stages of employment, including dismissal.

⁴ [https://www.mencap.org.uk/sites/default/files/2023-09/Learning%20disability%20and%20work%20-%20final%20report%2031.10.22\[77\]%20\(2\)%20\(1\).pdf](https://www.mencap.org.uk/sites/default/files/2023-09/Learning%20disability%20and%20work%20-%20final%20report%2031.10.22[77]%20(2)%20(1).pdf)

⁵ <https://www.mencap.org.uk/sites/default/files/2023-09/Summary%202.pdf>

Access to Work

The Access to Work programme is a barrier in itself, and is often too slow and narrow, which leads to cases where adequate support is not put in place prior to someone starting in their role. We have seen that the focus is often on the employee as opposed to their employer and how they can best support their employee in their roles. As an employer, a member of staff may need support which is not directly related to work; research tells us that employers are open to employing people with a learning disability, but initially need reassurance and support to do so⁶. Research by the *Engage to Change Project* tells us how Access to Work can be used to overcome some of the existing barriers to employment, including poor transport, inaccessible workplaces, and help with specialized equipment.⁷ They suggest that dedicated, national funding for supported employment is required for it to be accessible for everyone who would benefit from it.⁸

Reforming the Benefits System

People with a learning disability tell us that the current levels of benefits they receive are not enough to meet the basic costs of living. There has been no UK government led review of the adequacy of benefit levels since the 1960's⁹, even though various reports have shown that current levels are inadequate and have been eroded since 2010.¹⁰ The benefits system in its current state continues to exist as a barrier for people with learning disabilities and/or autism in accessing employment. Research commissioned by Mencap in 2022 found that **45% of people** completing the survey who would like a paid job said that being worried about their benefits was stopping them from getting a job.¹¹ **20% of people** completing the survey who were in paid work said that problems with benefits was one of the worst things about their job.¹² One of our former employees likened the feeling of navigating the benefits system after their employment came to an end as '*walking in to a black hole*'. They shared concerns around the so called 'benefits trap', and how they wouldn't have been able to undertake more than 16 hours of work without it significantly impacting the benefits that they receive. Families have told us of their fears around the potential short-term nature of employment and the problems that that this can cause in having to access the benefits that they need following the end of employment; alongside the emotional impact that your role ending abruptly can have on a person with a learning disability, people will continue seeing accessing employment as a potential risk.

⁶ https://www.engagetochange.org.uk/wp-content/uploads/2020/08/National-Job-Coach-Briefing-6July20-V6_final.pdf

⁷ <https://www.engagetochange.org.uk/wp-content/uploads/2022/03/English-Engage-to-Change-Four-year-report-2022.pdf>

⁸ <https://www.engagetochange.org.uk/wp-content/uploads/2023/04/English-compressed-1.pdf>

⁹ <https://researchbriefings.files.parliament.uk/documents/CBP-9498/CBP-9498.pdf>

¹⁰ <https://disabilitybenefitsconsortium.com/wp-content/uploads/2019/09/disability-benefits-consortium-report-has-welfare-become-unfair.pdf>

¹¹ <https://www.mencap.org.uk/sites/default/files/2023-09/Summary%202.pdf>

¹² <https://www.mencap.org.uk/sites/default/files/2023-09/Summary%202.pdf>

Mencap Cymru believes that reforming the welfare system is key to empowering the majority of people with a learning disability who want to work but face systemic barriers. Fear of being sanctioned is already preventing people with a learning disability from engaging in work-related activities, and research from the Department for Work and Pensions (DWP) shows us that people who receive benefit sanctions remain on benefits longer because of being sanctioned, and when they do move into work, they move into lower paid roles.¹³ We believe that work should begin to explore exclusions of people with a learning disability from benefit sanctions, alongside implementing safeguards, like training for Work Coaches, to prevent people with a learning disability being unfairly sanctioned.

Funding

There are roles and opportunities which might be suitable for people with a learning disability and/or autism which are dependent on funding from an external source, for example a Local Authority or a Regional Partnership Board. We have seen examples where funding for projects where people with a learning disability are employed has been pulled prematurely, and staff have faced redundancy at a short notice. It is undeniable how much impact this can have on a person with a learning disability and/or autism, causing a significant change to their structure and routine. Former Mencap Cymru employees with a learning disability who experienced this told us that their roles were more than just a job to them; **“the relationships that we built with our colleagues and people who we supported was our priority”**. They told us of the **“cliff edge”** that they faced after their employment came to an end, and coming to terms with losing this overnight was extremely difficult. On top of this, they had to navigate an already complex benefits system whilst processing the emotional impact.

Apprenticeships

Apprenticeships can be well suited to people with a learning disability as they combine practical training on the job with study. An apprentice normally works alongside experienced staff in a company or organisation to gain job-specific skills. Updated guidance by the Department for Education in England from August 2024 states that as providers of apprenticeships, you can offer apprentices the option to study English and Maths at a lower level ***‘if an apprentice has a learning difficulty or disability, and the learning difficulty or disability prevents them achieving the standard English and maths requirements of an apprenticeship’***.¹⁴ We would welcome a response from the Welsh Government to this updated guidance, and whether they will seek to implement similar guidance in Wales.

¹³ <https://www.gov.uk/government/publications/the-impact-of-benefit-sanctions-on-employment-outcomes-draft-report>

¹⁴ <https://www.gov.uk/government/publications/support-for-apprentices-with-a-learning-difficulty-or-disability/english-and-maths-flexibilities-for-apprentices-with-learning-difficulties-and-disabilities>