# **Disability in the Workplace:**

# **how to retain disabled staff in employment**

# 

# 

### A purple rectangles on a black background Description automatically generated with medium confidence

### 

## **Our vision**

We won’t stop until we achieve a society where all disabled people enjoy equality and fairness.

## **Our mission**

We’re a strong community of disabled and non disabled people with a shared vision of equality. We provide practical advice and emotional support whenever people need them most. We do this through our Scope helpline, our online community, a range of employment and family services, community engagement programmes, partnerships and more. Everything we do is with the aim to achieve our strategy, Everyday Equality.

We use our collective power to change attitudes and end injustice. We partner with others to increase our reach and impact. And we campaign relentlessly to create a fairer society.

**Contents**

[Executive Summary 4](#_Toc134799971)

[Context: 5](#_Toc134799972)

[Recommendations to government (in brief): 7](#_Toc134799973)

[**Recommendations aimed at employers (in brief)** 8](#_Toc134799974)

[Why are disabled people falling out of work? 9](#_Toc134799975)

[**The importance of in work support** 15](#_Toc134799976)

[Recommendations for Government 15](#_Toc134799977)

[**Recommendations for employers** 26](#_Toc134799978)

[**Conclusion** 31](#_Toc134799979)

[Appendix: methodology 33](#_Toc134799980)

## **Executive Summary**

Disabled people are struggling to stay in work, and they are nearly twice as likely as non disabled people to leave their jobs[[1]](#footnote-2).

As a result, the disability employment gap (DEG) has stubbornly remained at around 30 percentage points for over a decade[[2]](#footnote-3). This comes at a huge cost to disabled people, many of whom have told us that despite being capable and determined they are being put under pressure by attitudes and a lack of understanding in the workplace. It has also contributed to the recent rise in economic inactivity. Disabled people, and people with long term illnesses, are overrepresented in statistics on economic inactivity. This has only increased since the start of the Covid19 pandemic[[3]](#footnote-4).

Solving the issue of why disabled people are falling out of work will not only help create a fairer and more dynamic job market for disabled people, but also tackle the economic inactivity crisis the UK currently faces.

To inform this report we surveyed 1,000 disabled people who have fallen out of work because of their impairment or condition. We uncovered 4 main themes that contribute to disabled people falling out of work:

1. Negative attitudes and discrimination towards disabled people at work:

Just over half (54%) of employers told us that they had concerns over whether a disabled person could perform as well as a non disabled person at work[[4]](#footnote-5).

Because of these attitudes, the vast majority (90%) of disabled people who experienced discrimination said it led to them falling out of work[[5]](#footnote-6).

1. Challenges in securing and implementing reasonable adjustments from employers or through the Access to Work scheme.

Reasonable adjustments, as set out in the Equality Act 2010, are changes an employer makes to remove or reduce a disadvantage related to a person's disability. Almost half (48%) of disabled people who left work told us they encountered a problem with their reasonable adjustment[[6]](#footnote-7). The most common problems were delays to receiving their adjustments, ignorance from employers about the importance of adjustments to their ability to do their job, or employers simply not agreeing to them.

Disabled people also face delays to getting support through the Access to Work scheme. In our research, a long wait for an assessment was highlighted as the most common experience when applying for or using the scheme.

1. Inflexible work contracts

Disabled people were positive about how flexible working can help them to manage their work and health more effectively. 71% said that being able to work remotely made it easier for them to manage their disability[[7]](#footnote-8). However, despite the increase in popularity of flexible working since the start of the pandemic, 60% of disabled people had not been offered the chance to try flexible working[[8]](#footnote-9).

1. Issues with the sick pay system and the return to work process

Statutory sick pay is so low it can force disabled people to return to work earlier than they would like to, and sometimes against medical advice. The lack of flexibility in the sick pay system means disabled people cannot earn sick pay if they return to work on fewer hours. As a result, a quarter of disabled people who needed to take time off work due to ill health said this led to them being forced out of work.

The first 3 themes echo analysis conducted by Scope which found that 80% of the disability employment gap was explained by a disability penalty, which is a combination of factors which include negative perceptions of disabled people’s ability at work, discrimination and a lack of adjustments.

The Government has published several different plans or strategies to try and make it easier for disabled people to stay in work – most recently, it’s Health and Disability White Paper. More employers want to become inclusive places to work for disabled people[[9]](#footnote-10). But with so little progress made in reducing the DEG, it is clear we need a bolder approach to the systemic barriers disabled people encounter in the workplace.

This report features a set of ambitious recommendations, targeted at both policy makers and employers, which have the potential to finally remove the barriers faced by disabled people in the workplace. We urge both parties to read this report and take action to help retain more disabled talent in the workforce while tackling the rise in economic activity head on.

## **Context:**

Too many disabled people struggle to stay in work. Analysis of government statistics has found that disabled workers move out of work at nearly twice the rate (9%) as non – disabled workers (5%)[[10]](#footnote-11). This drop out is more pronounced amongst young disabled adults, with 15% of them on average moving out of work. Once out of work, disabled people can often struggle to find another job, to the point that they are 3 times less likely to return to work compared to non disabled people[[11]](#footnote-12).

Attempts to significantly reduce the disability employment gap (DEG) have largely failed. In fact, since the start of the Covid19 pandemic, the DEG has increased from 28.7 percentage points in January to March 2020, to 29.6 percentage points in October to December 2022[[12]](#footnote-13).

In addition to this, more disabled people are now classed as “economically inactive” – not in work or looking for work. Just over 4 million disabled people were recorded as economically inactive between October and December 2022[[13]](#footnote-14). This represents 43.3% of the disabled working aged population[[14]](#footnote-15).

These startling figures exist despite a number of government strategies designed to help disabled people find and stay in work. The National Disability Strategy[[15]](#footnote-16), Transforming Support White Paper[[16]](#footnote-17) and Health is Everyone’s Business response[[17]](#footnote-18) all promised to make the world of work more inclusive and accessible for disabled people by:

* Reforming the Access to Work and Disability Confident Schemes
* Strengthening the rights of disabled people in the workplace
* Making it easier for disabled workers to request flexible working
* Improving access to advice on employment rights for disabled people and employers

The Government has also recently announced that it will consult on a Disability Action Plan in 2023[[18]](#footnote-19). We welcome the increased focus from government and employers on supporting disabled people to find and stay in work. But the figures speak for themselves, and a different approach is needed if we are to help disabled people overcome the employment barriers they encounter.

This report is based on Scope’s own research, focussing on what disabled people have told us about the barriers they face in staying in employment. From this insight we have developed clear recommendations aimed at government (current and future) and employers, setting out what they can do to retain and grow disabled talent in the workplace.

## **Recommendations to government (in brief):**

Recommendations to government

* The Cabinet Office Disability Unit must focus on improving attitudes and behaviours towards disability in the workplace, as part of its promised public perception of disability campaign.
* The Government should increase funding given to the Equality and Human Rights Commission to assist them in enforcing and protecting disabled workers rights
* The Government should increase funding for the Equality, Advisory and Support Service (EASS) to help them achieve their aim of providing advice for disabled people with discrimination cases
* The Government should offer all workers the right to access flexible working from the first day of employment.
* The Government should create a Disability Employment Endowment Fund (DEEF). The fund would provide multiyear investments that employers could use to innovate and test new approaches to tackling the disability employment gap, including in work support programmes.

Recommendations to DWP

* The Department for Work and Pensions (DWP) should create more detailed advice for employers on topics such as tackling negative attitudes at work, supporting line managers to have effective conversations with disabled staff and making it comfortable for disabled people to be open about their disability at work.
* The DWP should strengthen the expectations and commitments of members of the Disability Confident scheme, in particular:
  + Employers at levels 2 and 3 of the scheme should be required to meet minimum thresholds for the proportion of their workforce that is disabled
  + Members should have their accreditation removed if they do not move up from level 1 to level 2 within 3 years of joining the scheme
* The DWP should reform the Access to Work scheme by:
  + Allocating funding for the promotion of the scheme, based on the avenues identified it its recent review
  + Setting clear and achievable standards of service for Access to Work
  + Publishing the number of advisers they employ to process and support Access to Work applications
  + Reviewing the training provided to Access to Work assessors and advisers
  + Ensuring that every user of the Access to Work scheme is made aware of the new Health Adjustments Passport
  + As part of the trial of the new Access to Work enhanced package, the DWP should include users of the scheme whose support costs exceed the current cap on grants
  + Publishing detailed guidance for disabled people on recruiting support workers
* The DWP must introduce a fairer sick pay system, which would:
  + Remove waiting days
  + Be paid at an hourly rate and in line with the Living Wage
  + Be available to all employees and workers, regardless of their earnings or working hours, or contract and
  + Be available for 52 weeks per year instead of just 28
  + Be available to support reduced working hours as part of an agreed phased return to work.

Recommendations to Acas:

* Publish the outcomes from disability discrimination complaints that have gone through early conciliation
* Meet with an employer if they lose a disability discrimination case at a tribunal to discuss what the employer can do to become a more inclusive place to work

## **Recommendations aimed at employers (in brief)**

We are calling on employers to:

* Report on their disability workforce data. We recommended that employers with at least 250 employees report on the following criteria[[19]](#footnote-20):
  + The number of disabled people they employ
  + Information on the number of adjustments offered and satisfaction rates
  + A comparison of average earnings between disabled and non – disabled staff
  + The number of disabled employees in each pay bracket
  + Create an internal disability employee resource group/working group
* Set up a reverse mentoring scheme for senior and mid level members of staff to be mentored by more junior disabled employees
* Explain to all colleagues why they collect disability data and how it will be used to help the organisation become a more inclusive employer
* Sign up to Scope’s Workplace Disability Inclusion Programme and the Government’s Disability Confident Scheme
* Adopt the following ideas when designing their adjustment policies:
  + Always involve the employee when creating a reasonable adjustment
  + Aim to have the adjustment in place as close to the employee’s first day of employment as possible
  + Have a named person in the organisation who can be contacted about adjustments
  + Offer to meet the costs of an Access to Work award if delays mean the disabled employee struggles to do their job
* Explore options for implementing different flexible working policies for staff, such as self rostering shift work, matching working hours to outputs and flexible hours and location
* Introduce disability leave for their disabled staff to use to take time off work to attend medical appointments or recover from illness

## **Why are disabled people falling out of work?**

The evidence we have gathered points to 4 main factors behind the numbers of disabled people who fall out of work:

1. Negative attitudes towards disabled people at work
2. Agreeing and implementing workplace support, such as reasonable adjustments and the Access to Work scheme
3. Agreeing and implementing a flexible working pattern
4. The support available during a period of sickness absence and the return to work process

### **Negative attitudes towards disabled people at work**

“Disability discrimination is real. It happens all the time. It makes people with disabilities lives harder getting and holding a job”.

Disabled people continue to encounter discrimination and negative attitudes in the workplace, on a regular basis. Our survey found that just over a quarter (28%) of disabled people who have fallen out of work experienced discrimination from either their line manager or a colleague[[20]](#footnote-21). And overall, 90% of disabled people who experienced discrimination at work said it either directly led to or contributed towards them leaving their job[[21]](#footnote-22).

Unsurprisingly, discrimination has a hugely negative impact on disabled workers. 9 out of 10 disabled people who experienced negative attitudes and behaviours told us that these attitudes had a personal impact on their confidence and feelings of self worth[[22]](#footnote-23).

“There was a lot of bullying (which was) highly stressful and I just couldn’t cope with it”.

Experiencing discrimination at work can also make disabled people reluctant to reveal their condition to their employer. Our survey found that just over a third of disabled people who have fallen out of work do not feel confident in disclosing information about their condition to their employer[[23]](#footnote-24). This rises to 48% amongst disabled people who previously left a job because they suffered from discrimination[[24]](#footnote-25).

Unfortunately, this makes it more difficult for employers to support their disabled employees. A survey of recruitment, human resource and senior members of staff found that the biggest challenge to employing disabled people is that applicants and employees are not always open about their disability[[25]](#footnote-26).

If we are to tackle the DEG and make it easier for disabled people to stay and progress in work, changing the attitudes and levels of understanding amongst employers is critical. And there is a long way to go. 54% of employers in our survey said that concerns over a disabled employee’s ability to do a job as well as a non disabled employee would potentially stop them employing someone with a disability[[26]](#footnote-27). At Scope, we know that with the right support in place, disabled colleagues can and do thrive.

### **Lack of support at work, such as Access to Work and reasonable adjustments**

“My arthritis was the main reason I left my job there should have been more support for me”.

A reasonable adjustment can often make a significant difference for many disabled people at work. But too many struggle to either secure support or get it implemented. Just under half (48%) of disabled people who have fallen out of work said that they encountered issues with a reasonable adjustment[[27]](#footnote-28). 50% of disabled people who have fallen out of work told us that they did not have all of the reasonable adjustments they needed to work[[28]](#footnote-29).

The most common challenges faced by disabled people around adjustments include:

* Delays to receiving adjustments: some of the participants of Scope’s Our Lives Our Journey (OLOJ – a 5 year longitudinal research study that follows the lives of 80 disabled people, many of whom are either in work or have previously worked) research told us that they often had to wait up to 4 months before they arrived. This “made the first few months a struggle and contributed to a sense of inequality”[[29]](#footnote-30).
* Ignorance of the importance of adjustments: many employers view having to implement adjustments as a financial inconvenience. 65% agreed that the costs associated with reasonable adjustments is a potential barrier to employing disabled individuals[[30]](#footnote-31).
* Rejection of an adjustment request: not all disabled people are confident that an employer will deliver a requested adjustment. A fifth of disabled workers did not ask for support as they thought their employer would not give them the right adjustment[[31]](#footnote-32).

Concerningly, the costs and inconvenience of implementing a reasonable adjustment were considered as two of the biggest barriers to employing a disabled person by employers[[32]](#footnote-33).

A potential avenue for receiving and paying for adjustments is through the Government’s Access to Work scheme. Yet there are issues with the scheme that prevent it from having the positive impact it should have. These issues include:

* Low awareness of the scheme: As many as 40% of disabled people told us that they had never heard of the Access to Work Scheme[[33]](#footnote-34).
* Delays in having an assessment and/or receiving equipment: the most common experience when applying or using the Access to Work scheme was a long wait for an assessment (35%)[[34]](#footnote-35).
* Delays in getting an assessment have rapidly increased over the past year: data from the DWP reveals that 20,909 disabled people were waiting for a decision on an Access to Work in March 2022, a threefold increase (327%) from the same point last year[[35]](#footnote-36).
* Cap in the costs for adjustments: Disabled people who have fallen out of work told us that the cap in costs for adjustments was the 2nd most common experience with the Access to Work scheme[[36]](#footnote-37).
* The employer not agreeing with the recommendation made by the Access to Work assessor: 25% of disabled people said their employer had not agreed with the recommendation made in the Access to Work assessment[[37]](#footnote-38).
* Recruiting support workers: Members of our stakeholder group told us how Access to Work users are left to manage the recruitment of a support worker without any assistance. This puts a lot of stress and responsibility on disabled people on top of navigating a new job.

The impact of these failures can be catastrophic. One participant of Scope’s OLOJ report told us how his employer had not put in place any workplace adjustments. This led to him triggering his employer’s sick day limit and made him redundant[[38]](#footnote-39).

**Employment story: Jo:**

“When I went back to my training, I found the system wasn't designed for me.”

“When I got the [leg] infection, the response was, 'Should you be at work if you're that prone to infection?'. I told them that if I'd had [the leg stool], the infection wouldn't have happened.”

“In my review she [my manager] described me as entitled for asking for things that other people hadn't.”

“My experience before getting to Scope was really difficult, especially around talking about mental health and asking for adjustments.”

“It makes me really angry, that you have to fight so hard to get what you should be entitled to. It was horrible being made to feel like the problem, when all I was asking for was to work a little bit from home so I can control my environment while I'm doing admin.”

“The negative attitudes I experienced had an incredibly big impact on how I felt about myself. I just felt like I had nothing to offer, and you start to believe those things about yourself.”

“There's a voice saying, 'What you're asking for is reasonable. What you're asking for is okay. This is what reasonable adjustments should be.' But then you start to think, 'Maybe I'm wrong. Maybe those people are right, maybe I'm not cut out for this.'”

“It's like your gas tank is already down to the bottom, and then somebody asks something else of you and you think, 'I just don't know how I'm going to manage that too. How do I manage the stress of a difficult manager, or a difficult employer on top of health stuff?' It just becomes impossible.”

### **Employers not agreeing a flexible working pattern**

“I left the role because they were unable to (be) flexible about my condition…I have found that I work best from home where I can have the opportunity to rest in between tasks”.

Flexible working is a popular and successful adjustment. Disabled people were broadly positive in our survey results about the impact of being able to work remotely or on a hybrid contract both on their health and on their performance at work[[39]](#footnote-40):

* 75% of respondents said that flexible working gave them the ability to more effectively manage their wellbeing
* 71% agreed that flexible working gave them the ability to more effectively manage their disability related illness
* 75% said being able to work flexibly in terms of their location gave them the ability to concentrate better
* 69% said that flexible working location gave them the ability to manage their workload better
* 69% felt that flexible working enabled them to better deliver work in the timescale required
* 61% said it gave them the ability to work in another location with support

Our Lives Our Journey (OLOJ) participants have detailed improvements to their health, as a result of working from home:

“And just having that flexibility to be able to not have to spend 3 hours sat in the same position on my pressure sores, and then another, you know, 8 hours or whatever sat in the same position, so masses of time sat on pressure sore areas. That I can be lying on a sofa or lying on a bed getting my pressure sores healing has just meant that my pressure sores have actually started to heal for the first time in, like, 14 years, which has been amazing. So, yes, I mean, just utterly miraculous[[40]](#footnote-41).”

We know that home working is a key enabler for disabled people finding and staying in work. Giving people control over the hours they work, which leads to a “positive impact on their lives and subsequent health”[[41]](#footnote-42).

The good news for working disabled people is that flexible working is becoming more accepted. 5 in 10 employees in the UK now work flexibly[[42]](#footnote-43).

Despite this increase and the positive impact of flexible working for disabled people, not all employers offer a form of flexible working to their staff. Our research found that 60% of disabled people who have fallen out of work have not been offered the chance to try hybrid or remote working[[43]](#footnote-44), while a third of employers told us that they do not offer their staff a flexible hours working policy[[44]](#footnote-45).

### **A lack of support during periods of sickness and inflexible return to work processes**

“I felt I had no choice but to leave because I was being treated differently after having to take some time off and reduce my hours due to my disability”.

The current sick pay system is broken for disabled people. The minimum rate of statutory sick pay (SSP) that employers are supposed to pay employees is just £109.40, far too low for disabled people to live on[[45]](#footnote-46). Just under a quarter of disabled people have previously told us that they would not be able to cope on the minimum level of statutory sick pay for a week[[46]](#footnote-47), while 36% did not think they would last for up to a month[[47]](#footnote-48).

Those who do not work for an employer with an adequate sick pay policy risk falling into financial hardship. Evidence suggests that this could cover a significant number of disabled people. Currently, only 28% of employers paid above SSP rates to employees[[48]](#footnote-49).

As a result, a high number of disabled people have told us they feel pressured to either continue working or return to work earlier than advised. 75% of disabled workers have felt the need to continue working through a period of ill health, even against medical advice[[49]](#footnote-50).

The need to keep working during a period of sickness will inevitably risk leading to further complications, more time needed to be taken off and even falling out of work.

There is a strong link between needing time off for a period of sickness, and permanently leaving a job. 74% of disabled people who left a job took at least 4 weeks off work because of a reason related to their condition[[50]](#footnote-51).

The lack of flexibility in the SSP system also pushes disabled people to fall out of work. At present, SSP cannot be paid part time or in combination with earnings. As a result, disabled people cannot receive SSP at the same time as going through a phased return to work.

This is despite phased returns to work being an effective way of reintegrating disabled people back into the workplace. Disabled people who we previously spoke to were positive about their experience of going back to work on reduced hours.

These barriers mean disabled people leave the workplace. 24% of disabled people who needed to take time off due to ill health were forced out of their job as a result of taking time off work[[51]](#footnote-52). A further 64% left voluntarily after a period of sick leave[[52]](#footnote-53).

## **The importance of in work support**

The majority of disabled people feel unsupported when they start a new job. This can contribute to their departure from work. 55% of disabled people who had previously left work because of issues related to their impairment or condition thought the option of in work support when they started that role would have helped them to stay in work[[53]](#footnote-54).

As a result, a growing number of employment schemes are extending their support offer to cover a disabled customer’s first few months in a job. For example, participants of Scope’s employment support programmes have the option of continuing to access support from a specialist in work support adviser for up to 26 weeks after they start work. This is to ensure they are supported to tackle any issues that may arise once they have entered the workplace, such as support on asking for reasonable adjustments or with applying for Access to Work. Advice and support can ensure these challenges do not become insurmountable for disabled workers.

Customers have given us positive feedback of our in work support. “Dawn has truly been my wing woman for 7 months. She has not just supported me through starting my new job but has provided help and support while I've navigated severe mental health crises. Because of her help not only have I retained my job, but I have started to thrive in it”.

There is some evidence from other employment schemes to back this up. For example, in an evaluation of the Work Choice Specialist Disability Employment Programme, providers believed that in work support played an important role in helping participants settle into their new job[[54]](#footnote-55).

## **Recommendations for Government**

### **Improving attitudes in the workplace**

1. The Cabinet Office Disability Unit must focus on improving attitudes and behaviours towards disability in the workplace as part of its forthcoming public perception of disability campaign.

The Government promised to run a public awareness campaign to “increase understanding and awareness of disability and to dispel ingrained and unhelpful stereotypes” when it published the National Disability Strategy (2021)[[55]](#footnote-56).

We talked above about the discrimination encountered by disabled people whilst at work. We believe that this Government campaign could play an important role in helping to tackle those negative attitudes and ultimately enable more disabled people to stay in work.

The need for more guidance on tackling attitudes is acknowledged by employers. 53% of employers told us they worried that line managers would not understand the challenges disabled employees face[[56]](#footnote-57). While just under half (45%) of employers think that an increased possibility of litigation is a barrier to employing a disabled person[[57]](#footnote-58).

The workplace is an important setting for attitudinal change, and we think the Cabinet Office Disability Unit should focus on improving attitudes and behaviours towards disability in the workplace as part of its forthcoming public perceptions of disability campaign programme.

1. The DWP should create more detailed advice for employers on topics such as tackling negative attitudes at work, supporting line managers to have effective conversations with disabled staff and making it comfortable for disabled people to be open about their disability at work.

In October 2022, the Government announced the creation of an online service to give employers advice on how to support disabled employees, called the Support with Employee Health and Disability Service[[58]](#footnote-59).

This new service is welcome, and it contains some useful advice. But it does not contain any guidance on how employers can:

* Tackle negative attitudes within their workplaces
* Support line managers to have effective conversations with their disabled reports.
* Make it comfortable for disabled people to be open about their disability at work

As mentioned above, employers are aware that their staff have skills gaps in these areas[[59]](#footnote-60). We think the Support with Employee Health and Disability Service should provide more detailed advice for employers on these topics to enable employers to feel more confident in recognising and tackling any negative attitudes towards disabled people in the workplace.

1. The DWP should strengthen the expectations of members of the Disability Confident scheme, in particular:
   1. Employers at levels 2 and 3 of the scheme should be required to meet minimum thresholds for the proportion of their workforce that is disabled
   2. Members should have their accreditation removed if they do not move up from level 1 to level 2 within 3 years of joining the scheme

Disability Confident is a government run scheme that encourages employers to take action to improve how they recruit and retain disabled talent. However, as we have seen, the scheme has had a limited impact in changing attitudes towards disabled people at work.

These negative attitudes even exist in employers who are signed up to Disability Confident. 43% of Disability Confident members have not employed a disabled person as a result of joining the scheme, which rises to 56% amongst Level 1 employers[[60]](#footnote-61). At present, 75% of Disability Confident members are in the Level 1 group, so this represents a sizeable proportion of employers in the scheme[[61]](#footnote-62).

We believe that the Disability Confident Scheme should be reformed so members have stronger requirements. Employers at levels 2 and 3 of the Disability Confident Scheme should be required to meet minimum thresholds for the proportion of their workforce that is disabled. Employers should also have their accreditation removed if they do not move up from level 1 to level 2 within 3 years of joining the scheme.

1. Acas should:
   1. Publish the outcome from disability discrimination complaints that have gone through early conciliation
   2. Meet with an employer if they lose a disability discrimination case at a tribunal to discuss what the employer can do to become a more inclusive place to work

Disabled workers will go through either Acas’ early conciliation service or an employment tribunal to secure a resolution to a discrimination complaint against their employer.

Acas have committed to ensuring that 3 out of 4 disputes are resolved before they reach the tribunal stage, so it is important that the conciliation process works for disabled people[[62]](#footnote-63). But there is currently very little publicly available data on the number of disability discrimination cases that are resolved in favour of the disabled person at the conciliation stage. Without this data, it is difficult for disabled people to assess the effectiveness of the conciliation process. We are therefore calling on Acas to publish the outcome of disability discrimination complaints that have gone through early conciliation.

It is unclear what role Acas plays in helping employers learn lessons if they lose a tribunal case. At present, 3% of disability discrimination claims are awarded in favour of the employee at tribunal and 7% go in favour of the employer (the other 90% were either withdrawn, were settled out of tribunal or did not get a hearing)[[63]](#footnote-64). But we do not know what support is offered to employers if a disability discrimination case at tribunal goes against them. We believe Acas should meet with any employer that loses a disability discrimination case at a tribunal, to discuss what the employer can do to become a more inclusive place to work.



**Employment story: Emilia**

“In 2018 I went through a grievance procedure against my former employer as I felt I had been dismissed unfairly, suffered disability discrimination and she had treated me differently from my colleague who had the same role as me. This in turn left me with severe anxiety, depression and affected my health.”

After I submitted the grievance procedure, it got sent to their head office and I was told it would be investigated. I was asked then to come in for a meeting to discuss the situation. The results were not helpful at all, the final report outcome indicated that I was just complaining and couldn’t handle the role I was placed in. Then at the end they indicated that my manager at the time needed future communication and management training. I was not satisfied as I felt I was being dismissed and the organisation itself, because of what they stand for should have handled it better.

I spoke to ACAS who advised me a little. Looking back, I should have sought more help as I felt so alone and helpless. Had I done so it would have given me more strength to challenge the final report that they wrote after the meeting. I would have known more about my options.”

I felt that my manager could have done more to support me. It felt like I had to fight for the extra support. I was provided with large equipment but any additional support I needed, it seemed I constantly had to convince them and then they would decide if they felt I needed it.”

### **Providing better support at work through Access to Work and reasonable adjustments**

1. The DWP should reform the Access to Work scheme by:
   1. Allocating funding to promote the scheme, based on the avenues identified in its recent review.
   2. Setting clear and achievable standards of service for Access to Work
   3. Publishing the number of advisers they employ to process and support Access to Work applications
   4. Reviewing the training provided to Access to Work assessors and advisers
   5. Ensure that every user of the Access to Work scheme is made aware of the new Health Adjustments Passport
   6. As part of the trial of the new Access to Work enhanced package, the DWP should include users of the scheme whose support costs exceed the current cap on grants
   7. Publishing detailed guidance for disabled people on recruiting support workers

Access to Work has been known as the ‘best kept secret in DWP’ for many years now. The fact that 40% of disabled people still tell us that they have never heard of Access to Work confirms that the scheme is not well promoted[[64]](#footnote-65).

In the National Disability Strategy, the Government announced that it would review the effectiveness of a recent Access to Work awareness campaign, but no such review has been published. We believe it should be published, and funding committed to further promotion of the scheme, as a matter of urgency. This review also needs to consider the awareness of Access to Work amongst employers. The fact that 65% of employers view the costs of making a reasonable adjustment as a potential barrier to employing disabled people indicates that the scheme is not well known with employers[[65]](#footnote-66).

It is also unclear how many advisers the DWP employs to process and support Access to Work applications. The most up to date figure we have is from 2014, when 128 advisers were employed.[[66]](#footnote-67). Yet the number of people who have had an Access to Work provision approved in the period 2014 to 2022 has increased by 13,430[[67]](#footnote-68). Given the longer waiting times that disabled people have been experiencing, we believe that the DWP should reassure them that there are enough advisers to process applications by publishing the number of Access to Work advisers it employs.

Several of the issues identified in our research, including the delays in receiving an assessment or the equipment and issues with the assessment, could be solved by the DWP setting out a minimum standard of service to disabled people. This will involve creating a set of minimum criteria that the DWP will have to abide by throughout a customer’s journey through using the Access to Work scheme.

The standard of service should be co produced with disabled people and employers to ensure that it reflects the needs of both groups with the scheme and is achievable. It should include commitments such as a maximum number of weeks someone should wait for an assessment and the role of an assessor and adviser.

In the Transforming Support white paper, the DWP announced that an Access to Work adjustments passport is available for disabled people to use. The passport can be used to share details of a disabled worker’s support needs when they move jobs or change line manager. We believe that an adjustments passport will help solve the issues faced by disabled users of the Access to Work scheme when they move jobs, so we welcomed it’s roll out.

However, we have concerns over how well the passport has bene promoted by DWP. For example, there is no mention of this update on the main Access to Work page on Gov.UK[[68]](#footnote-69), nor on the Access to Work factsheets for customers[[69]](#footnote-70) or employers[[70]](#footnote-71).

We would like to see more done by the DWP to promote the passport so every user of the Access to Work scheme can benefit from it.

The Government also announced in the white paper that they would test a new enhanced package of Access to Work support for disabled people that “need more support than the existing scheme can provide”[[71]](#footnote-72).

There are a number of Access to Work users who do not think the scheme adequately covers all of their support needs. Our survey found that the second biggest issue disabled people faced with Access to Work was the cap on the amount an individual can claim through the scheme[[72]](#footnote-73).

The recently announced package can help plug that gap in support. We believe that the testing phase of the enhanced package of support should include users of the Access to Work scheme whose support costs exceed the current cap on grants.

A support worker is the most common adjustment requested by users of the Access to Work scheme[[73]](#footnote-74). Yet disabled people who receive funding to hire a support worker are often left to manage the recruitment of a support worker by themselves. A member of our working group told us how the workload for recruiting a support worker on top of their day job left them feeling exhausted.

Disabled users of the Access to Work scheme should not be abandoned once their award for a support worker is approved. Particularly young disabled people entering work for the first time who may not be experienced in recruiting a support worker. The Government’s website has detailed guidance for employers on Access to Work[[74]](#footnote-75). A similar guide for disabled people on what they should do when recruiting for a support worker should also be created and published.

**Employment story: Gail**

“I actually quit my job and left teaching during this year, because I just couldn't do it anymore.

“I can't learn the new specification and I can't mark it, because I can't remember what the specification is. Because everything is going online, I can't do it fast enough. So, I've had to leave. So, that's where the stress has come from.”

“Access to Work actually came to the college twice. The first time they came, they gave a list of things that I needed, and the college did get them. But what they didn't get was the instruction of how to use them. So, although I got speech to text, I never got the instruction of how to use it. Some of the equipment that I got; I was never shown how to use it.”

When they produced the cameras in front of me, they said that this was brought out at a staff meeting. Everybody had a chance to look at them and everybody knew about them. I said, that's fantastic. I actually can't remember these being in the staff meeting. They responded with 'Well, they were. It's possibly just your memory.'

I said, ‘I can go with my memory not remembering these. However, these cameras require two hands to operate them. If they had been in the staff meeting, I would have been able to tell you there and then, I can't operate these, because they require two hands.’ So, they weren't fit for purpose.”

1. The Government should increase funding given to the Equality and Human Rights Commission to assist them in enforcing and protecting disabled workers rights.

In its response to the Health is Everyone’s Business consultation, the DWP admitted that there “is a strong case to consider what more could be done to raise awareness and understanding among employers…of their existing responsibilities, in relation to both the duty to make reasonable adjustments and workplace adjustments”[[75]](#footnote-76).

. 54% of employers told us that the inconvenience of arranging a reasonable adjustment is a potential barrier to employing a disabled person[[76]](#footnote-77).

49% told us that useful guidance from an external organisation would help them provide better reasonable adjustments to their disabled staff[[77]](#footnote-78).

The Equality and Human Rights Commission (EHRC), as the body responsible for “enforcing equality legislation” and “eliminating disability discrimination”[[78]](#footnote-79), are best placed to provide more information, guidance and support to employers and disabled people.

We believe that the EHRC should therefore receive more funding to help them to fulfil their responsibility of enforcing and protecting disabled worker’s rights.

1. The Government should increase funding of the Equality Advisory and Support Service (EASS) to help them achieve their aim of providing advice for disabled people with discrimination cases.

A shockingly low number of disabled people (5%) have told us that they spoke to an independent expert about the discrimination that they faced at work[[79]](#footnote-80). This is despite the fact that most disabled people are unaware of the rights they have at work – according to the EHRC 62% of individuals faced with a discrimination problem did not know their rights[[80]](#footnote-81). A similar number did not know how to take forward a discrimination claim[[81]](#footnote-82).

Disabled people who have suffered from discrimination told us they would have liked the chance to receive advice about their claim. 60% said they would have liked to have spoken to an independent expert for advice on their discrimination claim before they left their job[[82]](#footnote-83).

In its response to the Health is Everyone’s Business consultation, the DWP promised to continue funding the EASS so they can “provide free bespoke advice and in depth support to individuals with discrimination concerns”[[83]](#footnote-84). We believe that their funding should be increased so they are better resourced to meet the need for impartial and informed advice about discrimination from disabled people.

### **Flexible working**

1. The Government should offer all workers the right to access flexible working from the first day of employment.

When asked why they did not have a hybrid or remote working policy, a fifth of employers cited concerns that work would not be delivered at the standard required or on time if the employee is not in the office[[84]](#footnote-85). A further 7% said they did not trust employees to be productive when working from an alternative location to the office[[85]](#footnote-86).

Yet the evidence is clear that the opposite is true. 82% of employers who did have a flexible working policy told us that their staff’s ability to enhance their performance and productivity rose as a result of working in a flexible location[[86]](#footnote-87).

In December 2022, the Government announced it will legislate to give all workers the right to request flexible working[[87]](#footnote-88). Whilst greater rights for disabled people to ask for flexible working is welcome, we believe that the change does not go far enough.

Instead, we believe that the Government should recognise the fundamental importance of flexible working for disabled people by legislating to offer all workers the right to access flexible working from their first day of employment.

### **Better support during periods of sickness absence and a more flexible return to work process**

1. The DWP must introduce a fairer sick pay system, which would:
   1. Be paid at an hourly rate and in line with the Living Wage
   2. Be available to support reduced working hours as part of a phased return to work
   3. Remove waiting days
   4. Be available to all employees and workers, regardless of their earnings or working hours, or contract
   5. Be available for 52 weeks instead of just 28.

In 2019 the Government consulted on how to make it easier for disabled people to return to work from a period of ill health and “the impact of the current rate and length of statutory sick pay (SSP) on employer and employee behaviour and decisions”[[88]](#footnote-89). However, in its response, the Government said that despite questions being raised which require further consideration “now is not the right time to introduce changes to the sick pay system”[[89]](#footnote-90).

We disagree. As stated above, there is clear evidence that the current SSP system is causing disabled people to fall out of work. Instead, we believe that Government should introduce the following reforms to the sick pay system.

Firstly, the rate of SSP that someone is entitled to receive when they take sick leave should be increased to the national living wage. This will enable disabled people to take time off work without worrying about their financial situation and feeling forced to return to work earlier than they would like to.

Disabled people on the whole agree that this reform will help them keep their job; just under half of those who left work after a serious illness (47%) agree that a higher rate of sick pay would have made it easier for them to stay in work[[90]](#footnote-91).

SSP should be available to support reduced working hours as part of a formal phased return to work. For many disabled people, an initial return to work on fewer working hours than they are contracted to do is an effective way of easing them back into the workplace after a period of sick leave.

Over a third (39%) of disabled people who left work after a period of ill health said that a phased return to work would have helped them to stay in work[[91]](#footnote-92).

Yet disabled people are disincentivised from going through a phased return to work by the rules preventing someone from being paid SSP when they return to work.

Third, eligibility for SSP should be widened so all disabled people can receive it and on their first day of absence rather than only become eligible after being off sick for 4 working days in a row.

At present, someone who earns less than the Lower Earnings Limit (£123 per week[[92]](#footnote-93)) does not qualify for SSP[[93]](#footnote-94). This means that anyone who earns less than this amount cannot receive an income if they need to be off sick.

The rule that means workers have to be off sick from work for at least 4 consecutive working days before they can receive SSP is also unfair. It penalises any disabled workers who may need a short period of time to help them manage their condition or wellbeing.

Over a third of disabled people (37%) said more people would stay in work if more disabled workers were eligible for SSP[[94]](#footnote-95).

Last, the maximum amount of time an employee can claim SSP should be extended to 52 weeks. At present, someone can only receive SSP for 28 weeks. This means that disabled people with a reoccurring condition can quickly eat up their SSP allowance. And any more time off would have to come from either using their annual leave allowance or taking unpaid leave. Or otherwise continue working and risk their health worsening to ensure money was still coming in.

### **Funding for the Disability Employment Endowment Fund (DEEF)**

1. Scope is calling for Government to create a Disability Employment Endowment Fund (DEEF). The fund would provide multiyear investments that employers could use to innovate and test new approaches to tackling the disability employment gap, including in work support programmes.

The focus is on unlocking new programmes from employers to stimulate employment and the retention and progression of disabled people in the workplace, in order to accelerate the closure of the Disability Employment Gap (DEG) and to help to address the skills gaps that currently exist in the UK.

The DEEF would seek to support the 1 million disabled people, who want to work and are able to work, into employment and to stay there. In essence, it would provide patient capital to stimulate investment in new initiatives and test what works. The aim would be to create a movement for change within employers, pump primed by this investment.

Such innovation could be sponsored by the Disability Confident Business Leaders Group. These businesses could help stimulate a movement for change in the employment and retention of disabled people across the Disability Confident membership. They could be the initiators of great test cases of successful schemes which could become exemplars for the rest of the membership, especially SMEs with more limited internal resources and therefore the greater acquisition and retention of disabled people across the UK economy.

As noted by the National Audit Office, there is limited evidence of what has worked within Government run, in work employment support schemes[[95]](#footnote-96). This lack of credible evidence of what makes for an effective in work support package (and employment support schemes more widely) means that Government’s efforts may not be helping retain disabled staff. It also means employers can’t often learn from existing evidence of successful Government programmes.

Through the DEEF, employers would assess what works and pool their learning to move towards scaling approaches up nationally. Having such schemes commissioned by the DEEF as a single funder would allow for comparisons to be made across schemes and a test and learn approach that focuses on the most effective outcomes to fill evidence gaps.

As such, the DEEF will also provide a portal of valuable information to support disabled people to stay in work for businesses who don’t have significant resources, so that they can access clear guidance and learnings, which are already quality approved from both government and the wider sector.

Government’s investment would be match funded with a matched ratio of £2 in private and charitable funding for every £1 invested by Government. There are several social finance institutions and large corporates already interested in the scheme.

The DEEF could also replace lost funding opportunities for employment support programmes that were funded by the European Structural Fund, where it allocated money to training, skills and inclusion based projects. Although this funding has been replaced by the UK Shared Prosperity Fund, any potential oversubscription to that fund will be avoided and the necessary scale of a £200m investment would be achieved in its creation.

Establishing this innovative programme through the Disability Action Plan, over a two year time frame, would be a deep, tangible contribution to the wider activity the Government is seeking and show Government's commitment to tackling the employment gap and the skills gap in the UK. DEEF’s spend itself would be over an 8 year time horizon, transforming the employer landscape for disability retention within a decade.

The total economic benefits from such a programme are clear. Halving the disability employment gap would boost UK output by around £50 billion a year, and lead to Exchequer Benefits of around £17 billion a year[[96]](#footnote-97).

## **Recommendations for employers**

### **To improve attitudes in the workplace employers should:**

1. Employers should
   1. Report on their disability workforce data:
      1. The number of disabled people they employ
      2. Information on the number of adjustments offered and satisfaction rates
      3. A comparison of average earnings between disabled and non disabled staff
      4. The number of disabled employees in each pay bracket
   2. Explain to all colleagues why they collect disability data and how it will be used to help the organisation become a more inclusive employer
   3. Create an internal disability employee resource group/working group
   4. Set up a reverse mentoring scheme for senior and mid level members of staff to be mentored by more junior disabled employees
   5. Sign up to Scope’s Workplace disability inclusion programme and the Government’s Disability Confident Scheme

Previous reports have found that having values that prioritise improving an organisation’s performance on disability, consistent internal policies that are relevant to disabled worker and an inclusive workplace culture can help employers retain their disabled staff.

There are several solutions that employers can implement to do this.

First, we have consistently argued that organisations with at least 250 employees should report on their disability workforce data[[97]](#footnote-98). In particular, this should include:

* The number of disabled people they employ.
* The number of adjustments offered and satisfaction rates with how an adjustment was implemented, so an employer can find out how well they are delivering adjustments for its disabled staff.
* A comparison of average earnings between disabled and non disabled staff, so an organisation can calculate if it has a disability pay gap and address it if necessary.
* The number of disabled people it employs in each pay bracket, so the employer can understand how many disabled people it employs at each level of the organisation and, in the long term, work out how many disabled staff are progressing to more senior roles.

By publishing this data on their disabled staff, employers can demonstrate two things to disabled staff and prospective applicants. Firstly, that they are committed to making their workplace an inclusive place to work for disabled people; Secondly, it will give them the evidence to show the benefits of working for that particular organisation e.g. high satisfaction rates with adjustments or a clear route of progression to senior roles.

There is also evidence that disabled people would feel more confident working for an employer who reports on their disability data. 46% of disabled people said they would be more likely to want to work for a company that reports on the number of adjustments they have made to disabled staff[[98]](#footnote-99), while a similar number (45%) said the same thing about employers who report on satisfaction rates with the adjustments process[[99]](#footnote-100).

Around a third of disabled people also said they would be more likely to consider working somewhere that published data on the number of disabled people they employ (36%)[[100]](#footnote-101).

Disabled people are often reluctant to talk about their disability at work. This is usually because to do so would risk limiting their chances of progression at work, because they were told not to by others or due to perceived negative attitudes from colleagues[[101]](#footnote-102). Whilst there is some evidence that disabled people are becoming more comfortable about disclosing their condition at work (56% of disabled people told us that they had told their employer about their condition[[102]](#footnote-103) ) not all disabled people feel the same way. Just over a third said they were not confident about disclosing their disability at work, a figure that rises to 46% of 18–34 year-olds[[103]](#footnote-104).

We therefore feel it is important that employers explain to all colleagues why they are collecting data on its disabled staff and what that data will be used for.

Other tips that we give employers to help improve attitudes towards disabled workers include:

* Creating an internal disability employee resource group or working group: This can act as a safe space for feedback to be shared, it can help with raising and tackling any common barriers faced by disabled staff and with sharing best practice.
* Reverse Mentoring: For senior members of staff, this can allow them to test ideas and gather feedback with disabled colleagues, as well as give them an opportunity to hear directly from disabled staff about their experiences at work and the barriers they face. Disabled staff could also use it as an opportunity to receive advice on progressing in their careers.

If employers are looking for further advice or guidance on how to change attitudes towards disabled people in their organisation, they should sign up to Scope’s Workplace disability inclusion programme[[104]](#footnote-105). Our disability employment advisers will work with employers to break down the procedural and attitudinal barriers that are faced by disabled people at work, and offer tailored solutions to improve an employer’s inclusivity.

If you want more information about the support we offer to businesses then please go to our Scope for Business site[[105]](#footnote-106). Here you can access articles, upcoming events and use our tool to help you identify what support you need for your business.

We would also recommend employers sign up to the Government’s Disability Confident scheme[[106]](#footnote-107). Although we believe that Disability Confident could be improved, signing up to the scheme will give employers a wealth of information and guidance on how to become a better employer of disabled people.

### **Providing better support at work through reasonable adjustments and Access to Work:**

1. **Employers should adopt the following ideas when designing their adjustment policies:**
   1. **Always involve the employee when creating a reasonable adjustment**
   2. **Aim to have the adjustment in place as close to the employee’s first day of employment as possible**
   3. **Have a named person in the organisation who can be contacted about adjustments**
   4. **Offer to meet the costs of an Access to Work award if delays mean the disabled employee struggles to do their job**

Almost half of disabled workers are not getting their adjustments needs met. According to our research, 30% of disabled people who had requested a reasonable adjustment were dissatisfied with how their employer met their needs[[107]](#footnote-108). While a further 17% said that their employer had not arranged or implemented their reasonable adjustment request[[108]](#footnote-109). To ensure disabled workers have adjustments put in place without any issues, we suggest that employers design their adjustment policies based on the following principles:

* Always involve the employee when creating a reasonable adjustment: 50% of disabled people told us that they did not think they have all of the adjustments they thought they needed to work[[109]](#footnote-110). Involving the employee in the design of an adjustment for them will ensure that all options which could help meet their needs are explored.
* Have a named person in the organisation who can be contacted about adjustments: This would also help solve the problem of disabled workers not always knowing what adjustments are available for them by ensuring that disabled workers (particularly those who work in large employers) had someone they could contact about them.
* Aim to have the adjustment in place as close to the employee’s first day of employment as possible: Any barriers that are encountered by disabled people in a new job run the risk of impacting on their ability to do the job they were recruited for. Whilst it is not always possible to implement an adjustment before the employee has started, employers should commit to doing everything possible to make sure the adjustment is in place by the time a disabled employee has started their job.
* Offer to meet the costs of an Access to Work award if delays mean the disabled employee struggles to do their job: 18% of disabled people who used Access to Work have faced delays in receiving equipment[[110]](#footnote-111). To ensure any such delays do not affect the ability of disabled workers to do their job, employers should offer to meet the costs of an Access to Work award so any equipment is delivered as swiftly as possible.

### **Flexible working:**

1. Employers should explore options for implementing different flexible working policies for staff, such as working location, self rostering shift work, matching working hours to outputs and flexible hours.

Our poll of employers found that the most common types of flexible working policies are the hours someone can work (67%) and the location where they work (59%)[[111]](#footnote-112). By contrast, fewer employers have alternative flexible working policies such as adjusted duties at work (44%) and on travelling to work (32%)[[112]](#footnote-113).

We believe that employers should explore different ways of working flexibly. Depending on the nature of the job, these may include:

* Self rostering shift work: Staff are given greater choice around when they work shifts[[113]](#footnote-114).
* Matching working hours to outputs: Workers can start and leave earlier and leave when that day’s work is done rather than remaining at work for their contracted hours[[114]](#footnote-115).
* Flexible hours: This includes compressed hours, where employees work their contacted hours over fewer days and staggered hours, which gives employees the choice of when they work their contracted hours during the day[[115]](#footnote-116).

There is evidence that disabled people would value the chance to work flexibly in different ways. Over a third of disabled people who fell out of work told us that a policy of self rostering shift work or matching working hours to outputs would have helped them stay in work[[116]](#footnote-117). Government data also shows that those disabled people who were able to work remotely were less likely to drop out of employment[[117]](#footnote-118).

### **Better support during periods of sickness absence**

1. Employers should introduce disability leave for their disabled staff to use to take time off work to attend medical appointments or to recover from an illness.

To help disabled people who need to take time off from work to attend medical appointments or manage their condition, we believe that employers should introduce a disability leave policy.

This policy would give disabled staff a fixed number of absence days that can be recorded separately to normal annual leave or sickness absence. It would be used at the individual’s discretion for any reason connected to their impairment or condition. This may include time to attend a medical appointment, extra time to recover from a disability related medical problem or a reoccurrence of a condition.

44% of disabled people who have previously fallen out of work told us that disability leave would have helped them to keep their job[[118]](#footnote-119).

## **Conclusion**

In this report we have set out the steps employers and Government must take to drastically improve retention rates amongst disabled people. With the disability employment gap stubbornly remaining at around 30%, and economic inactivity growing, there has never been a better time to tackle these issues.

Our research has identified 4 key trends that lead to thousands of disabled people falling out of work every year:

* negative attitudes and discrimination
* challenges with securing reasonable adjustments and the Access to Work scheme
* inflexible working arrangements
* a lack of support when someone goes off sick.

These challenges are not insurmountable, and with concerted effort from Government and employers, we can ensure that disabled people not only find work but stay in it and progress in it to meet their true potential. We firmly believe that policy makers and employers must now grasp the nettle.

In the 2022 Autumn Statement, the Chancellor announced his review into economic inactivity following Covid 19. All G7 countries saw an increase in economic activity during the pandemic – but only in the UK does it continue to rise.[[119]](#footnote-120) As such, addressing labour market inactivity amongst disabled people in the UK is a key challenge facing policy makers.

We know that for disabled people who can and want to work, employment can lead to significant social and health benefits.[[120]](#footnote-121). Work (when it is freely chosen and appropriate) provides a sense of purpose and achievement, social interaction, and, of course, a stable income. Numerous studies also attest to the mental health benefits of being in work. Employers too stand to benefit from retaining their disabled employee’s talents at their organisation rather than allowing valuable colleagues to fall out of the workplace. And there is good evidence that more disabled people in work will break down the stigma and negative attitudes towards disabled people[[121]](#footnote-122) across society.

We strongly encourage employers and Government to take on the recommendations we have made. Modern workplaces can and should accommodate the UK’s growing number of disabled people, and disabled people are demanding change.

## **Appendix: methodology**

To increase Scope’s understanding of disabled people’s experience at work and employers’ perceptions of their disabled employees, a literature review and qualitative analysis were undertaken.

The literature review looked at reports published by Government and experts in the disability employment sector over the past 5 years. These allowed us to build evidence on the barriers that disabled face to staying in work. We also explored potential solutions regarding:

* Flexible working
* The provision of reasonable adjustments
* Sick pay

The findings of the literature review were used to inform the approach we followed in our qualitative research, which consisted of:

### **A stakeholder working group**

To help guide our research, and to help us to develop and advise on the policy development stage, we recruited 6 people to sit on a stakeholder working group which met 3 times during the project. Members were a mixture of internal and external experts who had experience of liaising with disabled people in work or developing policy in this area.

### **An advisory working group**

We recruited a total of 10 disabled people, with experience of falling out of work for a reason connected to their impairment or condition, to sit on an advisory working group. The purpose of this group was to use the experience of the group’s members to:

* Advise us on what we should focus on at the research stage.
* Help us develop policy recommendations that would solve the issues faced by disabled people in the workplace.

The advisory working group met twice during the project.

### **Survey of disabled individuals and employers**

We undertook to survey disabled people who had fallen out of work and HR leads in employers so we could:

* Build our understanding of disabled people’s and employers' thoughts and experiences of certain topics and themes that we explore in our report
* Gather evidence to meet any gaps that we identified at the research stage
* Gain insight on what support could have helped them to stay in work

We commissioned Opinium Research to conduct a poll featuring questions designed by us. We worked with them to select a sample of 1000 disabled adults in the UK aged 18 to 65 who have left the workplace because of a reason related to their disability or impairment. This sample also included people who were currently out of work and had returned to work during the last 10 years.

We asked our sample of disabled people a series of questions on attitudes towards disabled people, their awareness and experiences of using the Access to Work scheme and requesting a reasonable adjustment, their views on flexible working and their experiences of being on sick leave.

At the same time, we also worked with Opinium to poll over 269 HR decision makers (of inclusion and diversity) in businesses of various sizes. We asked their perceptions about disabled workers and their experiences of delivering reasonable adjustments, a flexible working policy and using the Access to Work scheme.

Both polls took place between January and February 2023.

1. Department for Work and Pensions (DWP), Employment of disabled people 2021

   <https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2021/the-employment-of-disabledpeople-2021> [↑](#footnote-ref-2)
2. A08: Labour market status of disabled people. Office for National Statistics. [A08: Labour market status of disabled people - Office for National Statistics (ons.gov.uk)](https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/labourmarketstatusofdisabledpeoplea08) [↑](#footnote-ref-3)
3. Resolution Foundation (2023). Post-pandemic participation: exploring labour force participation in the UK. [Post-pandemic-participation.pdf (resolutionfoundation.org)](https://www.resolutionfoundation.org/app/uploads/2023/02/Post-pandemic-participation.pdf) [↑](#footnote-ref-4)
4. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-5)
5. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-6)
6. Same as above [↑](#footnote-ref-7)
7. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-8)
8. Same as above [↑](#footnote-ref-9)
9. Gov.UK: Government unveils new support for disabled jobseekers. <https://www.gov.uk/government/news/government-unveils-new-support-for-disabled-jobseekers> [↑](#footnote-ref-10)
10. Scope analysis of Office for National Statistics (February 2023). [A08: Labour market status of disabled people - Office for National Statistics (ons.gov.uk)](https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/labourmarketstatusofdisabledpeoplea08) [↑](#footnote-ref-11)
11. ONS: Which groups find it hardest to find a job following a period out of work? <https://www.ons.gov.uk/employmentandlabourmarket/peoplenotinwork/unemployment/articles/whichgroupsfindithardesttofindajobfollowingaperiodoutofwork/2021-03-30> [↑](#footnote-ref-12)
12. Scope analysis of Office for National Statistics (February 2023). [A08: Labour market status of disabled people - Office for National Statistics (ons.gov.uk)](https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/labourmarketstatusofdisabledpeoplea08) [↑](#footnote-ref-13)
13. Same as above [↑](#footnote-ref-14)
14. Same as above [↑](#footnote-ref-15)
15. HM Government (2021). National Disability Strategy. <https://www.gov.uk/government/publications/national-disability-strategy> [↑](#footnote-ref-16)
16. DWP (2023). Transforming Support: The Health and Disability White Paper. <https://www.gov.uk/government/publications/transforming-support-the-health-and-disability-white-paper> [↑](#footnote-ref-17)
17. DWP (2021) Government response: Health is everyone’s business. <https://www.gov.uk/government/consultations/health-is-everyones-business-proposals-to-reduce-ill-health-related-job-loss/outcome/government-response-health-is-everyones-business> [↑](#footnote-ref-18)
18. Disability Unit. Press release. New Disability Action Plan confirmed for 2023 as minister meets Paralympians and opens pioneering lab at Olympic Park. <https://www.gov.uk/government/news/new-disability-action-plan-confirmed-for-2023-as-minister-meets-paralympians-and-opens-pioneering-lab-at-olympic-park#:~:text=Disabled%20people-,New%20Disability%20Action%20Plan%20confirmed%20for%202023%20as%20minister%20meets,technology%2C%20sport%20and%20global%20leadership>

    [↑](#footnote-ref-19)
19. Scope (2019). Reporting on disability and employment. <https://www.scope.org.uk/campaigns/research-policy/employers-guide/> [↑](#footnote-ref-20)
20. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-21)
21. Same as above [↑](#footnote-ref-22)
22. Scope (2022). Attitudes and disability: The experiences of disabled people in 2022. <https://www.scope.org.uk/scope/media/files/research-and-policy/attitudes-research/attitudes-research.pdf> [↑](#footnote-ref-23)
23. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-24)
24. Same as above [↑](#footnote-ref-25)
25. Disability Rights UK & Reed in Partnership (2017). Disability and employment. <https://www.disabilityrightsuk.org/news/2016/august/1-10-businesses-unable-support-employee-disability-or-health-condition#Report> [↑](#footnote-ref-26)
26. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-27)
27. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-28)
28. Same as above [↑](#footnote-ref-29)
29. Scope. Our Lives, Our Journey: Achieving and maintaining equality in employment for disabled people. (unpublished report) [↑](#footnote-ref-30)
30. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-31)
31. Business Disability Forum (2020). The Great Big Workplace Adjustments Survey. <https://dh1b0dk701o2c.cloudfront.net/prod/uploads/2020/06/The-Great-Big-Workplace-Adjustments-Survey-main-report.pdf> [↑](#footnote-ref-32)
32. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-33)
33. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-34)
34. Same as above [↑](#footnote-ref-35)
35. Disability News Service. <https://www.disabilitynewsservice.com/access-to-work-in-crisis-as-figures-show-massive-waiting-list/> [↑](#footnote-ref-36)
36. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-37)
37. Same as above [↑](#footnote-ref-38)
38. Scope. Our Lives Our Journey. Wave 1 Cohort 2. Disabled people who’ve recently acquired an impairment/long term condition (unpublished report) [↑](#footnote-ref-39)
39. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-40)
40. Scope. Our Lives, Our Journey: Achieving and maintaining equality in employment for disabled people. (unpublished report) [↑](#footnote-ref-41)
41. Scope (2019). Our Lives, Our Journey: Starting a new job. <https://www.scope.org.uk/campaigns/research-policy/our-lives-our-journey/starting-a-new-job/> [↑](#footnote-ref-42)
42. Timewise (2022). The Timewise Flexible Jobs Index 2022. <https://timewise.co.uk/wp-content/uploads/2022/10/Timewise-Flexible-Jobs-Index-2022.pdf> [↑](#footnote-ref-43)
43. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-44)
44. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-45)
45. Gov.UK. Statutory Sick Pay (SSP): Overview. <https://www.gov.uk/statutory-sick-pay> [↑](#footnote-ref-46)
46. Scope polling of 500 working and disabled adults, 30 August – 4 September 2019 [↑](#footnote-ref-47)
47. Same as above [↑](#footnote-ref-48)
48. DWP (2021). Sickness absence and health in the workplace: understanding employer behaviour and practice. <https://www.gov.uk/government/publications/sickness-absence-and-health-in-the-workplace-understanding-employer-behaviour-and-practice/sickness-absence-and-health-in-the-workplace-understanding-employer-behaviour-and-practice-report> [↑](#footnote-ref-49)
49. Scope polling via Opinium of 500 working and disabled adults, 30 August – 4 September 2019 [↑](#footnote-ref-50)
50. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-51)
51. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-52)
52. Same as above [↑](#footnote-ref-53)
53. Same as above [↑](#footnote-ref-54)
54. DWP (2013). Evaluation of the Work Choice Specialist Disability Employment Programme. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/210683/rrep846.pdf> [↑](#footnote-ref-55)
55. HM Government (2021). National Disability Strategy. <https://www.gov.uk/government/publications/national-disability-strategy> [↑](#footnote-ref-56)
56. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-57)
57. Same as above [↑](#footnote-ref-58)
58. DWP. Press release. £6.4 million boost for employers to support disabled people <https://www.gov.uk/government/news/6-4-million-boost-for-employers-to-support-disabled-people> [↑](#footnote-ref-59)
59. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-60)
60. Department for Work and Pensions (2018). Disability Confident scheme: Summary findings from a survey of participating employers. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755667/disability-confident-scheme-summary-findings-from-a-survey-of-participating-employers.pdf> [↑](#footnote-ref-61)
61. Gov.UK. list of employers that have signed up. <https://www.gov.uk/government/publications/disability-confident-employers-that-have-signed-up> [↑](#footnote-ref-62)
62. Acas (2021). Acas strategy 2021 – 2025. Making working life better for everyone in Britain. <https://www.acas.org.uk/about-us/acas-strategy-for-2021-to-2025/html> [↑](#footnote-ref-63)
63. MoJ (2022). Tribunal Statistics Quarterly: April to June 2022. <https://www.gov.uk/government/statistics/tribunal-statistics-quarterly-april-to-june-2022> [↑](#footnote-ref-64)
64. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-65)
65. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-66)
66. They work for you. Access to Work Programme: 23 Oct 2014: Hansard Written Answers. <https://www.theyworkforyou.com/wrans/?id=2014-10-23a.91.0&s=access+to+work+advisers+%22access+to+work+advisers%22+section%3Awrans#g91.1> (last accessed 29.3.23) [↑](#footnote-ref-67)
67. DWP (2022). Access to Work statistics: April 2007 to March 2022. <https://www.gov.uk/government/statistics/access-to-work-statistics-april-2007-to-march-2022> [↑](#footnote-ref-68)
68. Access to Work: get support if you have a disability or health condition: What Access to Work is. <https://www.gov.uk/access-to-work> (last accessed 20.4.23) [↑](#footnote-ref-69)
69. Access to Work: factsheet for customers. <https://www.gov.uk/government/publications/access-to-work-factsheet/access-to-work-factsheet-for-customers> (accessed 06.04.23) [↑](#footnote-ref-70)
70. Access to Work factsheet for employers. <https://www.gov.uk/government/publications/access-to-work-guide-for-employers/access-to-work-factsheet-for-employers> (accessed 06.04.23) [↑](#footnote-ref-71)
71. DWP (2023). Transforming Support: The Health and Disability White Paper. <https://www.gov.uk/government/publications/transforming-support-the-health-and-disability-white-paper/transforming-support-the-health-and-disability-white-paper#chapter-1-opening-up-more-work-opportunities-1> [↑](#footnote-ref-72)
72. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-73)
73. DWP (2022). Access to Work statistics: April 2007 to March 2022. <https://www.gov.uk/government/statistics/access-to-work-statistics-april-2007-to-march-2022> [↑](#footnote-ref-74)
74. DWP (2013). Access to Work guide for employers. <https://www.gov.uk/government/publications/access-to-work-guide-for-employers/access-to-work-factsheet-for-employers> [↑](#footnote-ref-75)
75. Department for Work and Pensions (2021). Government response: Health is everyone’s business. <https://www.gov.uk/government/consultations/health-is-everyones-business-proposals-to-reduce-ill-health-related-job-loss/outcome/government-response-health-is-everyones-business> [↑](#footnote-ref-76)
76. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-77)
77. Same as above [↑](#footnote-ref-78)
78. Equality & Human Rights Commission. What we do. <https://www.equalityhumanrights.com/en/about-us/what-we-do>

    (Accessed 29.3.23) [↑](#footnote-ref-79)
79. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-80)
80. Equality and Human Rights Commission (2015) Equality, human rights and access to civil law justice: a literature review. <https://www.equalityhumanrights.com/sites/default/files/research-report-99-equality-human-rights-and-access-to-civil-law-justice.pdf> [↑](#footnote-ref-81)
81. Same as above [↑](#footnote-ref-82)
82. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-83)
83. DWP (2021). Government response: Health is Everyone’s Business. <https://www.gov.uk/government/consultations/health-is-everyones-business-proposals-to-reduce-ill-health-related-job-loss/outcome/government-response-health-is-everyones-business> [↑](#footnote-ref-84)
84. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-85)
85. Same as above [↑](#footnote-ref-86)
86. Same as above [↑](#footnote-ref-87)
87. Gov.UK. Press release. Millions of Britons to be able to request flexible working on day one of employment. <https://www.gov.uk/government/news/millions-of-britons-to-be-able-to-request-flexible-working-on-day-one-of-employment> (Accessed 29.3.23) [↑](#footnote-ref-88)
88. DWP (2019). Health is Everyone’s Business. <https://www.gov.uk/government/consultations/health-is-everyones-business-proposals-to-reduce-ill-health-related-job-loss> [↑](#footnote-ref-89)
89. DWP (2021). Government’s response: Health is Everyone’s Business: <https://www.gov.uk/government/consultations/health-is-everyones-business-proposals-to-reduce-ill-health-related-job-loss/outcome/government-response-health-is-everyones-business> [↑](#footnote-ref-90)
90. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-91)
91. Same as above [↑](#footnote-ref-92)
92. Gov.UK. Rates and thresholds for employers 2022 to 2023. <https://www.gov.uk/guidance/rates-and-thresholds-for-employers-2022-to-2023#statutory-sick-pay-ssp> (Accessed 29.3.23) [↑](#footnote-ref-93)
93. Gov.UK. Statutory Sick Pay (SSP): employer guide: Eligibility and form SSP1. <https://www.gov.uk/employers-sick-pay/eligibility-and-form-ssp1>

    (Accessed 29.3.23) [↑](#footnote-ref-94)
94. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-95)
95. National Audit Office (2021). Employment support. Department for Work and Pensions.

    <https://www.nao.org.uk/wp-content/uploads/2021/06/Employment-support.pdf> [↑](#footnote-ref-96)
96. Social Market Foundation on behalf of Scope (2021). Time to think again: disability benefits and support after Covid-19. <https://www.smf.co.uk/publications/time-to-think-again/> [↑](#footnote-ref-97)
97. Scope (2019). A guide to reporting on disability and employment. <https://www.scope.org.uk/campaigns/research-policy/employers-guide/> [↑](#footnote-ref-98)
98. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-99)
99. Same as above [↑](#footnote-ref-100)
100. Same as above [↑](#footnote-ref-101)
101. Scope (2017). Let’s Talk report. <https://www.scope.org.uk/campaigns/lets-talk/> [↑](#footnote-ref-102)
102. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-103)
103. Same as above [↑](#footnote-ref-104)
104. Scope. Workplace disability inclusion programme - Scope for Business. <https://business.scope.org.uk/service/workplace-disability-inclusion-programme> (Accessed 29.3.23) [↑](#footnote-ref-105)
105. Scope for Business. <https://business.scope.org.uk/?gclid=EAIaIQobChMI8O6MxMu6_gIVy-7tCh3ngAP2EAAYASAAEgJixvD_BwE> (last accessed 21.4.23) [↑](#footnote-ref-106)
106. Gov.UK. Disability Confident employer scheme. <https://www.gov.uk/government/collections/disability-confident-campaign> (last accessed 21.4.23) [↑](#footnote-ref-107)
107. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-108)
108. Same as above [↑](#footnote-ref-109)
109. Same as above [↑](#footnote-ref-110)
110. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-111)
111. Scope and Opinium polling of 269 HR decision makers in the UK. 27 January – 2 February 2023 [↑](#footnote-ref-112)
112. Same as above [↑](#footnote-ref-113)
113. Timewise. How team-based rostering can make nursing more flexible. <https://timewise.co.uk/article/team-rostering-nursing-flexible/> (Accessed 29.3.23) [↑](#footnote-ref-114)
114. Timewise (2021). Making construction a great place to work report. <https://timewise.co.uk/wp-content/uploads/2021/06/TW-Making-construction-a-great-place-to-work-report.pdf> [↑](#footnote-ref-115)
115. Timewise. Microsoft PowerPoint. Unlocking the benefits of flexible working. <https://timewise.co.uk/wp-content/uploads/2014/09/FJD.pdf> (Accessed 29.3.23) [↑](#footnote-ref-116)
116. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-117)
117. Scope analysis based on the 5 longitudinal quarters of Labour Force Survey and the ONS data on scores of remote working based on their occupation. The quantitative logit model controlled for various personal and job characteristics to model the chances of dropping out of employment. We can provide full methodology upon request. [↑](#footnote-ref-118)
118. Scope and Opinium polling of 1000 disabled adults in the UK aged 18 – 65 who have left the workplace because of a reason related to their disability or impairment 29 January – 2 February 2023 [↑](#footnote-ref-119)
119. House of Commons Library. <https://commonslibrary.parliament.uk/how-is-health-affecting-economic-inactivity/> [↑](#footnote-ref-120)
120. For more detail, see Centre for Social Justice (2021). Now is the Time. <https://www.centreforsocialjustice.org.uk/wp-content/uploads/2021/03/CSJJ8819-Disability-Report-190408.pdf> [↑](#footnote-ref-121)
121. Same as above [↑](#footnote-ref-122)