

Employment

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Background

Employment can help people feel valued and can contribute to people's sense of wellbeing, for both financial and social reasons.

The number of people with learning disabilities in employment is extremely low. This is despite being protected by the provisions of the Equality Act 2010 as disabled people. Only around 7% of people with learning disabilities are in employment compared to 46% of disabled people and 83% of the general population.

People with learning disabilities looking for work face multiple barriers to securing employment including the application process (application forms are seldom accessible) and interview processes which are often inaccessible.

They also face stigma and discrimination in the workplace with managers often ill-equipped to provide effective line management to people with learning disabilities. There is also a lack of clarity regarding the provision of reasonable adjustments for people with learning disabilities and their inclusion in Access to Work.

Some people with learning disabilities have faced bullying and harassment in the workplace. Many have faced very limited opportunities to progress in work. Others have not experienced some of the benefits of employment, such as the social benefits.

Further background information regarding employment is available on SCLD's website: [Employment - SCLD](#)



What SCLD wants to see

- Many more people with learning disabilities in paid employment.
- People with learning disabilities having the aspiration, confidence, and skills to secure employment, and being aware of the support available to them to find and stay in work.
- Supported employment services demonstrating an ethos and work practices that are inclusive of people with learning disabilities.
- Employers being confident about employing people with learning disabilities, aware of the benefits of creating a more diverse workforce that includes people with learning disabilities, aware of their legal duties to make reasonable adjustments, and confident about the support available to them.
- More inclusive and accessible recruitment, selection and retention practices.



What is the consultation proposing?

The Scottish Government has been advised that there is nothing that could be included in the LDAN to progress the employment of people with learning disabilities. This is because employment rights, industrial relations, and equalities legislation are all reserved to the Westminster Parliament (so, for example Scottish Government cannot introduce 'learning disability' as a protected characteristic with the same status as protected characteristics in the Equality Act.)



Current SCLD thinking (Jan 2024)

SCLD does not agree that there is nothing that can be included in the LDAN Bill to enhance the employment opportunities of people with learning disabilities and has been working for a number of years to promote this.

SCLD is frustrated that the Scottish Government's [Supported Employment Review](#) recommendations (2021) have not yet been implemented and believes the LDAN Bill provides an excellent opportunity to do just this.

As a minimum, the LDAN Bill should include:

- A duty for the Scottish Government to create Supported Employment Quality Standards.
- A duty on public services and private services carrying out public functions to comply with these standards, once developed.

- A duty for the Scottish Government to develop a learning disability and autism employment plan for the Scottish Government, NHS Scotland, and Local Authorities. This plan should then be implemented and monitored.



Glossary

Access to Work is a UK government programme aimed at supporting disabled people to take up or remain in work.

A **duty** means an organisation has to do something and if they do not do it, they are breaking the law.

The **Equality Act** sets out the personal characteristics that are protected by the law and the behaviour that is unlawful.

The **Protected Characteristics** under the Equality Act are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Standards are rules and ways of working to see how well an organisation or person is doing their job.



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