

Shaw Trust February 2017, Response to Improving Lives: The Work, Health and Disability Green Paper

About Shaw Trust

- Shaw Trust is a national charity with a thirty year history of supporting people to achieve their full potential. Helping 50,000 people a year from 120 locations across the UK, Shaw Trust supports its customers to enter work and lead independent lives. As a provider of employment support that works for all individuals, Shaw Trust has striven to combine its charitable heart with its commercial brain to create brighter futures.
- Shaw Trust is the largest third sector provider of DWP's contracted welfare-to-work provision, delivering the Work Programme as a prime contractor in London East and operating as a subcontractor in six other Contract Package Areas (CPAs) across the UK. Shaw Trust is also the largest prime contractor for DWP's specialist disability employment provision, Work Choice, and is one of six providers delivering Specialist Employability Support provision.
- As part of our employment support delivery, we work with 32 Supported Businesses across the country. Supported Businesses offer vital employment opportunities, including permanent job opportunities, for disabled people. They have a valuable role to play in offering disabled people stepping stone employment opportunities, and valuable work experience to aid their progression into unsupported employment.
- Shaw Trust delivers a range of programmes that help disabled people into employment, including our eight Social Enterprises. Our social enterprises help to create brighter futures in the communities where we work by offering local people a range of work experience and employment opportunities. Shaw Trust is also the Strategic Partner of community mental health and employment support in Kent. Shaw Trust delivers the new programme Live Well Kent on behalf of Kent County Council and the NHS Trust, where we support people with common and severe mental ill health into work.

Section One: Introduction

- 1.1. Shaw Trust welcomes the opportunity to share our experience and respond to the joint Department of Work and Pensions (DWP) and Department of Health (DH) Green Paper. As the largest third sector provider of employment support in the country, we are committed to the shared goal of closing the disability employment gap. We continually aim to innovate to provide better services to the people we work with, to help more people, and to benefit the wider communities in the areas where we operate.
- 1.2. We know that there is a robust evidence base of what works in supporting disabled people into employment. Flexible, personalised, and tailored employment support, delivered by a trained adviser who understands an individual's disability or health condition, with a strong relationship with local

employers, is the key to successfully supporting disabled people into employment.¹

- 1.3. To implement the proposals outlined in the Green Paper, Shaw Trust recommends that DWP draws on the evidence base they have already collated. Additionally, service user feedback should be collected and used to inform and constructively challenge the design of new services, such as the proposed Personal Support Package. Evidence shows that service user input is a highly successful tool for implementing change in organisations that traditionally have difficulties recognising changes needed.² Service user input is fundamental to designing, delivering and checking services that allow people to fulfil their potential.³ By transforming services in the way that the people who use them want them, we can drive outcomes that deliver value for money.⁴ In short, when people are involved, decisions are better, outcomes improve, and resources are allocated more efficiently.⁵
- 1.4. Shaw Trust's Green Paper response utilises this successful user-led approach to identify the changes needed to close the disability employment gap. Our response uses evidence gathered from focus groups with customers across a range of generalist and specialist employment support, including Work Programme, Work Choice and Shaw Trust's specialist health and wellbeing provision for service users with mental ill health. This includes:
- A survey of 50 Work Programme Leavers
 - Interviews with Work Programme and Work Choice advisers
 - 7 focus groups with Work Choice customers
 - 2 focus groups with customers who specifically identify having mental ill health
- 1.5. We support the evidence derived from these focus groups with published qualitative research into what works in helping disabled people into work. Shaw Trust is pleased to share our recommendations with DWP and look forward to working with the Department moving forward with its response.

Recommendations

1. DWP should prioritise case management to ensure that advisers are able to work flexibly with customers. Ensuring that individuals can receive the right support at the right time is essential if disabled people and those with health problems are able to move towards and into work.

¹ What works for whom in helping disabled people into work? Department for Work and Pensions, 2013.

² A review of service user involvement in prisons and probation trust, Clinks, 2011.

³ Service User Involvement in the delivery of mental health services, NSUN and Together, May 2014.

⁴ Involving Users in Commissioning Local Services, Sexton, S., Joseph Rountree Foundation, May 2010.

⁵ People in Control of their Own Health and Care, Foot, C. et. al. The King's Fund, November 2014.

2. Ensuring individuals receive the right support at the right time means there needs to be flexibility in job search requirements, including the ability to start and stop employment support. As part of DWP's commitment to deliver tailored, holistic support, job search requirements should allow flexibility to meet customers' individual needs.
3. The Health and Work Conversation (HWC) should be voluntary to best enable disabled people to move into employment.
4. Jobcentre Plus needs to change the way advisers work with individuals if they are to deliver a personal and tailored package of support. DWP should reduce the currently high caseload Jobcentre Plus advisers have, in order to be able to deliver personalised support.
5. DWP should utilise hard and soft outcomes to measure Work Coach success in moving people into jobs.
6. LEPs which apply for Growth Deals should explicitly set out how the money can be used to grow local economies and provide opportunities for more disabled people to access jobs.
7. In order to close the disability employment gap, DWP and DH should work with third sector providers to help build social prescribing routes to local employability and wellbeing support.
8. The Work Capability Assessment is already a separate financial assessment. In its current form, it does not provide an assessment of the support an individual needs to move into work. If DWP wants to ensure that ESA claimants are not written off, it should focus on reforming the WCA so that it uses a bio-psycho-social model of support, and also focus on widening access to contracted-out and JCP delivered employment support to disabled people.
9. DWP should explore how a secure information portal can be used to securely store confidential medical information from benefit claimants. This information can be used in multiple assessments such as PIP and the WCA to reduce the burden and stress on disabled people and those with health problems in providing the same information multiple times to multiple organisations.
10. DWP should create a one-stop-shop employer information portal containing information on workplace adjustments and Access to Work; obligations under the Equality Act 2010; information on specialist disability employment support such as the new Work and Health Programme; and best practice in employing disabled people, to enable employers to become disability confident.
11. The increasing role of Work Coaches in delivering employment support to disabled people means that DWP needs to consider how Jobcentre Plus can deliver this personalised and tailored in-work support as part of its Personal Support Package. Work and Health Programme providers should also be encouraged to continue this tailored service for employers in the future.
12. DWP should clarify its position on the future of Protected Place funding for Supported Businesses post 2018.

Section Two: Supporting people into work

- 2.1. With the move to Universal Credit, a million more people will access Jobcentre Plus, with Work Coaches playing a pivotal role in the success or failure of individuals' ability to move into and progress in employment. Customers of Jobcentre Plus delivered employment support are going to have one Work Coach throughout the entirety of their journey, making it critical that every Work Coach is equipped to meet the needs of each customer they are assigned.
- 2.2. DWP has a long journey to reach this goal. Unilaterally, participants in our focus groups felt that the Jobcentre Plus Work Coaches they worked with could benefit from upskilling on working with people with a disability or health condition. The focus groups were an opportunity to collect the views of both the individual and collective experience of Jobcentre Plus interactions, and we use this evidence base to inform how Work Coaches deliver employment services.

a) Co-location and case management

- 2.3. We welcome DWP and DH's interest in the Green Paper in using the co-location of services to improve the quality of employment support. By housing employment and health related services such as GP practices, IAPT and other wellbeing support in the same building, advisers should be able to refer disabled people and those with health problems more easily to a wider and more holistic range of support. Shaw Trust has demonstrable experience of co-locating services. Our Community Hubs are an example of where co-location works. In September 2014, we transformed two of our Work Programme delivery centres in Hackney and Lewisham into Shaw Trust Community Hubs. Unlike previous Work Programme delivery, the Hubs are a one-stop shop bringing together employment, financial, health and wellbeing support.
- 2.4. The Community Hubs were designed to enable innovation both in the way that customers and staff interact as well as the services that are available to customers. Bringing different types of support under one location led to better communication between advisers and a clear rise in engagement and attendance from jobseekers compared to other Work Programme sites. Moreover, having easy access to multiple services enabled customers to access support for specific barriers faster, and as a result the Hubs have seen customers moving into work more quickly in comparison to those in Shaw Trust's other Work Programme sites.⁶
- 2.5. While co-location leads to better working, and allows customers to access specialist support more quickly, it is important to note that co-location alone will not facilitate the join-up of health and employment support, nor necessarily improve the experience of the end user. This is particularly the case for the

⁶ Community Hub Pilot: evaluation summary, Shaw Trust, January 2016.

service users with mental ill health participating in our focus groups. Service users with mental ill health felt uncomfortable with the idea of their health information being shared easily between multiple organisations, and some felt comfortable only if they could give explicit permission each time. Service users also felt that it wasn't the location of the services provided that mattered, but the sequencing of when they received support. The focus group participants with mental ill health identified that having to balance and attend various appointments during the week – including Shaw Trust programmes, Jobcentre Plus appointments, community mental health support, and their GP appointments – sometimes proved detrimental to their recovery. Attending multiple appointments throughout the week on different days and in different locations was a cause of stress and anxiety for some participants. Participants emphasised that what made their experience at Shaw Trust so positive and successful was how our advisers effectively coordinated and case managed their employment support. Case management ensured Shaw Trust employment support took place on the same day as other appointments, to reduce the stress and burden of travelling multiple times for support.

Case Study

Hermione, who has been socially isolated for over 10 years due to her mental ill health, has recently started attending Shaw Trust. She has only just started to be able to use the bus without triggering severe panic attacks, something she hasn't achieved in over 8 years. Given her only recent ability to use public transportation, traveling to attend multiple meetings each week, including her GP, Jobcentre Plus, and Shaw Trust threatened her recovery. In order to minimise the amount of travel she has to do, Shaw Trust ensured Hermione was able to attend her appointments on Tuesdays, which coincides with her therapist.

This simple act has generated positive secondary benefits. Now that the stress of travel has been minimised, the weekly travel has begun to transform from an act of emotional strain, to something she has begun to look forward to. Her adviser has identified activities in the area on Tuesdays, such as arts and crafts at the RBLI office in the same building which she now attends each afternoon. Hermione has begun to expand her social horizons, and is able to turn her attendance to Shaw Trust, which caused anxiety and fear, into a day out, which includes shopping, attending therapy, and attending structured social events.

- 2.6. It is important that DWP and DH ensure that services are not only co-located under the same roof, but that Jobcentre Plus and providers of other services like the Work and Health Programme, are able to effectively case manage the support that an individual receives. Ensuring that individuals can receive the right support at the right time is essential if disabled people and those with health problems are able to move towards and into work. For those with mental ill health, having to balance the various appointments as well as protect their wellbeing is a difficult task. Robust case management, which enables advisers to creatively meet the customer's needs, has been identified as a key way to successfully support people into work while not putting their mental health recovery at risk. By prioritising case management that puts the individual at the

heart of a personal support plan, DWP will be better able to help individuals move into work.

- 2.7. DWP and DH should also explore how social prescribing can be used to join-up health and employment support. Social prescribing is a tool used primarily in the community health sector to signpost people with health problems to a more diverse and holistic range of support to improve their wellbeing. Social prescribing provides GPs with a non-medical referral option to activities provided by local voluntary, community or third sector providers.⁷ Activities offered are varied and can be anything which helps promote wellbeing and self-care, including social inclusion, resilience building, and education and employment opportunities.⁸ It has been proven to not only reduce the pressures on primary healthcare services, but to support individuals to make progress towards employment.⁹ Social prescribing also facilitates the join-up of health and employment support without a direct need for the co-location of services.
- 2.8. Evidence from our Live Well Kent programme, using the Warwick-Edinburgh Mental Wellbeing Scale (WEMWBS) found that social prescribing can be life changing for some people. After being referred to the programme, 72% of people were more optimistic in their future, 60% felt more useful and able to deal with problems well, and 46% felt more relaxed / thinking clearly and felt closer to others.
- 2.9. The joint Work and Health Unit is a key opportunity to bring employment and wellbeing support together. Run jointly by DWP and Department of Health, the two departments can use funding to create social prescribing opportunities for all disabled people who want to work. The joint unit has set aside £40 million specifically to build a greater evidence base and fund innovative approaches in supporting disabled people into work. This funding should prioritise developing innovation in successful programmes including social prescribing. If the government is committed to no one being 'written off' focusing on innovative and alternative ways of engaging people with health problems, particularly those in the ESA Support Group. The referral to provision from Jobcentre Plus does not work for everyone.

b) Flexible job search requirements

- 2.10. The Green Paper rightly notes that employers need to offer flexible working arrangements to support disabled people and those with health problems to remain in work. Evidence shows that flexible working arrangements are a key driver in supporting disabled people to move into work.¹⁰ Moreover, the Green Paper acknowledges that employers offering periods of flexible working in particular help people to manage or recover from a health condition while in work. Building on this best practice from employers, Shaw Trust recommends that that the same flexibilities that help people move into and stay in work,

⁷ Social Prescribing: a guide for local authorities, Local Government Association.

⁸ Review of Community Referral Schemes, University College London, 2015

⁹ Ibid

¹⁰ Your Rights to Equality at Work: Working Hours, Flexible Working and Time Off, Equality and Human Rights Commission, 2014.

should be applied to the employment support delivered by Jobcentre Plus and government contracted employment services providers.

- 2.11. Particularly for those with mental ill health, mandated job search activities, including 30 hours of job search and sending CVs to a number of employers each week, can move individuals further away from the labour market. In one focus group aimed for those with mental ill health, the strict Jobcentre Plus requirements that individuals were mandated to partake in was seen as counterproductive to the job search, moving them further away from the labour market.
- 2.12. Ensuring individuals receive the right support at the right time means there needs to be flexibility in job search requirements, including the ability to start and stop employment support. This is evidenced in Shaw Trust's delivery of community mental health and employment support in Kent, called Live Well Kent. Our delivery is one such example of how flexible employment support improves outcomes. Shaw Trust is the Strategic Partner for Live Well Kent, delivered on behalf of Kent County Council and the NHS Trust. In the first six months since the contract began, Shaw Trust has had over 1,000 referrals, and have already surpassed its yearly targets in moving people with common and severe mental ill health into work.

Case Study

Ron, a young man, who out of university begun to experience severe depression, has been a customer at Shaw Trust for a while. He is a highly intelligent and bright person, who due to severe depression finds it difficult to find and remain in employment.

When he initially joined Shaw Trust, his adviser encouraged him to partake in volunteering opportunities, which Ron had expressed interest in. Shortly thereafter, his depression worsened, and he and his adviser agreed that for the moment, he should concentrate on his mental health, with whatever support he wanted from Shaw Trust, while continuing to volunteer.

He was 'taken off' from engaging with the programme for 3 months, where he was able to seek help and recover from his mental ill health. During this time he continued to volunteer, without having to attend Shaw Trust's employment support. This flexibility of time allowed Ron to make great inroads towards recovery, while not fully disengaging from the labour market. He is now working again with Shaw Trust and eager to turn his volunteering experience into paid employment.

- 2.13. As seen from our service user input and highly successful flexible delivery of employment support in Kent, flexible job search arrangements between customers and advisers ensures individuals are receiving the right support at the right time. This includes the flexibility to manage an individual's employment

support, including pausing it when necessary in response to their immediate mental and physical health needs. Just as DWP is promoting the merits of flexible working to employers, there is opportunity for DWP to be promoting to Jobcentre Plus the merits of a flexible approach to job search. Shaw Trust's report Making Work a Real Choice, an evaluation of Work Choice delivery and future employment support, found that flexible employment support as factor enabling individuals to secure a job. Interviewees offered that in Work Choice, the flexible support given by advisers gave them confidence in their ability to find and succeed in a job.¹¹

c) Voluntary early intensive support and the Health and Work Conversation

- 2.14. To close the disability employment gap, early and targeted intervention is critical. Recent studies indicate that once a person has been out of work for more than six months, the ability to move into employment falls dramatically.¹² Someone who is unemployed for less than six months is significantly more likely to get an interview outside their industry experience than someone who has experience but been unemployed for more than six months. Bias, including institutional and employer, plays a major role in this. One in six of people who become disabled while in work loses their job during the first year after becoming disabled. If early, targeted, and tailored intervention is not prioritised for those who fall out of work after acquiring a disability each year, we will not address the disability employment gap.
- 2.15. For people outside the labour market, early identification of disabilities and health conditions, as well as subsequent early intervention is critical, but difficult to accomplish.¹³ We know early support can dramatically improve a disabled person's chance of moving back into employment.¹⁴ This includes the Green Paper's proposal of a new Health and Work Conversation (HWC). The purpose of the Health and Work Conversation is to facilitate face-to-face conversation with a Work Coach about practical support and steps a person can take to help move back to work while waiting for the outcome of their Work Capability Assessment. The HWC is a welcome step, using an evidence based approach to better support disabled people into employment.
- 2.16. However, it is important to note that during the design of the HWC, the evidence driving the policy was that the conversation needed to be a voluntary exercise. Previous evidence strongly illustrates that early intensive support, when voluntary, is much more effective than mandated early intervention and support.¹⁵ Engaging in support on a voluntary basis enables individuals to build trust with their Work Coach and feel comfortable discussing ways to access the right health and disability support to help move them into work. Pilots of the HWC, as well service design input with the Operational Stakeholder

¹¹ Making Work a Real Choice, Shaw Trust, 2014.

¹² The Jobless Trap, Federal Bank of Boston Working Paper, 2013.

¹³ Breaking the Barriers: A Synthesis of Findings Across OECD Countries, OECD, 2010.

¹⁴ What works for whom in helping disabled people into work? Department for Work and Pensions, 2013.

¹⁵ A Helping Hand, London Assembly, October 2015.

Engagement Forum (OSEF), reflected the assumption that the reason the HWC was so successful was due to its voluntary nature.

2.17. In the Green Paper, DWP has made clear that they intend for the HWC to be a mandatory exercise, where appropriate. This is not in line with the evidence base for the design of the HWC which made the pilot so successful. Shaw Trust and DWP's experiences demonstrate that taking a voluntary approach to supporting individuals with moderate to severe health conditions, such as those in the ESA Support Group, works. We therefore urge DWP to introduce the HWC on a voluntary, not mandatory basis.

d) Driving empathy and understanding: Work Coach caseloads

2.18. As identified in our previous consultation responses¹⁶, customers uniformly say that having an empathetic adviser who understands their disability or health condition is the pivotal skill in helping them move into work. Across the focus groups, individuals with a health condition or disability did not feel positively about their experience at Jobcentre Plus. Some focus group participants felt that, due to the high caseload advisers saw, they were treated 'like a number' by Jobcentre Plus. This feedback highlights that Work Coaches need to enhance the way they deliver support to individuals if they are to deliver the right support at the right time.

2.19. When pressed on solutions to address the issue, the focus groups had two, complementary, views. The first solution was that Work Coaches could deliver more personalised support if they had greater knowledge about their health condition or disability. This would enable advisers to adjust job search requirements that reflected their individual health conditions. This clear, singular voice on the importance of Work Coaches who are knowledgeable or empathetic to an individual's health condition or disability should be a key force in supporting disabled people into employment. The recently published review 'Halving the Gap' emphasises the importance of better expertise and understanding from Work Coaches. There is sector wide concern that the benefits system currently does not understand individual's conditions and ability to deliver proper support is at risk.¹⁷

2.20. The second theme participants consistently raised was that Jobcentre Plus advisers had extremely high caseloads. Participants felt that their advisers did not have the time to understand and work with each individual, leaving them feeling fearful to meet conditionality requirements, and resentful of lack of support. This view was seconded by Shaw Trust's frontline advisers. The advisers interviewed agreed that having too high a caseload led to difficulty in being empathetic to all people, too short sessions, and inability to deliver holistic, individualised support to each person. When speaking about earlier employment support programmes, some advisers shared that high caseloads

¹⁶ Disability Employment Gap: Written Evidence for the Work and Pensions Select Committee, Shaw Trust, May 2016.

¹⁷ Halving the Gap, MENCAP, December 2015

could create a 'revolving door' structure of trying to move people into jobs quickly. This is in line with Jobcentre Plus advisers who see an average of 140 active customers.¹⁸ With the move to Universal Credit, the Learning and Work Institute have calculated that unless there is greater investment, customers will only receive 80 minutes of support a year.¹⁹

2.21. From their experience, Shaw Trust advisers felt that having a caseload of 65 active customers (those engaging in the programme or receiving in work support) was a good number to allow advisers to deliver the tailored, empathetic support that has proven successful in moving people into employment. If an adviser was specifically delivering employment support for those with a disability or health condition, advisers offered that an active caseload of around 50 customers was a suitable number. DWP should carefully consider the effect that a high caseload has on Jobcentre Plus staff to deliver personalised support. This will ensure Work Coaches are able to deliver successful outcomes through personalised and empathetic support.

e) Measuring success: progress measures

2.22. Like previous employment support programmes, it is important that Jobcentre Plus outcomes are measured to determine that the right support is being delivered and achieving value for money. Jobcentre Plus should no longer measure success by benefit off-flows, but rather should measure both job outcomes and distance travelled, as seen in both previous national and local employment support programmes. If DWP aims to close the disability employment gap, this will require measuring how many disabled people have successfully moved into employment.

2.23. Job outcome rates are a strong measure of how well a programme is being delivered, as well as monitor value for money. Analysis has consistently shown that the Work Programme has delivered value for money.²⁰ The Work Programme has performed at a similar level compared to the previous employment programmes it replaced but at a significantly lower cost.

2.24. As seen in previous Shaw Trust evidence,²¹ soft outcomes, or distance travelled, are also important measures of the success of employment support. Hard outcomes such as jobs obtained, do not show the success of the project as a whole. Those furthest from the labour market that face multiple barriers to employment may be a long way from being able to move into work. Consideration of soft outcomes is a crucial indicator of employment support successfully moving individuals closer to the labour market. Moreover, measuring soft outcomes can also help with the national level evaluation to

¹⁸ The role of Jobcentre Plus in the reformed welfare system , House of Commons Work and Pensions Committee, January 2014.

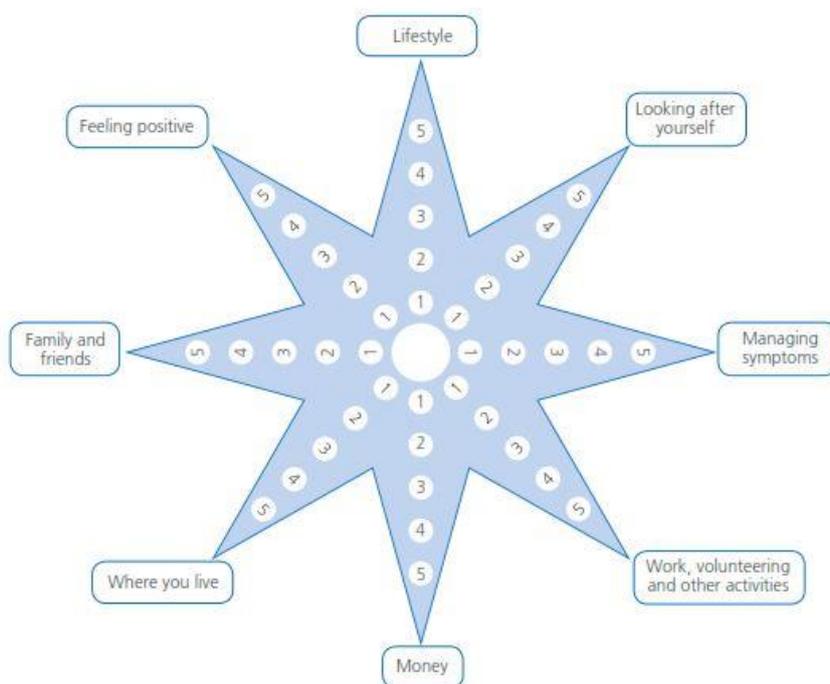
¹⁹ In Work Progression in Universal Credit, House of Commons Work and Pensions Committee, May 2016.

²⁰ The Work and Health Programme: levelling the playing field, REFORM, July 2016.

²¹ The Work Programme: experience of different user groups, Shaw Trust evidence for Work and Pensions Committee, 2013.

provide a fuller picture of the impact of the programme as a whole. Soft outcomes can monitor the success of interventions, such as the positive results that may not have occurred without intervention.²²

2.25. There are good local and national examples of monitoring soft outcomes to ensure programmes are working for those further from the labour market. In probation services, the Outcome Star is a proven successful tool to monitor factors and lifestyle choices that allow people to move away from crime, also known as desistance. Shaw Trust uses the Outcome Star to support ex-offenders through our NOMS ESF CFO3 delivery.

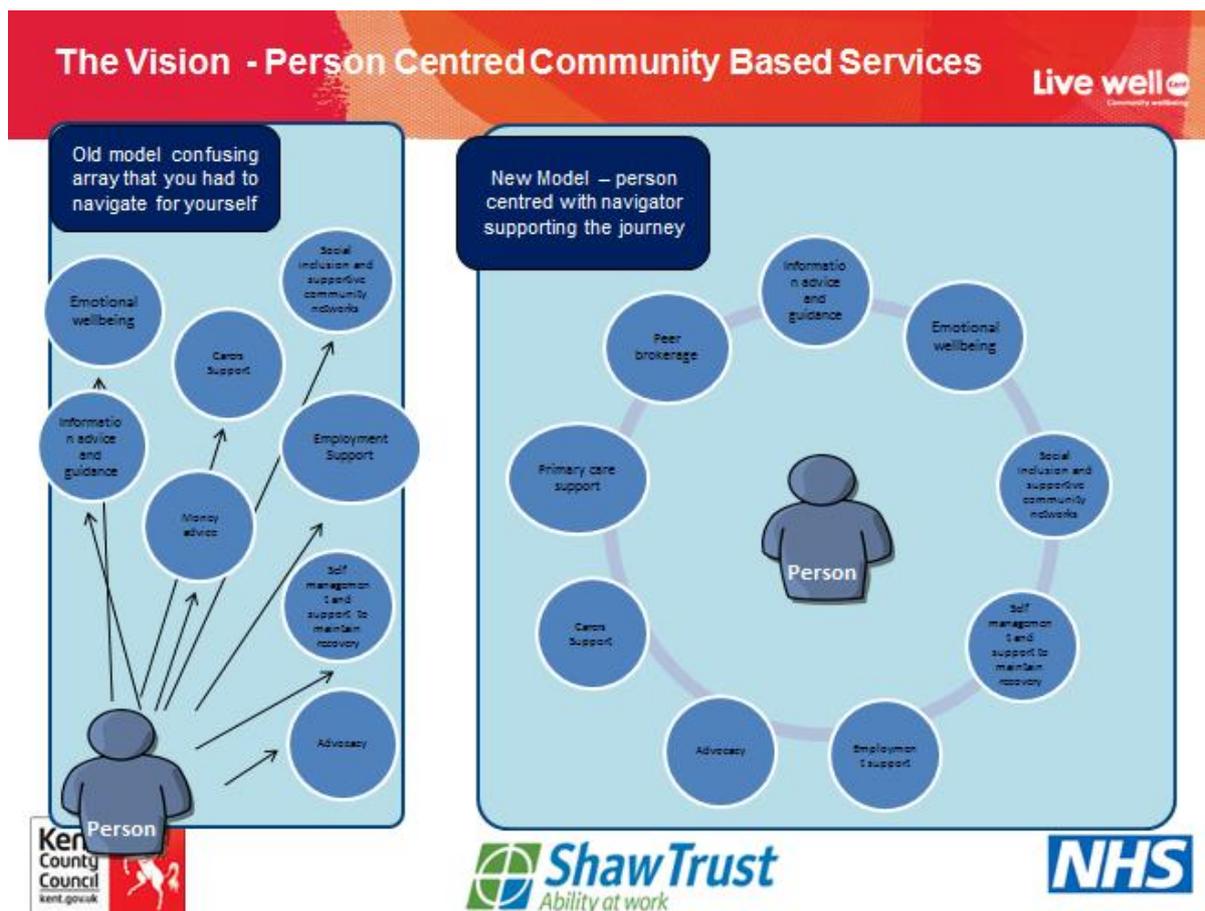


Outcome Star

2.26. The Outcome Star is an enabling tool, that allows an adviser and customer to work together to understand what areas in his or her life need work. It also assists the adviser to work with the customer to determine what needs to be done to help them address any wider barriers. The Outcome Star enables the user to have agency of their goals, while monitoring outcomes and mapping success. It is a widely successful model which has been adapted in 15 different public services areas.

2.27. There are good examples of locally commissioned services using soft outcomes to monitor programmes which aim to deliver a range of outcome priorities. Monitoring soft outcomes at a local level has allowed local commissioners to intelligently integrate services and ensure that these services are meeting all the needs of local constituents.

²² Guide to Measuring Soft Outcomes and Distance Travelled, The Institute for Employment Studies, 2000.



Live Well Kent

2.28. One such example is Shaw Trust’s Live Well Kent Service which went live in April 2016. The new service, commissioned by Kent County Council, aimed to streamline a range of community mental health services in the area. While the programme is outcomes focused, including employment outcomes, there are secondary requirements around housing and social prescribing which is also measured. The programme has had a successful start, with 1500 interventions, with the following outcomes:

- 20% Support with housing
- 15% Public health MECC
- 20% Employment
- 15% Finance / benefits / debt
- 20% Specific mental health groups

2.29. Previous support delivered by the council was not monitored, whereas the new programme considers hard and soft outcomes to monitor the success of the programme.

Section Three: Assessments for benefits and access to personalised employment support for people with health conditions

a) Separate assessments?

- 3.1 Shaw Trust welcomes DWP's commitment to ensuring that benefit claimants experiencing ill health or disability should receive personalised support from Jobcentre Plus Work Coaches. However, Shaw Trust has concerns that the proposals set out in the Green Paper are not fully cognisant of how the current assessment – the Work Capability Assessment (WCA) – works in practice, and that the proposals outlined do not address how disabled people and those with ill health can receive the right support at the right time to help them to return to the workplace.
- 3.2 Specifically, Shaw Trust questions the Green Paper's assertion that currently the WCA offers both an assessment of eligibility for the Employment Support Allowance benefit and also a 'discussion'²³ about employment or health support. The original intent for the WCA was to provide a 'professional assessment of an individual's eligibility for financial support based on their functional capability.'²⁴ Subsequent independent reviews by Professor Harrington and Dr Lichfield also confirm that the WCA's role is to provide an assessment of 'functional capability' rather than an assessment of an individual's 'lifestyle circumstances or employability.'²⁵ The evidence therefore highlights that the WCA is already a separate financial assessment and the discussion of employment and health support does not feature in the assessment.
- 3.3 When the WCA was first conceived in 2008, a Work Focused Health Related Assessment (WFHRA) took place after the WCA 'to provide an opportunity for individuals to discuss, with a health professional, the type of work which might best suit them when they have recovered or adapted to their condition – as well as the steps they could take towards this goal.'²⁶ The WFHRA was abolished in 2010 as the Coalition Government did not feel it was working effectively.²⁷ No formal scheme replaced the WFHRA. In Shaw Trust's experience, this resulted in many customers not receiving personalised employment support from an adviser until they reached employment programmes such as Work Programme or Work Choice.²⁸
- 3.4 Additionally, it is important to note that it is DWP, and not the WCA, that sets the criteria regarding which ESA claimants have systematic contact with JCP or employment support from a contracted employment provider. In the 2010 Work Programme specification, DWP outlined how ESA claimants with a short return to work prognosis will be mandated to attend the Work Programme after their

²³ Improving Lives: The Work, Health and Disability Green Paper, DWP and DH, 2016

²⁴ No One Written Off: Reforming Welfare to Reward Responsibility, DWP, 2008

²⁵ An Independent Review of the Work Capability Assessment: Year 3, Professor Harrington, 2012

²⁶ Raising Expectations and Increasing Support: Reforming Welfare for the Future, DWP, 2008

²⁷ Improving lives, *ibid*

²⁸ Response to the Fifth Independent Review of the Work Capability Assessment, Shaw Trust, 2014

WCA.²⁹ Other ESA claimants can volunteer to attend the Work Programme. Similarly, ESA claimants can also volunteer to participate in voluntary programmes like the Specialist Employment Support Contract or Work Choice. Referral to these programmes is down to the discretion of a claimant's JCP adviser or the Disability Employment Adviser. Therefore JCP advisers (soon to be Work Coaches) already have the 'discretion to make case-by-case decisions about the type of employment support a person is able to engage with.'³⁰ JCP and DWP already have the tools at their disposal to deliver and increase access to personalised employment support. Rather than re-inventing the system, DWP should consider how best Work Coaches can use this discretion to provide empathic and person centred employment support to more people with health conditions on a voluntary basis in the future.

b) Providing personalised and tailored support

- 3.5 The evidence from previous government policy and the independent reviews of the WCA clearly highlights how the financial assessment of benefit eligibility is already separate from an individual's discussion about their employment opportunities. There is therefore no need to separate out the elements of the WCA, as it is already acts solely as an assessment for the financial entitlement to Employment and Support Allowance. As identified in the Green Paper, the real issue is that disabled people and those with ill health are unable to access the right personalised support at the right time to support them to return to work. Based on Shaw Trust's experience, there are two key systemic reasons for this that need addressing.
- 3.6 Firstly, the Work Capability Assessment itself needs reforming. Although Shaw Trust's staff and customers have seen improvements to the WCA since the implementation of recommendations of five independent reviews, there is still much that needs to be done to ensure that the WCA is fit for purpose. A new assessment based on the social model of disability and assessing a range of bio-psycho-social factors of how an individual's health condition impacts on their ability to work should be introduced. Shaw Trust's and other charities' research has highlighted that the descriptors used in the WCA are too narrow and do not fully take into account how fluctuating conditions such as Multiple Sclerosis and mental illness impact each individual's functional capability.³¹ The end of the contract for the WCA in 2018 provides DWP with an opportunity to design a more person-centred assessment which is seen as a positive step in the process of returning to employment after a period of ill health.
- 3.7 Linked to this, DWP and DH should investigate how the information collected through the WCA or a future assessment can be better shared. A key recommendation in the first independent review of the WCA by Professor Harrington was for DWP to share the information collated in the WCA with Work Programme and Work Choice providers.³² Sharing the information would prevent assessment fatigue, with customers providing the same information to

²⁹ Work Programme, Invitation to Tender, DWP, 2010

³⁰ Improving Lives: The Work, Health and Disability Green Paper, DWP and DH, 2016

³¹ We've Got Work to Do, Mind, 2014

³² An Independent Review of the Work Capability Assessment: Year 1, Professor Harrington, 2011

multiple organisations, and would enable providers to better tailor the specialist support an individual receives from the start of their time on programme. Despite this recommendation being put forward in 2010, it still hasn't been implemented. Shaw Trust therefore recommends that DWP provides future Work and Health Programme providers with the results of the WCA, subject to customers' consent.

- 3.8 Additionally, DWP should explore how it can set up a secure information portal to secure customers' confidential information about their health conditions. If a customer submits evidence from their GP for example in support of their application for the WCA, this information should be able to be used to support applications for other benefits such as PIP. Storing this information securely and centrally by DWP would prevent GPs and other healthcare providers wasting significant administrative resources issuing the same information to multiple organisations. It would also reduce the stress and pressure on the individual claimant to collect this information several times over. Claimants could be given the opportunity to submit additional evidence if their circumstances change or to support additional claims.
- 3.9 Secondly, widening access to employment support is essential if more disabled people and people with health conditions are to receive the support they need to return to work. Currently the support provided by a JCP Work Coach to ESA claimants is limited. A report by the Work and Pensions Select Committee highlighted that ESA claimants receive just 80 minutes of support each year from their adviser.³³ Combined with the reduction of the number of Disability Employment Advisers from 226 in 2011/12 to 90 in 2015/16³⁴, ESA claimants and disabled people have access to very little personalised employability support from JCP.
- 3.10 In order to deliver the proposed Personal Support Packages, Shaw Trust suggests that JCP Work Coaches undergo comprehensive training to increase their knowledge and understanding health and disability. In particular, JCP Work Coaches should build a solid understanding of how health conditions can impact each individual differently, how conditions can be managed in the workplace, as well as having condition specific training, to ensure they are equipped with the understanding of how best to support individuals into work. Mental Health First Aid training should also be delivered to ensure that Work Coaches are able to spot the signs of deteriorating mental health, and put in place measures to support their customers. It is impossible to become an expert in every health condition. Nonetheless, a basic understanding of a diverse range of health conditions and disabilities is essential if Work Coaches are to prescribe the actions an individual needs to take to move into work, and attach benefit conditionality to these actions.

³³ Work and Pensions Committee (2014), Role of Jobcentre Plus in the reformed welfare system: Government response to the committee's second report of the session 2013-14

³⁴ 'DWP cuts specialist disability employment advisers in Jobcentres by over 60 per cent', The Independent, November 2015.

- 3.11 Shaw Trust also cautions against using conditionality to mandate individuals with disabilities, health conditions and impairments to attend employment support. As well as providing logistical challenges, such as penalising individuals for missing JCP appointments when they are attending healthcare interventions, using conditionality can erode the relationship of trust between the Work Coach and the customer. This erosion of trust is counterproductive as it can result in individuals disengaging from employment support and can move individuals further away from the labour market.
- 3.12 To tackle the lack of trust and engagement demonstrated by customers entering Shaw Trust's Work Programme provision, Shaw Trust created its Community Hubs pilots in our Hackney and Lewisham centres. The pilot transformed the look and feel of our centres, and changed the way that staff worked with customers. The pilot gave staff flexibility to 'do whatever it takes' to support individuals into work. Staff were given the freedom to meet customers in community locations, introduce innovative interventions such as an ESOL book club and wellbeing and exercise sessions like chair Zumba, and flexed customer appointments around their health and wellbeing needs. Customers were encouraged to attend these activities on a voluntary, not mandatory, basis. As a result of the pilot, trust and rapport was built between staff and customers, we achieved a statistically significant improvement in job outcomes, and customers moved into work faster and sustained jobs for longer compared to our other Work Programme sites.³⁵ Therefore, although Shaw Trust commends Green Paper's commitment to opening up support from JCP to ESA Support Group customers, we caution against this support being delivered on a conditional basis.
- 3.13 Additionally, to ensure that more disabled people and those with health conditions have access to personalised and tailored employment support, it is imperative that access to contracted out employment programmes is widened. The Learning and Work Institute estimates that just 1 in 10 disabled people who are economically inactive currently have access to Work Choice or the Work Programme³⁶, and with the current rate of progress it will take 200 years to halve the disability employment gap.³⁷ With a reported 80% cut to funding for contracted out employment services³⁸ even fewer disabled people in the future could have access to contracted-out employment support like the new Work and Health Programme. As the Green Paper has identified that ESA claimants and in particular ESA Support Group claimants are being 'written off without support'³⁹, it is imperative that DWP does not restrict access to specialist support to ESA claimants and disabled people in the future. The Work and Health Programme provides DWP with the opportunity to open up specialist employability support on a voluntary basis to more disabled people and those

³⁵ Community Hub Pilot: Evaluation Summary, Shaw Trust, 2015

³⁶ Fit for Purpose? Transforming employment support for disabled people and those with health conditions, Purvis et al, 2014

³⁷ Halving the Gap: Making the Work and Health Programme work for disabled people, Learning and Work Institute, July 2016

³⁸ 'DWP employment programme funding set for 80% cut', Learning and Work Institute, December 2015.

³⁹ Improving Lives: The Work, Health and Disability Green Paper, DWP and DH, 2016

with health conditions. This would ensure that ESA claimants are not written off, and that the government can make tangible progress towards halving the disability employment gap.

c) Personalising employment support at a local level

3.14 If DWP and DH truly want to ensure that no one is ‘written off’, they need to look beyond the support they commission for disabled people at a national level, and look to local and regional authorities to support disabled people and those with health conditions. As Shaw Trust highlighted in its 2014 Stepping Up report, the disability employment gap is not just a national issue, but a local one.⁴⁰ The table below highlights disability employment gap varies widely across local areas, from as low as 18% to as high as 36%.

Lowest Disability Employment Gap by LEP	Percentage gap in employment of disabled people	Highest Disability Employment Gap by LEP	Percentage gap in employment of disabled people
Oxfordshire	18.1%	Lancashire	36.4%
Enterprise M3	18.2%	Humber	35.8%
Leicester and Leicestershire	19.4%	North East	35.1%
Thames Valley Berkshire	21.8%	Tees Valley	34.2%
West of England	22.7%	Liverpool City Region	34.1%

Yearly Data up to September 2016, NOMIS

3.15 To address the disability employment gap, policy makers need to create a framework that is effective at both a local and national level. We need local solutions to local issues. Such a local variance suggests that the disability employment gap is not just related to labour market issues, but related to local transport and infrastructure, education and skills and economic growth. In Shaw Trust’s view, there is an opportunity to widen local labour markets to the full talent pool by building on LEPs strategic and regional economic growth plans. LEPs have an important part to play in identifying local employer needs as well as gaps in local support. LEPs are responsible for identifying local barriers to growth as well as improving the local business environment.⁴¹ They can also play a critical role in promoting the business benefits of hiring disabled people and a more diverse workforce.⁴²

3.16 DWP should therefore work closely with the Department for Communities and Local Government and Cabinet Office to ensure that LEPs which apply for the next round of Growth Deals should explicitly set out how the money can be used to grow regional economies and move more disabled people into work. Given these variations in disability employment rates, policy makers should

⁴⁰ Stepping Up: Bridging local disability employment gaps, Shaw Trust, 2014

⁴¹ Local Enterprise Partnerships, House of Commons Business, Innovation and Skills, April 2013.

⁴² Through Learning to Earning, Business Disability Forum, May 2016.

prioritise identifying locally specific barriers that people face. Identifying the relative local impact of certain barriers – such as skills gaps, transport issues or accessibility to local services – will enable new provision to bridge local disability employment gaps.

Section Four: Supporting employers to recruit with confidence and create healthy workplaces

4.1 Shaw Trust welcomes the Green Paper's recognition that employers are 'important partners'⁴³ in increasing the number of disabled people and those with health problems that can enter and remain in work. Without employers understanding the business case for employing more disabled people, the government's aim of closing the disability employment gap will not be achieved. Shaw Trust has both experience of working to become a 'best in class' employer of disabled people, as well as working with over 12,000 employers a year to support their recruitment of disabled people. Our views in this consultation response are shaped by both our experience as an employer and of working with employers.

a) Supporting employers to recruit disabled people

- 4.2 In Shaw Trust's experience, the majority of the employers we work with in principle are interested in increasing the number of disabled people they employ. However, often they lack the knowledge of how to develop an accessible recruitment process, make workplace adjustments, or how to offer tailored support to their disabled employees. They also fear that 'if something goes wrong' they will lack the skills to effectively support their employee. These issues need to be tackled if employers are to become truly disability confident.
- 4.3 One solution put forward by the Green Paper is for the government to create a 'one stop shop'⁴⁴ for employers, containing information on the business case of employing more disabled people, as well as information and support outlining how to support disabled employees in the workplace. Shaw Trust welcomes this approach. In particular, we would like to see the one stop shop containing information about Access to Work (which many employers we work with are still unaware of), details of local Work and Health Programme providers, Fit for Work – or other local specialist disability employment support, as well as information on employers' obligations the Equality Act 2010, and tips and case studies demonstrating how disabled employees can be effectively supported in the workplace. An effective marketing campaign should accompany the launch of the one stop shop, to ensure that employers are aware of the support available to them. This campaign could be tied into the existing Disability Confident brand.

⁴³ Improving Lives: The Work, Health and Disability Green Paper, DWP and DH, 2016

⁴⁴ Improving Lives, Ibid

- 4.4 However, further engagement with employers is needed if their critical role in raising the disability employment rate is to be fully recognised. The employers participating in Shaw Trust's research for our 'Making Work a Real Choice' reports into the future of specialist disability employment stated they wanted support above and beyond online information. Many employers highlighted the importance of the tailored support they had received in person or by phone from a Work Choice adviser. Some employers we interviewed had built up a close working relationship with an individual Work Choice adviser. Advisers deliver in-work support in the workplace, and are also available to provide ad-hoc bespoke support if one of the employer's Work Choice employees was experiencing difficulties. This bespoke advice was felt by employers to be vital for ensuring they could help employees with disabilities, health problems and impairments to maintain and sustain employment. The tailored, responsive and ad-hoc nature of the advice offered also goes beyond the support offered currently through Access to Work. A more intensive in-work support service is crucial to enable employers to become truly disability confident. The increasing role of JCP Work Coaches in delivering employment support to disabled people means that DWP needs to consider how JCP can deliver this personalised and tailored in-work support as part of its Personal Support Package. Work and Health Programme providers should also be encouraged to continue this tailored service for employers in the future.
- 4.5 Furthermore, DWP and DH should consider how they can support employers to adopt accessible recruitment practices. Feedback from customers participating in one of our focus groups highlighted how employers' recruitment practices can actually prevent disabled people from applying for work. One customer highlighted how his learning disability prevented him from successfully completing an online application form for a national employer as the screen timed out before he was able to complete all of the necessary details. This prevented the individual applying for another job with the employer for eight months. Online application forms were also reported as problematic by other customers with learning difficulties and disabilities and those with visual impairments. Our customers' experiences are also reiterated by research from Clear Company into whether disabled jobseekers found the descriptions and job adverts used by employers as a barrier to applying for a role. Clear Company identified that 36.5% of disabled recruits found job descriptions 'off putting' and 34.1% found job advertisements 'off putting'⁴⁵ due to the perceptions of employers' capabilities to support their disabled employees.
- 4.6 Shaw Trust therefore recommends that DWP examines how employers can be best supported to improve their recruitment processes, so as to not deter disabled jobseekers from entering the workforce. The one stop shop could contain guidance on effective recruitment processes. Similarly, DWP could explore how Access to Work funding could be used to support employers to create accessible and inclusive recruitment practices.⁴⁶

⁴⁵ Good intentions are not enough, The Clear Company, 2011.

⁴⁶ Research into how Protected Place funding is used in Supported Businesses, Shaw Trust, 2016

4.7 DWP should also make sure that Access to Work is fit for purpose. Although it is described as DWP's 'best kept secret'⁴⁷ and plays a vital role in adapting workplaces to the accessibility needs of disabled employees, employer feedback to Shaw Trust highlights that the application process can be cumbersome. There also can be delays in employees receiving training and equipment from Access to Work. One disabled employee at Shaw Trust waited five months for software to support their role and longer for specialist scheduling training. Although the package of support received was valuable, their line manager had to implement workarounds to ensure they were supported in their role in the interim period. An employer with specialist knowledge such as Shaw Trust has the expertise to make these adaptations. Not all employers have the experience to do this, which could negatively impact on disabled employees' ability to sustain work. Shaw Trust recommends that DWP investigates how it can make the Access to Work process more efficient for employers and disabled employees.

b) Addressing stigma

4.8 Over the past two years, Shaw Trust has been undertaking work to become a best in class employer for disabled people. The charity has undertaken a thorough review of its organisational policies and procedures and has put in place actions to ensure that accessibility for disabled colleagues is embedded into each policy. We also have delivered disability equality training to managers and new employees across the charity as part of their inductions, and have a disabled employee representative on our Employee Forum. Although there is much more the charity can do to ensure that we become a 'best in class employer', our work to date has had a positive impact: our disability disclosure rate has increased by 2.7%. Shaw Trust would be happy to share our experiences with the public sector to enable it to lead the way in increasing its disability employment rate.

4.9 As part of our mission 'to educate society', Shaw Trust is committed to creating positive role models for disabled people. Each year we sponsor the Disability Power 100 – a list of the most influential disabled people at the top of their professions in the UK. The Power 100 is used to showcase in the media the talent of disabled people, and is sent to the schools in Shaw Education Trust to inspire the next generation of young people. Having seen the positive impact of the Power 100⁴⁸, Shaw Trust is very supportive of the Green Paper's idea of creating its own index, similar to Stonewall, of the most 'disability confident' employers. This would not only act as a guide to disabled jobseekers showcasing the best employers to work for, but would act as an incentive for other employers to enhance their working practices to gain a place at the top of the list. This could be incorporated as part of the Disability Confident campaign.

⁴⁷ Getting in, staying in and getting on: disability employment support fit for the future, Liz Sayce, 2011

⁴⁸ 'The launch of the 2017 Power 100 List', Shaw Trust, December 2016.

c) Supported Businesses

- 4.10 Supported Businesses – workplaces where over 50% of the workforce has a disability – play a crucial role in providing employment opportunities to people with the most severe disabilities, health problems and impairments. Shaw Trust currently works with 32 supported businesses through Work Choice, and operates its own Supported Businesses – Shaw Trust Industries in Doncaster, and Forth Sector in Scotland– each of which offer tailored employment opportunities and support focused on disabled people’s abilities.
- 4.11 The Supported Businesses Shaw Trust works with through Work Choice benefit from the financial support available to them through DWP’s Protected Place funding. Protected place funding provides £4,800 to primarily Supported Businesses per year per place, or job vacancy, to provide the Work Choice customers with the most severe barriers to employment with an opportunity to undertake meaningful paid work. Protected Place funding is used to deliver holistic support to disabled employees. The diversity of the support on offer is significant, ranging from workplace adjustments, to job carving and independent living support. It is also personally tailored around the needs of each individual employee, and is responsive to their changing needs. This means that training, workplace adjustments and the support packages that employers have in place for each employee are continuously evolving. Schemes such as Access to Work are unable in their current forms to provide this tailored and responsive support.
- 4.12 Shaw Trust currently facilitates the payment of 1,192 Protected Places to the Supported Businesses in our supply chain. Protected Place funding is only committed to by DWP until 2018. This uncertain future is causing anxiety amongst Supported Businesses regarding whether they will be able to provide this tailored support to their disabled employees in the future. Disabled employees are also anxious that a withdrawal of funding could leave them without work. Shaw Trust recommends that DWP therefore urgently clarifies its position regarding the future of Protected Place funding.
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Section Five: Conclusion

- 5.1 The aim of halving the disability employment gap poses an institutional challenge. The forces driving the lower disability employment rates are structural. This is evidenced by the fact that economic growth and strengthening labour markets since the 2008 financial crises have not raised the disability employment rate.⁴⁹ To achieve the Green Paper’s commitment of halving the disability employment gap, the government will need to take a radical new approach to addressing the issue. The government should not only consider how the employment support delivered by Jobcentre Plus needs to change, but also how it can introduce institutional step-changes in local and national government services, as well as in businesses, media, and education.

⁴⁹ Creating a framework for tackling the disability employment gap in the UK, SMF, July 2016.

- 5.2. Our response to the Department of Work and Pensions Green Paper does not propose the need for any radical new programmes or support needed for disabled people who want to move into employment. Rather, our response finds that the best way to close the disability employment gap is to rethink how current support is delivered. Despite local and national governments commissioning a range of specialist and generalist employment support, the disability employment gap remains unchanged at 30%. The unchanging nature of the disability employment gap means that we need a new way of working. In order to support people into work, we need to use the policy levers we currently have differently.
- 5.3. Firstly, the assessment process should be able to properly assess an individual to ensure they have access to the right support. Rather than trying to separate the components of the WCA, if DWP wants to ensure that ESA claimants are not written off it should focus on reforming the WCA so that it uses a bio-psycho-social model of support.
- 5.4. Secondly, for people to access the right support at the right time, then delivery must be appropriately case managed and tailored to the individual's needs. While DWP's proposal for greater co-location can help integrate services, it is important that DWP ensure that Jobcentre Plus is able to effectively case manage the support that an individual receives. For advisers, this means having smaller caseloads to be able to deliver the tailored support required. For customers, this includes being able to start and stop employment support, as well as flexibility to decide when they receive support. As seen in our evidence, support voluntary, including voluntary participation in the proposed Health and Work Conversation, is a more effective way of delivering the right support.
- 5.5. Finally, in order to close the disability gap, the DWP must remember that this is a local as much as a national policy issue. The disability employment gap is as low as 18% and as high as 32% in some areas. Utilising current local support, including utilising local funds through LEPs developing social prescribing routes will allow us to drive the right outcomes that utilise support currently available as well as meet the needs of each local area.

Recommendations

1. DWP should prioritise case management to ensure that advisers are able to work flexibly with customers. Ensuring that individuals can receive the right support at the right time is essential if disabled people and those with health problems are able to move towards and into work.
2. Ensuring individuals receive the right support at the right time means there needs to be flexibility in job search requirements, including the ability to start and stop employment support. As part of DWP's commitment to deliver tailored, holistic support, job search requirements should allow flexibility to meet customers' individual needs.
3. The Health and Work Conversation (HWC) should be voluntary to best enable disabled people to move into employment.
4. Jobcentre Plus needs to change the way advisers work with individuals if they are to deliver a personal and tailored package of support. DWP

- should reduce the currently high caseload Jobcentre Plus advisers have, in order to be able to deliver personalised support.
5. DWP should utilise hard and soft outcomes to measure Work Coach success in moving people into jobs.
 6. LEPs which apply for Growth Deals should explicitly set out how the money can be used to grow local economies and provide opportunities for more disabled people to access jobs.
 7. In order to close the disability employment gap, DWP and DH should work with third sector providers to help build social prescribing routes to local employability and wellbeing support.
 8. The Work Capability Assessment is already a separate financial assessment. In its current form, it does not provide an assessment of the support an individual needs to move into work. If DWP wants to ensure that ESA claimants are not written off, it should focus on reforming the WCA so that it uses a bio-psycho-social model of support, and also focus on widening access to contracted-out and JCP delivered employment support to disabled people.
 9. DWP should explore how a secure information portal can be used to securely store confidential medical information from benefit claimants. This information can be used in multiple assessments such as PIP and the WCA to reduce the burden and stress on disabled people and those with health problems in providing the same information multiple times to multiple organisations.
 10. DWP should create a one-stop-shop employer information portal containing information on workplace adjustments and Access to Work; obligations under the Equality Act 2010; information on specialist disability employment support such as the new Work and Health Programme; and best practice in employing disabled people, to enable employers to become disability confident.
 11. The increasing role of Work Coaches in delivering employment support to disabled people means that DWP needs to consider how Jobcentre Plus can deliver this personalised and tailored in-work support as part of its Personal Support Package. Work and Health Programme providers should also be encouraged to continue this tailored service for employers in the future.
 12. DWP should clarify its position on the future of Protected Place funding for Supported Businesses post 2018.

We look forward to working with the DWP and DH on their response to the consultation. Please contact Gemma.Hope@shaw-trust.org.uk and Annie.Kohanek@shaw-trust.org.uk for further support.