

**Scottish Commission for Learning Disability
Employment Task Group 21 February 2018**



**Inclusion Scotland
Hayweight House
23 Lauriston Street
Edinburgh
EH3 9DQ
Tel: 0131 281 0851**

In attendance:

Jim McCormick (Chair), Maura Lynch, Catriona Rowley, Shirley Cuzen, Tricia Rainey, Jeanette Hägerström-Woolfson, Pauline MacDonald, Jamie Rutherford, Michelle Fisher, Andy Foreman, Steve Robertson, Caroline Kingston, Ian Bruce, Chris Maguire

Apologies:

Rachel Le Noan, Pamela Smith, Norma Curran, Ivan Cohen, Jackie Galbraith, Fiona Burns, Ruth Boyle, Lorraine Scott, David Cameron

Welcome and introductions

Jim McCormick welcomed the members to the meeting. Steve Robertson from People First (Scotland) was introduced to the group as Ivan Cohen was unable to attend the meeting.

There is a Scottish Government Employment Congress at the Marriot Hotel, Glasgow on the 30th April 2018 that Jim McCormick would like members of the Employment Task Group to attend. Following this there will be a meeting of the group in early May 2018. After the Congress and the last meeting the group need to collate their thoughts on what is reported back to the Minister, this will be completed by the end of June 2018.

Jeanette Hägerström-Woolfson indicated that the Congress is a stepping stone in the Scottish Government's bid to reduce the disability employment gap. The Congress will include discussions about whether to set a public sector employment target for employees with a disability.

Jim McCormick introduced the presenters: Catriona Rowley (SCLD), Shirley Cuzean (Department of Work & Pensions) and Patricia Rainey (Private Sector Consultant).

Consultation on the definition of learning disability (Catriona Rowley)

Catriona Rowley (SCLD) gave an update on the Learning Disability definition consultation. The facilitator's guide for the consultation was developed by SCLD and People First (Scotland). People with learning disabilities were asked about each of the two current definitions.

Definition 1: The keys to life strategy

People with learning disabilities have a significant, lifelong condition that started before adulthood, which affected their development and which means they need help to: understand information; learn skills and cope independently.

Definition 2: Napier University

People with complex learning disabilities are defined as having cognitive impairment and multiple health needs, alongside coexisting difficulties including physical disabilities, sensory impairment, mental health needs, developmental disorders, challenging behaviour and/or communication difficulties. They require long-term, high levels of support in many aspects of daily living.

There were nine responses to the consultation, which incorporated the thoughts of approximately 237 people with learning disabilities.

The findings of the consultation found that:

- the word "condition" was very unpopular
- the definition was seen as very negative; focussing on 'can't do' rather than 'can do'
- definition 2 was disliked by almost all respondents.

Additionally, there was lots of discussion concerning the concept of a learning disability being something that "started before adulthood". Generally, it was agreed that if a person experiences a brain injury as an adult then this is not a learning disability due to the differences in lived

experiences. However, it was acknowledged that people who suffer brain injuries as adults do still need support and they should receive it.

A new definition was suggested for wider consultation:

A learning disability is significant and lifelong. It starts before adulthood and affects the person's development. This means that a person with a learning disability will likely need help to understand some information, learn skills and live a fulfilling life. Some people with a learning disability will also have healthcare needs and require support to communicate.

Furthermore it was established that we need a means to be able to identify people with learning disabilities for employers. A tool that could do this would be able to help employers and support providers understand what support people need e.g. if they need access to Easy Read material or not.

Department of Work & Pensions Update (Shirley Cuzean)

Shirley Cuzean gave some background on the support available for people with health conditions and disabilities, this included the Personal Support Package. The key aims of the Personal Support Package are:

- to give those with limited capability for work the opportunity to access personalised support to help them move closer to work
- to provide a range of targeted and tailored support including initiatives focussed on younger people, on mental health and on supporting employers to recruit disabled people.

As part of the Personal Support Package there are several new initiatives now on offer.

Small Employment Offer

This was introduced in June 2017 to increase engagement with small employers and create local job opportunities for disabled people and those with a health condition. Small Employment Advisors (SEAs) will work with organisations who employ twenty-five or fewer members of staff. The SEAs will work with these organisations to change their attitude towards disability and break down preconceived opinions about employing people with a long-term health condition or disability.

Community Partners

The new Community Partners will have either a lived experience or expert knowledge of disability. Their role will be to provide advice and support to Work Coaches and Disability Employment Advisors in all areas of disability. They will also use their local knowledge and networks to identify services and develop local support to meet specific disability needs.

Mental health training for Work Coaches

Work Coaches will be provided with additional mental health training which will enhance their knowledge and confidence to support people with a mental health condition back in to work. This training will help Work Coaches speak more confidently to people with a mental health condition.

Shirley outlined changes to the Employment and Support Allowance (ESA) including a mandatory health and work conversation, which is a type of work focussed interview specifically designed for ESA claimants to take place before their Work Capacity Assessment.

Changes to the role of the Disability Employment Advisor were then outlined. The new Disability Employment Advisor role will focus on working with external organisations and supporting Work Coaches, rather than working directly with claimants.

Private Sector Viewpoint (Patricia Rainey)

Patricia Rainey gave some insights on a range of employment issues facing people with learning disabilities from her perspective as a former manager in the hotel and leisure industry:

- It is important that the wires are hidden from employers, they do not need to know everything just the impact things will have on a person's working life.
- There is a disability hierarchy and people with learning disabilities are at the bottom of it from an employer's perspective. Employers often think that employing people with learning disabilities is scary as there is no 'blueprint' to put in place. The concept of blueprint

was explained as there not being specific things that an employer could put in place every time they hired somebody with a learning disability, as each set of needs will be unique. This can be quite daunting for employers.

- It would be beneficial to look at 'churn' jobs, jobs that have a high turnover of staff, and see whether people with learning disabilities might be able to offer employers more consistent employment.

Discussion points

Data

- The new proposed learning disability definition is much more positive than the previous definitions.
- We still have issues around accessing data, particularly when it comes to transitions. This could potentially be made worse by the incoming GDPR laws.

Supported Employment

- Job Coaching and Job Matching are vital skills that are being lost due to funding cuts.
- We have put forward a 4% public sector employment target but it can be difficult getting a job in the public sector. Would it be worthwhile contacting somebody who is Head of HR in a public sector body and asking them to the group?
- Are there creative ways to overcome funding cuts to Supported Employment Services? Money and funding is starting to follow the individual now, is this something to look into?
- There is a lot of funding and resources going into the new DWP programmes and it is vital that there is strategic overview and partnership happening with the Scottish Government, UK Government and the 32 local authorities to ensure that there is not a duplication in public spending.

Role of Employers

- It is important that we hide the wiring of the definition to employers. They need to know something more specific for them, something that details the support that is required as opposed to a definition, as such.
- It is important to focus on what people can do rather than what they cannot do.

Awareness Raising Promotion

- We need to be careful that Disability Confident does not just become a tick-box exercise. How it works on the ground is vital to the success of it. This is something that will be discussed at the Congress.

Information for people with learning disabilities

- It is important that people with learning disabilities do not get confused or overwhelmed by the number of schemes and initiatives that are available for them; it can be difficult to know what is for you.
- There is an issue around progression in jobs for people with learning disabilities; a sense that they never get past entry level jobs. Is there the possibility for rotation in jobs if people with learning disabilities can get access to large organisations (i.e. councils, NHS, etc.).

Closing remarks and date of next meeting

Maura Lynch, on behalf of Jim McCormick, thanked the members for their attendance and contribution to the fifth meeting of the Employment Task Group.

The next meeting will take place in 8th May 2018 after the Congress.

Progress Report

Recommendations for All Learning Disabilities Partners – Scottish Government, Local Authorities, SDS, Colleges and Employability Services

Substantially improve recording and reporting of learning disabilities data.

Scottish Government Progress (May 17):

Fair Start Scotland will collect comprehensive disability data and be supported by robust evaluation.

Recommendations for Scottish Government

Give greater priority to employability and employment of people with a learning disability. Renewed promotion of the Supported Employment Framework.

Scottish Government Progress (May 17):

New devolved employability programmes will seek to reduce the employment gap for people with a learning disability.

Providers of new employment services will be required to offer supported employment services.

Project SEARCH will be promoted through new learning and skills provision.

A Learning Disability Employment Programme will be delivered by NHS Scotland in 2017 supporting NHS Health Boards to increase the number of employees with a learning disability.

The Supported Employment Framework is a commitment in the Fairer Scotland for Disabled People Deliver Plan to 2021. Scottish Government will look at other options including the PDA for supported employment as one of the tools to improve the delivery of supported employment.

Progress Report

Set Scotland's employers the target of 4% of employees to be people with a learning disability.

Scottish Government Progress (May 17):

Further consideration required before a target could be agreed. Scottish Government is keen to look at the options available to improve the national position.

Recommendations for Local Authorities

Develop directories of employability services for people with a learning disability.

Establish supported employment services in all Local Authority areas.

SLAED Progress (August 17):

A supported employment proposal, which looks particularly at the Apprenticeship Levy, was taken to COSLA. The proposal is looking at ring-fencing approximately 5% of the total levy for learning disability.

Recommendations for Skills Development Scotland

Collect and report learning disability data. Embed learning disability good practice in its contracted provision.

SDS Progress (August 17):

SDS has published disaggregated data for the first time and they will continue to refine, improve the guidance and analyse the breakdown of this.

SDS has CPD, SERI and Open Doors consortium in-work support funding and enhanced contribution rates.

Set higher targets for providers working with people with a learning disability.

SDS Progress (August 17):

SDS have embedded KPIs into their contract obligations. They will monitor long term outcomes and proactively support positive action regarding learning disability.

Establish more effective joined-up employment pathways for people with learning disabilities.

SDS Progress (August 17):

SDS have thirty-two regional ASN guides and their Regional Equality Team are embedding regional approaches.

Double employment outcome rates for people with learning disabilities.

SDS Progress (August 17):

SDS have set up Scottish Apprenticeship Advisory Group employer equality group. They have also had a disability marketing campaign. They will continue to focus on in-work support.

Secure additional resources and funding for learning disability employability services.

SDS Progress (August 17):

SDS have been signposting Access to Work. They have been promoting in-work support, enhanced contribution rates and the ASN discretionary fund.

**Recommendations for Scottish Funding Council and Scotland's Colleges
Greater focus on progression into real, sustainable employment.**

Scottish Funding Council (Nov 17):

The SFC now have Access and Inclusion fund, which has £50.5m funding. Included in this fund is the monitoring of disability intake, successful completions and destinations targets by type of disability.

Education Scotland (Nov 17):

Education Scotland promote and communication that career advice and work experience for young disabled people who are still at school should be prioritised and tailored to help them realise their potential and focus positively on what they can do to achieve their career aspirations.

Education Scotland advocates that career options discussions should actively target equalities groups to promote diverse participation across young people with disabilities.

Recommendations for SCLD

Continue to raise the profile and promote learning disability employment and employability.

SCLD Progress (May 17):

SCLD has committed to an annual “Learning Disability Week” and a national “Learning Disability Awards” event to 2020.

SCLD is looking at a national campaign to promote successful people with a learning disability linked to these events.

Continue to raise the profile and promote learning disability employment and employability.

Scottish Government Progress (May 17):

Promote broader cultural change working beyond planned government programmes activity.

Scottish Government will run an employment and disability campaign: raising awareness, promoting culture change and employer buy in.

Develop an agreed definition of ‘Learning Disabilities’.

SCLD Progress (May 17) :

A national consultation exercise has been undertaken with People First Scotland with the aim of having an agreed national definition of “Learning Disabilities” by 2018.

SCLD Progress (Feb 18):

The initial consultation has taken place and come up with a proposed definition. This definition will soon be consulted on.

Recommendations for Employers

Increased employer commitment to recruiting people with a learning disability.

Scottish Government Progress (May 17):

Commitment to work with employers to support a greater proportion of people with a learning disability into work.