

**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**

**DE30**

**Ymateb gan: Cymdeithas Llywodraeth Leol Cymru (CLILC) | Response from: Welsh Local Government Association (WLGA)**

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## Disability and Employment

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### Introduction to the WLGA

the Welsh Local Government Association (WLGA) is a politically led cross-party organisation that seeks to give local government a strong voice at a national level. We represent the interests of local government and promote local democracy in Wales.

The 22 councils in Wales are our members and the three fire and rescue authorities and three national park authorities are associate members.

We believe that the ideas that change people's lives, happen locally.

Communities are at their best when they feel connected to their council through local democracy. By championing, facilitating, and achieving these connections, we can build a vibrant local democracy that allows communities to thrive.

**Our ultimate goal** is to promote, protect, support and develop democratic local government and the interests of councils in Wales.

#### **We'll achieve our vision by**

- Promoting the role and prominence of councillors and council leaders
- Ensuring maximum local discretion in legislation or statutory guidance
- Championing and securing long-term and sustainable funding for councils
- Promoting sector-led improvement
- Encouraging a vibrant local democracy, promoting greater diversity
- Supporting councils to effectively manage their workforce.

**As the Employers organisation for local government in Wales, we work to ensure the vital contribution made by local government employees to improving the social and economic health of their communities is protected, and to maintain positive industrial relations within our workforce. The WLGA has worked with our**



**Local Authorities and the local government HR Directors Network (HRD Network) to inform this response.**

## **Introduction to the Consultation Response**

The WLGA welcomes the opportunity to respond to this consultation as part of the Equality and Social Justice Committee ('the committee') inquiry into **the disability employment and payment gap**.

Local Government in Wales a significant employer and an enabler of local and regional economic development and job creation. Our response therefore encompasses the WLGA's direct experience (as the collective voice of our member councils and authorities) as an employer, as well as reflecting local government's role as an actor in the wider economy.

In alignment with the committee, references to disability in this consultation response encompass the definition within the Equality Act 2010.

This WLGA submission proceeds in line with the inquiry's terms of reference.

**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.**

The 'Locked Out' report highlighted important areas for action by the Welsh Government and its partners. The bulk of the report's recommendations are directed to the Welsh Government, but local government is committed to working in partnership with Welsh Government and to playing its role in removing barriers faced by disabled people to access work.

Welsh councils operate on the basis of a strong commitment to equalities and inclusion, and while recognising that this commitment cannot overcome all societal barriers, local government has taken action to ensure that councils are attractive potential workplaces to disabled people.

The WLGA received evidence from councils that, as employers, they have established and/or revived their staff networks. For example, Disability Networks, a Neurodivergent Employee Community Group (in the case of Newport Council) and senior management leads for championing those networks. In several cases these types of networks are involved in shaping and co-producing workplace policy, for



example at Cardiff Council where the Disability Network has informed the latest Reasonable Adjustments guidance.

In ensuring that local government workplaces (both in the physical sense but also as a remote/virtual employer) do not disadvantage potential or current employees, Welsh councils promote hybrid models of working, clear policies on managing attendance and medical or other leave (where that is relevant for employees regardless of whether they are considered to have a disability or not), and risk assessments as a matter of policy. Hybrid models of working have been widely adopted since the Covid-19 pandemic and are attractive to a range of potential and current employees.

The WLGA would note the potential role of supported employment schemes in directly increasing the numbers of disabled people who are employed. Where funding is available outside of existing local government budgets, and particularly when multiple partners and funding streams can be brought together, supported employment schemes are an additional tool that can be used as part of implementing a wider disability strategy. An example is Pembrokeshire Council's supported employment programme (now employing 75 people, an increase in the 65 stated below)<sup>1</sup>. Disabled members of the community highlighted the value of such a programme during consultation on the council's disability strategy, meaning it was not imposed on them by the local authority. The resulting programme supports not only paid employment but also work experience and training. A similar approach in North Wales led by local government in partnership with the health board has led to a new supported employment strategy which subject to funding will establish a scheme across the region<sup>2</sup>.

It is important to note that supported employment is not a substitute for the routine employment of disabled people, but instead provides a targeted intervention that seeks to improve the diversity in the composition of council workforces.

The size of the disability pay gap remains volatile. The Welsh Government states that the disability pay gap "rose between 2014 and 2019 now appears to be reducing"<sup>3</sup>. In April 2022 the disability pay gap stood at 9.7% or £1.32, a slight

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<sup>1</sup> WLGA, *Pembrokeshire Supported Employment – A Programme for All*, June 22<sup>nd</sup> 2022, <https://www.wlga.gov.uk/pembrokeshire-supported-employment-a-programme-for-all-pembrokeshire-cc>

<sup>2</sup> North Wales Together, *North Wales Supported Employment Strategy for people with Learning Disabilities 2024 to 2029*, April 2024, <https://northwalestogether.org/wp-content/uploads/2024/06/North-Wales-Supported-Employment-Strategy-for-people-with-learning-disabilities-Eng-FINAL-VERSION.pdf>

<sup>3</sup> Welsh Government, *Wellbeing of Wales, 2023: The goal for a more equal Wales*, September 28th 2023 <https://www.gov.wales/wellbeing-wales-2023-more-equal-wales-html#129735>



decrease from 11.4% or £1.45 in 2021. No significant research exists in Wales to explain or analyse how the gap might be impacted by labour market changes, the Covid-19 pandemic or either UK or Welsh policy interventions. Given that local government is a significant employer of people with disabilities, the lack of any real connection between this published national indicator and an assessment of policy impact (at the national level) might limit the strategic understanding that different layers of government have of disability and employment.

The disability employment gap currently stands at 33.1% for 2023, with the Welsh Government suggesting a trend of long-term progress “compared to 7 years ago when it was 35.4 percentage points”<sup>4</sup>. But as noted by Disability Wales, research into disability employment gaps remains limited<sup>5</sup>. Closing the employment and pay gaps more decisively will be difficult until a firm research base is in place to inform major policy changes to labour market access and ultimately, societal change.

An important consideration that has been raised by one of our members is whether some neurodivergent employees might identify as being disabled or not, and might not be represented in any reporting or monitoring of pay gaps within employers.

In the meantime, local government is well-positioned within the public sector and wider economy to continue to remove barriers to employment and continues to be at the forefront of implementing the main Welsh and UK Government schemes. Welsh councils have a track record of responding to initiatives aimed at improving employment policies and would react positively to the development of a “new employment strategy for disabled people” as advocated in the ‘Locked Out’ report<sup>6</sup>.

### **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).**

The social model of disability underpins Welsh local government’s approach to employment and recruitment practices. All local authorities have either made formal declarations of adopting the model as the basis for policy, or utilise the model without having made a declarations or statement of doing so.

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<sup>4</sup> Welsh Government, *Wellbeing of Wales, 2023*, September 28th 2023, p122, <https://www.gov.wales/sites/default/files/pdf-versions/2023/9/4/1695889848/wellbeing-wales-2023.pdf>

<sup>5</sup> Disability Wales, *What Works in Wales: Addressing the Disability Employment Gap*, December 8<sup>th</sup> 2022, <https://www.disabilitywales.org/what-works-in-wales-addressing-the-disability-employment-gap>

<sup>6</sup> Welsh Government (Disability Equality Forum), *‘Locked Out’ report*, Updated April 19<sup>th</sup> 2022, p72, <https://www.gov.wales/sites/default/files/pdf-versions/2023/6/3/1687949221/locked-out-liberating-disabled-peoples-lives-and-rights-wales-beyond-covid-19.pdf>



The WLGA sought feedback from Welsh councils on current and ongoing examples of workplace practices which use the social model and which focussed on removing the artificial barriers that are imposed by society in our workplaces. We received evidence of successful roll out by councils of the TUC Disability Passport and of another authority developing its own Reasonable Adjustments Passport and guidance in collaboration/co-production with employees.

The wide range of activity indicated in the consultation question above (co-production, employee forums, job application policy) is also guided by the principle that Welsh councils will identify (or have identified to them) barriers and work to remove them for the employee or job applicant, rather than the employee or applicant themselves having any expectation placed upon them.

The most well-known policy that links workplace practices to the recruitment process is that of the Disability Confident Employer scheme, to which the WLGA and all of its members are signed up.

Importantly, where councils have communicated with us in developing this evidence, it has been stated that “the employment aspects have not been difficult to achieve”, referring to changes made to recruitment processes and removing workplace barriers – implying that where a clear public sector understanding is in place, progress can be made.

Barriers continue to exist throughout society which directly impact on the range of people who apply for roles in local government or other sectors. The Welsh Government commits in its *Learning Disability Strategic Action Plan 2022 to 2026* to ensure that public transport “meets the needs of people with learning disabilities to fully engage in their communities”<sup>7</sup>. This should include greater opportunities to travel to places of work. There also remains further progress to be made across Welsh society on changing attitudes towards the contribution disabled people at work, with a focus needed on the potential for losing skilled workers if barriers to labour market participation remain in place.

**How effective Welsh Government actions (e.g. the network of Disability Employment Champions and apprenticeships) have been in reducing barriers to employment and reducing the employment gap between disabled and non-disabled people, including the extent to which Welsh Government policies complement/ duplicate/ undermine those set by the UK Government.**

The creation of the network of Disabled People’s Employment Champions was a welcome step by the Welsh Government and interactions with the scheme by local

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<sup>7</sup> Welsh Government, *Learning Disability Strategic Action Plan 2022 to 2026*, May 24<sup>th</sup> 2022, <https://www.gov.wales/learning-disability-strategic-action-plan-2022-2026.html#98021>



government have been positive. Initiatives include the *Tap into Talent* programme in North Wales involving the six local authorities, the health board, the UK disability charity Hft and the Employment Champions network<sup>8</sup>. We do not have significant information on the activities of the network or its impact on employment outcomes, though would reiterate that the network represents a positive and distinct initiative.

The 'Locked Out' report recommended that the launch of the Employment Champions schemes "should coincide with the development of a new employment strategy for disabled people"<sup>9</sup>. The Welsh Government's wider employability and skills plan subsequently committed to improve access to work for disabled people, and actions undertaken as a result of this would support employers to improve their recruitment of disabled people<sup>10</sup>. That plan gives serious weight to measures which would have a positive impact on local government.

The employability and skills plan suggests that legislation to address pay gaps including on disability might be explored, notes the importance of the Disability Rights Taskforce, and commits to guiding employers on improving their support for disabled people at a workplace level. The effectiveness of these actions are as yet unclear, although more broadly, having a sharp focus on disability employment and skills can only be positive, and a progress report might be welcome. As noted under 'further policy measures' later in this evidence, the employability and skills plan arguably does not constitute a dedicated and holistic employment strategy for disabled people.

Further delineation between the roles and responsibilities of the UK and Welsh Governments in this area could be improved. For example, in 2023 Welsh Government facilitated local government engagement with the UK Government's own Disability Action Plan, however it was unclear how this UK government plan would reflect the devolution landscape in Wales, as the plan's priority areas (transport and employment) were devolved.

### **Whether disabled people are accessing apprenticeships and if any further support is needed to ensure any schemes are inclusive.**

Data is limited on take-up of local government apprenticeships by disabled people. Welsh councils are aware of apprenticeships being taken up by disabled people but at the time of writing could not provide comprehensive data. This itself reflects the

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<sup>8</sup> Hft, *Toolkit launched in north Wales to advise companies on employing learning disabled adults*, May 9<sup>th</sup> 2023, <https://www.hft.org.uk/press-releases/toolkit-launched-in-north-wales-to-advise-companies-on-employing-learning-disabled-adults>

<sup>9</sup> 'Locked Out', p72

<sup>10</sup> Welsh Government, *Stronger, fairer, greener Wales: a plan for employability and skills*, March 8<sup>th</sup> 2022, <https://www.gov.wales/sites/default/files/publications/2022-05/stronger-fairer-greener-wales-plan-employability-and-skills0.pdf>



fact that more needs to be done to assess the relevance of our existing employment policies to disabled people.

Welsh councils, as Disability Confident Employers, utilise inclusive recruitment policies including on apprenticeships, and authorities have confirmed to us that the potential attractiveness of apprenticeship roles (including hybrid working and other benefits) are included in apprenticeship notifications and adverts, which also signpost applicants who need support to council Into Work services. Apprenticeships are promoted across local communities including at special schools and colleges.

We received feedback from a council that advocated for further support being needed to review apprenticeship schemes, specifically to analyse Candidate Equality Recruitment Data (for all roles) to help determine levels of engagement, access and outcomes.

**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.**

The WLGA and local government would welcome a renewed focus from the Welsh Government on support for disabled people and for narrowing the employment and pay gaps, based on policies underpinned by the social model of disability.

The WLGA is committed to social partnership and fair work as a channel for supporting disabled people and increasing participation rates in employment, and local government is a partner in the Social Partnership and Public Procurement Act 2023. In the spirit of social partnership, Welsh councils already work closely with the trade unions on employment issues linked to equalities and inclusion. Discussions at the statutory Social Partnership Council have noted that the duties and structures created by the Act could be maximised to achieve positive impacts on equality and diversity, including specific reference to disability<sup>11</sup>.

Further consideration should be given to whether legislation will be taken forward on pay gaps. The WLGA does not take a position on this at this stage but the reference to potential legislation in the employability and skills plan seems significant, and would have large impacts on monitoring, data collection and reporting. It remains the case that a more comprehensive research and evidence base is required on disability employment across the public and private sectors.

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<sup>11</sup> Welsh Government (Social Partnership Council), *The potential for the Social Partnership and Public Procurement (Wales) Act 2023 to support equality and diversity*, May 22<sup>nd</sup> 2024, <https://www.gov.wales/potential-social-partnership-and-public-procurement-wales-act-2023-support-equality-and-diversity>



The Welsh Government should consider ways it can embed new and emerging policy measures in existing strategic equality frameworks that the public sector operates within i.e. the framework provided by the Equality Act, and its specific Welsh regulations. A holistic approach to policy making at a Welsh Government level, which takes account of statutory reporting and planning cycles, could further support local government to ensure that key strategic policies (such as Strategic Equality Plans) are given the opportunity to be aligned to Welsh Government priorities.

The Welsh Government may also wish to consider the degree of congruence between its various equality priorities, such as the Anti-Racist Wales Action Plan, LGBTQ+ Action Plan and the Socio-economic Duty. At present it could be argued that these agendas are somewhat siloed, with little evidentiary overlaps in their actions and governance.

The Welsh Government should further consider how successful they and partners have been in taking forward the actions in the skills and employability plan published in 2022. That plan arguably does not constitute a dedicated employment strategy for disabled people as advocated in the 'Locked Out' report, and consideration of such a strategy, to include an emphasis on the current and potential role of local government (including the role of supported employment schemes), would be welcome.

As highlighted above, the WLGA would note the role of supported employment schemes in directly increasing the numbers of disabled people who are employed. Where funding is available outside of existing local government budgets, and particularly when multiple partners and funding streams can be brought together, supported employment schemes are an additional tool that can be used as part of implementing a wider disability strategy. s

The Welsh Government should work with local government and other public and private sector representative bodies, to review supported employment services and make recommendations for their future funding and sustainability.

As Welsh local government, we note that there is scope to collect a more systematic data-driven understanding of disability employment levels across the board, within organisations and the wider economy including the private sector. This would help policy makers and the public understand components of the pay and employment gaps, and differences in age, gender, working patterns and skills.

**What actions would support those who are currently unable to work to access voluntary opportunities (which could lead to future work opportunities).**



Welsh councils have the ability to provide work experience opportunities including virtual/online placements. Welsh Government actions as part of a properly funded, strategic approach to disability employment might support local government to expand these opportunities and to target them at different sectors of our communities.

Good practice also currently includes the policy at Cardiff Council to refer work experience candidates to Hubs/the Into Work Service where (Cardiff residents) need support to overcome Digital Exclusion barriers to access online work experience placements. These kinds of interventions during the process of obtaining work experience open up further opportunities and should be encouraged and promoted.

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