

TRAILBLAZERS

Part of the Young Campaigners' Network



RIGHT TO WORK

THE TRAILBLAZERS' EMPLOYMENT REPORT

Report 4 of the **Inclusion Now** series
July 2010

“Everyone has the right to participate in all areas of society and getting paid is only one aspect. Working from home can be a short-term solution but can prove isolating and socially excluding. Disabled people must have the same opportunities as non-disabled candidates to gain employment”

Tanvi Vyas, Trailblazers ambassador

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ABOUT TRAILBLAZERS

Trailblazers is a nationwide organisation of more than 200 young disabled campaigners. We are part of the Muscular Dystrophy Campaign, the leading UK charity on muscular dystrophy and related neuromuscular conditions. We aim to fight the social injustices experienced by young people living with muscle conditions, and to ensure we can gain access to essential services.



Trailblazers at a regional group meeting

ABOUT THE

MUSCULAR DYSTROPHY CAMPAIGN

The Muscular Dystrophy Campaign is the leading UK charity focused on neuromuscular conditions. It is dedicated to improving the lives of more than 70,000 babies, children and adults who are affected.

The Muscular Dystrophy Campaign fights muscle disease by:

- providing free practical and emotional support to families;
- funding world-class research to find effective treatments and cures;
- campaigning with its supporters to raise awareness and bring about change ;
- awarding grants towards the cost of specialist equipment such as powered chairs.

EXECUTIVE SUMMARY

The Disability Discrimination Act 1995 (DDA) and government initiatives like the *Guaranteed Interview Scheme*, *Access to Work* and the *New Deal for Disabled People* were introduced to ensure that young disabled people have more opportunities to get into and retain employment.

It has been argued that anti-discrimination legislation alone is not the most effective way of providing employment opportunities for disabled people.¹ To improve equality for disabled jobseekers, organisations and employers need a better understanding of disability so that they can tailor their employment strategies accordingly.

This report exposes many of the barriers faced by disabled jobseekers with the necessary skills from gaining access to employment. It also provides essential information on how to get into work and stay there.

Young disabled people with the right qualifications and skills should have the same opportunities to gain employment as their non-disabled peers. Unfortunately, their aspirations and ambitions are frequently restricted by prejudice in the workplace.

“As a student at university, an important part of my path to employment is a summer placement with a firm. These placements can often lead to permanent job offers, but the Access to Work scheme does not offer any support for disabled people in this capacity. While applying for a placement is just as easy as it would be for a non-disabled person, now that I have secured one there is no help provided with transport, accommodation or adjustment costs, and this is a significant barrier to my plans for employment. The Government could quite easily expand the scheme to cover temporary employment such as this, which would ease a lot of the difficulties I am currently facing.”

Zoe Hallam, Oxford

KEY RECOMMENDATIONS

We are calling on the Government and employers to improve equality in the workplace for disabled employees and job seekers by:

- working in conjunction with organisations like *Trailblazers* to develop a national disabled graduates training scheme;
- promoting the business case for employing talented, qualified and dedicated disabled candidates;
- promoting *Access to Work*, providing assessments and funding prior to applicant success;
- extending the practical support through *Access to Work* to all disabled people on internships, work placements and voluntary positions;
- increasing the number of disabled people employed as Disability Employment Advisors by Jobcentre Plus;
- encouraging flexible, part-time working practices;
- ending forced disclosure of disability, including monitoring absence and sickness at application stages – permitting disabled people to disclose when they feel comfortable;
- reviewing care packages so it is easy for people to relocate for work reasons;
- investigating the possibility of an interactive forum for disabled employees and jobseekers, where they can share experiences and discuss ideas and solutions;
- encouraging disability equality training for all line managers;
- ensuring adequate policies are in place to protect disabled employees from harassment.

BACKGROUND

Since December 1996 the implementation of the Disability Discrimination Act (DDA) has made it unlawful for an employer to discriminate against an applicant on the grounds of disability. At this time, public services such as the armed forces, fire service and the police were still exempt. Since October 2004, all employers, whatever the size of the organisation, come within the scope of the DDA, with the sole exception of the armed forces.² Disability employment legislation dates back to the 1940s but disabled people remain underrepresented in the labour market.³

There are an estimated five million disabled adults of working age in the UK.⁴ According to the Department for Work and Pensions, there were 2.62 million 'Employment and Support Allowance (ESA) and Incapacity Benefits claimants at November 2009⁵. The Employers Forum on Disability estimates that one in five disabled people in the UK are unemployed but want to work; this compares to one in 15 of non-disabled people.⁶

Governments in the United Kingdom have attempted to restructure the benefits system, ensuring that work offers a financial incentive. Offering training, implementing schemes such as *Access to Work* and creating legislation to protect individuals from discrimination is to be celebrated, but there is still much room for improvement.

Challenges in finding work placements, part-time positions and voluntary placements affects the future career prospects of young disabled people. It is essential that we address these challenges to ensure the proportionate representation of disabled people across the workforce. This will be to the benefit of not only disabled candidates, but for employers who can all too easily miss out on the best candidate through a lack of disability awareness.

Disabled people are often in lower paid jobs and do not progress at the same rate as their non disabled peers. A study by the disability network RADAR suggests that although disabled and non-disabled people had equal career aspirations, non-disabled people were over three times as likely as disabled people to earn £80,000 or above, and only nine per cent of disabled people were confident that they would have equal career opportunities to non-disabled people.⁷

KEY FINDINGS

The evidence in this report comes from:

- a survey of over 100 young disabled people;
- undercover investigations carried out at Jobcentre Plus and recruitment agencies by *Trailblazers'* campaigners from all over the UK;
- the Employers Forum on Disability;
- the Department for Work and Pensions;
- the Shaw Trust;
- RADAR;
- the Office for National Statistics.

Kim Randle volunteering at the Muscular Dystrophy Campaign



Jon Hastie working as an Involvement Officer

The *Trailblazers'* survey reveals that:

- one in seven disabled graduates (average age of 26) say they have never been in paid employment;
- almost three out of four young disabled people believe the job application process puts disabled people at a disadvantage;
- seventy per cent of young disabled people believe their job applications have been rejected due to the perception of disability;
- almost three out of four young disabled people feel physical access to the workplace is a major obstacle to getting into employment;
- more than half of respondents cite an employer's aversion to risk as a major obstacle in finding work;
- almost half of young disabled people think inaccessible public transport is a major factor in finding work;
- almost 50% of young disabled people who are currently or have in the past been in paid work are employed within the voluntary and charity sector;
- almost two out of three young disabled people believe that the charity and voluntary sector provide the most disability support and awareness in comparison to other sectors;
- more than one in three young disabled people are not aware or not sure what the *Access to Work* scheme is;
- Jobcentre Plus offices have accessible entrances but job listing on computers require assistance from staff due to poor positioning.

LOOKING FOR WORK

Recruitment agencies

Trailblazers investigated the accessibility and client services of recruitment agencies in their area, and observed that many businesses were located above other shops, or had steps to enter the building, making it inaccessible to wheelchair users or those with mobility difficulties.

When enquiring about this, our campaigners were told that job opportunities were available online. This, in the *Trailblazers'* opinion, is not a reasonable adjustment, as job seekers do not get to develop a strong relationship with the consultants, which is often essential to securing the right job.

Other agencies offered to carry out office-based proficiency tests in coffee shops or other locations. Although this is a more positive approach there are potential distractions which could have an impact upon performance.

Jobcentre Plus

Every town centre should have a Jobcentre Plus providing information and advice on issues that may affect a candidate looking for work. Disability Employment Advisors (DEA) should be a helpful resource and point of contact. Some schemes may improve the chances of finding and retaining work, and the DEA should talk a candidate through any potential benefits or support they may be entitled to.



"I left Plymouth University in 2002 with an HND in Business and Finance.

"I found it very difficult to find a job but was told about the Princes Trust Volunteers. I found this a very enjoyable course and I then stayed on in the capacity of an assistant team leader. During this time I had to sign on at the Plymouth Job Centre every fortnight. This wasn't always easy, as there was often a lack of parking around the Job Centre, I sometimes had to drive around for half an hour or more before finding a space which sometimes meant I was late for signing on.

"I had to see a Disability Employment Advisor at the Job Centre. I didn't agree with this because it felt like I was being singled out and not being treated as an equal to other job seekers. All job advisors should be well trained and

able to help someone find employment whether or not they are disabled. If you have the right qualifications and are the right person for a job then disability should not make any difference to your application. Seeing a Disability Employment Advisor didn't really work very well for me, as they didn't really understand disability and only seemed to focus on getting me the most basic job possible.

"I currently volunteer as a programme controller and presenter at a local hospital radio station. Working at the radio station has helped turn my life around and it proves that employers are missing out when they reject a disabled candidate without as much as a second thought."

Steve Ledbrook, 36,
wheelchair user



Steve Ledbrook at the controls of his hospital radio show

The *Trailblazers'* investigators surveyed 20 Jobcentre Plus offices across the UK, reviewing access and staff attitude. Their findings were mixed.

- It is easy to book an appointment with a DEA.
- Jobcentre Plus offices have electric doors, power assisted doors and ramps.
- Jobpoints (electronic job listing stations) inside the Job Centre are too high for wheelchair users to view and print jobs.
- Staff are willing to offer assistance to go through the jobs, but this has an impact on a young disabled person's independence.
- Jobcentre Plus does not cater for the recruitment needs of disabled graduates.
- There is a lack of disabled car parking.
- Members of staff with poor disability awareness.

Employment and Support Allowance

The Welfare Reform Act 2007 introduced the Employment and Support Allowance (ESA) to replace Incapacity Benefit and Income Support for new claimants. This came into force in October 2008 and will now be extended to all Incapacity Benefit and Income Support claimant over the next four years. The ESA is intended to help disabled people back into work and replaces Personal Capacity Assessments with a new Work Capability Assessment.

However investigations have revealed poor assessment standards.⁸ *Trailblazers* are concerned that severely disabled people are experiencing stress, anguish and expense in the rush to get people into work. It is essential that levels of skill, education and experience are taken into consideration alongside a person's own medical condition.

Pathways to Work

Pathways to Work is a government scheme aimed at helping people get into work if they are on Employment and Support Allowance or Incapacity Benefit through work-focused interviews, Condition Management Programmes and the Return to Work tax credit.

We are calling on the Government, recruitment agents and Jobcentre Plus to increase opportunities for disabled job seekers by ensuring that:

- Jobpoints with printers, and computers with internet access and printers, are situated at an accessible height for wheelchair users;
- more disabled people are employed as Disability Employment Advisors;
- there are more disabled parking bays in the vicinity of Jobcentre Plus offices;
- disability awareness training is provided for all members of staff;
- all agencies should be accessible to all job seekers.

"One of my biggest worries was the financial side of things. I have good days and I have bad days with my health, which is why I needed to try and find a part-time placement with a certain level of flexibility. I have spinal muscular atrophy and things get harder and harder. The problem is that once you've been taken off Incapacity Benefit there is a six-month period before you can get it again. So if things got difficult and I leave an employer, it's extremely difficult to get another job and impossible to get back onto the same income replacement benefit. It's a 'Catch 22' situation. You want to work but the employer can't deal with disability, so you lose your job and you can't go back on disability benefits.

"It would be nice if the Government was more understanding and appreciative of the difficulties associated with long-term conditions. They should recognise that by going for a job you're jumping off a cliff and hoping the parachute will keep you steady. If it doesn't, you'll be broke for six months."

Colin Rabbich, 24, Morecambe

APPLYING FOR A JOB

"I want everything to be clear and fair when I arrive at an interview. I don't see the point of hiding my condition in my application form and then having an interview with someone who wouldn't employ a disabled person anyway."

Nicky Ewen, Peterborough

"The policy may be seen as positive discrimination but I have felt trapped in between and sometimes think its not doing me any favours at all."

Nila Patel, London



Michaela Hollywood volunteering at a local radio station

"In the past I have disclosed I have a disability after being offered an interview, after learning of my wheelchair the employer has made excuses to deter me from attending."

Tanvi Vyas, Edgware, London

The findings of the *Trailblazers'* employment survey highlighted a number of concerns within the application process for disabled candidates.

Disclosure of disability

Disclosure of disability on an application form or CV is a sticking point. Where and when, if at all, should a disabled person disclose? Will disclosing disability benefit or be to the detriment of the applicant?

Most young disabled people we surveyed wanted to be upfront and honest about disability. They thought that if access or attitude were problematic, they would not be invited to interview and it would be a waste of their time.

In situations where people omit disclosure of disability on a CV or application form, applicants feel they are being dishonest and often find when they are invited to interview attitudes change.

"Sometimes they don't give you the opportunity to omit whether you have a disability"

Matilda Ibini, London

"A short description about your disability on paper can sound very different to a phone conversation or face to face meeting... Potential employers don't understand where personal assistants come into play and that they can be the crucial difference between being able to do a job or not."

Hannah-Lou Blackall, King's Lynn

Guaranteed Interview Schemes

The Guaranteed Interview Scheme (GIS) is a policy used by some organisations that states that, if a person declares a disability and meets minimum criteria within the initial stages of the job application process, they will automatically be invited for an interview.

However, the GIS has drawbacks and some of these have been highlighted by *Trailblazers'* campaigners.

- When there is no physical access into the workplace, a guaranteed interview in an accessible location is rendered pointless.
- The GIS is vulnerable to abuse from unscrupulous employers, who appear to be embracing equality but have no intention of employing a disabled candidate.
- Young disabled people are left wondering whether they have been invited to interview on their own merit, or whether the organisation is filling its quotas.

Common job application concerns include:

- Two out of three respondents believe that their application for employment has been or may have been rejected on the grounds of disability.
- Two out of three respondents believe that the job application process put disabled people at a disadvantage.
- One in three respondents say they would not disclose disability at application form or CV stage.
- Three out of four respondents believe that providing information about their condition is completely unnecessary.
- The Guaranteed Interview Scheme, if minimum criteria is met, is welcome in theory, but only if there is a real chance of success.
- More than half of the *Trailblazers* thought the reasonable adjustments required of an employer should be the primary concern.

"If an application process is done fairly and in line with best practice [the Guaranteed Interview Scheme] then it should put disabled people at an advantage. However, this does not always happen, probably due to the in-built and often subconscious prejudices of the people running recruitment processes."

Aminder Virdee, Hayes

"The way they phrase questions means you never know if there is discrimination at the application stage. It's like they are going to help you but you're not entirely sure."

Colin Rabbich, Morecambe



Judith Merry applying for jobs from home

Damian Brady, 26, wheelchair user

Graduated with a law degree last summer.

"I'd say that I've found it much more difficult to get work compared to my non-disabled friends. They've been able to obtain basic office experience, but because I can't photocopy or carry out other administrative tasks, the physical constraints of the disability have made finding work that I can actually do all the more problematic. That said, my lack of work experience has also counted against me.

"I applied for a voluntary position last year with Victim Support. For obvious reasons, I couldn't visit the homes of clients. I also

offered to carry out data entry or man the phones, but again my disability presented obstacles, which I felt could have been overcome with minor adjustments. I was simply unable to perform the necessary duties, being neither my fault nor theirs.

"I have also been in contact with a local agency. The agency did petition many of the local law firms to give me some kind of work experience. Unfortunately, nearly all of them cited the inaccessibility of their premises as an insurmountable obstacle. After several months, I broke off contact with the agency as I felt my time and theirs could be spent more productively."

Damian continues his search for a job.

Tanvi Vyas who works for Trailblazers



"You are forced to disclose disability when it's ability that should matter and be the focus of the application."

Tanvi Vyas, Edgware, London

Action needed

We are calling on the Government and employers to improve equality in the job application process by ensuring that:

- the current legislative reform in The Equality Act 2010 concerning disclosure of disability is implemented so there are no direct questions relating to length and causes of absence;
- disclosure is at the complete discretion of the applicant;
- the responsibility of the employers to make reasonable adjustments should not be transferred onto the applicant;
- applicants are only invited to interviews that they are fully qualified for and are being seriously considered for the job role in question;
- the application process is fair and balanced so disabled applicants have the same opportunities as non-disabled candidates.

INTERVIEWS

Interviews are often nerve-wracking experiences that a candidate will carry out significant preparation for. However, many *Trailblazers* have reported that they have been invited to an interview only to discover on arrival that the employer's premises are inaccessible. Other young disabled people have reported having to access buildings via service lifts or being made to feel like an inconvenience.

Common interview concerns include:

- interviewers who have made decisions prior to the interview;
- employers or managers exhibiting a lack of creative thinking to find solutions and enable disabled people to complete work in an innovative way;
- more than half of disabled people believe employers are scared of employing disabled people because they assume they would be unable to do the job.

"I was invited for an interview at a carpet store under the Guaranteed Interview Scheme. None of the other people there I spoke to had experience selling carpets but I did... they gave me a second interview but then told me that they didn't think I was physically up to the job."

David Gale, Carlisle

"I had an interview with a chemist and was informed personally by the manager who had carried out my interview that I passed the criteria and that he hadn't had a better interview than this so far for this position. I was asked to await a reply in a week's time. I waited three weeks to be told I was unsuccessful because I didn't pass the assessment which the manager himself had told me I had passed!"

Krishna Talsania, Harrow, London

Action needed

We are calling on the Government and employers to improve opportunities for disabled applicants at the interview stage by ensuring that:

- disability equality training is delivered to all line managers;
- information is readily available about *Access to Work*;
- there is an official monitoring system that ensures a basic level of access before an organisation can achieve the two ticks 'positive about disability' symbol.

"The job I was applying for meant relocating to the first floor of a building that did not have a lift. Although interviewed for the job the way the questions were phrased, in my opinion, implied that my disability was going to be a problem because of the relocation. I felt they wanted the easy option rather than investigating other possibilities."

Trailblazer, East of England

"I have applied for jobs, got to interview stage and found out the office is inaccessible."

Trailblazer, Grimsby

RETAINING A JOB

If a disabled person is appointed to a job or becomes disabled while under contract with an employer, the employee has certain entitlements that should improve their situation in the workplace.

There is advice and support available to an employer who is obliged to make reasonable adjustments which could include:

- allowing flexibility;
- part-time working hours;
- working from home;
- making adaptations to toilets;
- redesigning a job description.

It is important to remember the relationship works both ways and employees must be upfront and clear about what works best for them.

Talking about challenges and ways to potentially alleviate them is the best way to find a creative flexible working environment. Disabled employees must feel they are able to communicate freely about these issues.

However, the *Trailblazers* survey shows that one in five respondents felt forced out of a job due to poor disability awareness after successfully getting a job. Retention of employees is crucial after going through an often costly recruitment process and benefits both the employee and the employer.

“My desk was on the ground floor, while the rest of my colleagues were on one of the floors above. They tried to accommodate me but it didn’t work out.”

Jagdeep Kaur Sehmbi, Birmingham

Access to Work

Access to Work is operated through Jobcentre Plus and can help a candidate if their health or disability affects the way they do their job. It gives them, and their employer, advice and support with extra costs which may arise because of their needs.

Access to Work might pay towards the equipment an employee needs at work, adapting premises to meet their needs, or supplying a support worker. It can also pay towards the cost of getting to work if the employee can’t use trains or buses, and for a communicator at job interviews, if they need one.

There can be some support for employers:

- who are seeking to employ a disabled person;
- want to adjust facilities if an employed person becomes disabled;
- if a disabled person they already employ needs additional support or alterations while in employment.

“In effect, employers are able to discriminate on the grounds of disability with a justifiable cause. This would not be the case on the grounds of race, gender or sexuality. But they are excused on the grounds of disability. The law has no teeth to actually encourage disabled employees, but it is a welcome step if you were to become disabled whilst at work.”

Emma-Gail White, Edinburgh

“Fifteen years after the implementation of the DDA, there is still a tendency for employers to expect disabled people to make adjustments. When in fact it’s the employers who should be making adjustments to the barriers to employment.”

Tim Jones, Disability Adviser
Brunel University

In some situations there may be financial assistance available for:

- equipment;
- adaptations to premises;
- costs relating to a support workers;
- transport.

You can ask the DEA at your local Job Centre for information on your local Action to Work centre.

"I moved house in 2009 and found I no longer had sufficient transport to get to and from the office. I am a wheelchair user and accessible public transport in my area is virtually non-existent! After a couple of recommendations, I contacted Access to Work. I had a chat with a really helpful advisor and was asked to fill in a small amount of paperwork, before being told that I was eligible to receive help. I now have a taxi to work and back, which Access to Work partially fund. It has made my everyday life significantly easier – so if you're struggling with access issues at work, get in touch!"

Carrie-Ann Fleming, Carlisle

"I worked for the NHS and due to my condition couldn't continue in my job; my job role changed and I was put on a different salary scale. They were really helpful and understood what I could and couldn't do."

Helen Phelps Starbuck, Plymouth

"I worked for a local authority and was not treated with respect. I was treated like the weak link, the one who would just work on disability-related work and could be patted on the head."

Kamran Mallick, Colindale

Common job retention concerns are:

- One in three young disabled people are unfamiliar with *Access to Work*, including one in five young disabled people currently in employment.
- A candidate must have already been offered a job before an *Access to Work* assessment is carried out.
- When starting a new job there is an initial delay in funding while assessments are carried out thus increasing anxiety during the first few weeks.
- If adaptations are required for the building, theoretically the funding is available, but the time delay between applying for a job and starting a job could be months if major alterations are required which reduces the likelihood of securing the job.
- A disabled employee must have the money in advance to pay for added cost. Reimbursement may take weeks to arrive, compromising cash flow.

Action needed

We are calling on the Government and *Access to Work* to improve equality in the workplace for disabled employees and job seekers by:

- devising a strategy that ensures *Access to Work* assessments can be carried out prior to a job offer, ready for implementation when an offer is made;
- increasing promotion of and carrying out an evaluation of brand awareness for the *Access to Work* scheme;
- ensuring that businesses review whether they have made reasonable adjustments in accordance with the Disability Discrimination Act prior to an application by a potential employee.

PERCEPTIONS OF

DISABILITY IN THE WORKPLACE

The *Trailblazers* involved in our investigation had serious concerns about the way many employers doubt the ability of a disabled young job seeker, with two out of three thinking that many businesses fear employing disabled people. The *Trailblazers* felt that many employers perceive disabled people as a cause of increased costs and requiring extra time off work.

However, research has revealed that the cost of most adjustments is likely to be negligible.⁹ Most disabled people in work do not require adjustments. Where they are required, they generally cost very little and there is often financial help available from the Government.¹⁰

More than half of the *Trailblazers* reported that that disability support and awareness in the charity and voluntary sector is better than the support available in the public or private sector. There are however examples of good disability awareness in the private sector and the *Employers Forum on Disability and Employability* engage with employers to educate and improve disability awareness in the workplace.

Common workplace concerns include:

- Half of young disabled people believed that an employer's low expectations would deter them from being offered a job.
- Two out of three *Trailblazers* who have been in paid employment believed that an employer's fear of employing a disabled person had limited their chances of getting into employment.
- 60% of those surveyed believed the charity and voluntary sector provided the best disability awareness, in comparison with one in ten who had most confidence in the private sector.
- Only one in four employed disabled people are working in the private sector, with 75% working in the public or third sector.

"The public sector is not driven by the need to generate money as much as the private sector. I think this is conducive to having employers who are willing to take time to support staff."

John Patterson, Blackpool

"My employers are great. If I'm not very well or feeling tired or I've done too much they get me to take breaks and relax a bit."

Kimberly Randle, Minety

"Companies want to make profit and physically impaired individuals are seen as a hindrance in terms of time and money."

Krishna Talsania, Harrow, Middlesex

“The Jobcentre Plus advisors were pretty useless at tailored advice. They claimed that they had never come across a disabled person with my academic credentials or an able bodied person with my degree who remained jobless on graduation. I was told that mine was a unique case and that I was in the best position to help myself given my knowledge of the legal job market. It isn't just practical advice you need as a disabled person. Sometimes it just helps to have someone to discuss the difficulties faced.

“The best assistance I got was from a chap at the Scottish Law Society who held an equality/diversity post. He helped me draft a letter to prospective employers explaining all of the funding available from Access to Work to assist in any extra finances that were needed to effectively employ me. It also mentioned that there were grants to make premises accessible.

“Unfortunately, many of the bigger law firms are located in beautiful big Georgian townhouses in the New Town area of Edinburgh. Outside these offices, street level is often between the basement and ground floor level. Typically, there would be around 7-10 steps to reach the 'ground level' main entrance.

“Another issue I came across is that employers will interview me despite not having accessible premises. I asked about access and they said that if I was successful, they would set me up in alternative offices. I knew that the interview was merely tokenism as it

was obvious that anyone in my position would have to be a spectacular candidate to justify them setting up a whole new office away from the other employees.

“The Disability Discrimination Act has no teeth and allows employers to completely ignore the issue of access. This makes it all the harder when a proactive disabled person turns up on their doorstep and asks if they are planning to make their premises accessible. It is difficult to gauge the firm's attitude towards equality as it can be wildly different. For example, they might say they are in the process of waiting for planning permission for a lift.

“It is for all these reasons that I sometimes think disabled people have to be blessed with the most amazing people skills in the world. To navigate the minefield of employers' attitudes together with shockingly inaccessible Georgian architecture is enough to make even the most enthusiastic job hunter despondent. A greater appreciation for how difficult it is for a disabled person to get a job in the legal world would be helpful too. I was told once that the only thing that separated me from another successful candidate is that she had done the odd bit of volunteering here and there while I had been only looking for jobs. Considering that access issues can be exactly the same for volunteering as they are for paid work, this seemed a hollow criticism. Sometimes the excuses can feel a bit tedious.”

Emma-Gail White is a qualified and experienced solicitor from Edinburgh

“Voluntary organisations have found it difficult to assign me a role in which I can work untrammelled by my disability.”

Damien Brady, Wirral



Emma-Gail at a Trailblazers meeting

PART-TIME WORK

AND VOLUNTEERING

Voluntary work placements

Volunteering is a valuable activity for people looking to build up their work experience, particularly if it is difficult to find paid employment. It can also provide a young person with the chance to meet new people and learn how to manage a workload. Employers also benefit through a diversification of their workforce's skills and life experiences.

The Government's *Access to Volunteering* scheme is a welcome means of encouraging young disabled people to gain work experience. The scheme provides financial assistance for organisations to recruit disabled volunteers, diversifying the workplace and breaking down barriers to further recruitment. It is imperative that this scheme is more widely publicised to ensure further uptake.

Part-time work

Part-time work is useful and flexible if a full-time position is too physically demanding. Working part time can be a solution for people who have to balance health issues with working life. However, as *Trailblazers* campaigners are aware, part time roles are hard to come by.

Action needed

We are calling on the Government and employers to improve opportunities for young disabled job seekers by:

- offering flexible working or job-share opportunities from the initial stages of posting job advertisement. This can benefit disabled applicants as well as working parents and carers;
- offering *Access to Work* to placement students who are employed.

Jagdeep Kaur Sehmbi in her office at home



"I wanted to find part time work to build up my experience and make some money during college. I was told by HMV and Debenhams that insurance for disabled employees was only valid for full-time employees. My friends got a job and I didn't. After graduating from university I had to volunteer for nearly two years to come up to par with the work experience gained by my non-disabled friends."

Trailblazer, Hayes

PHYSICAL ACCESS

IN THE WORKPLACE

In accordance with the Disability Discrimination Act 1995 (DDA) an employer is required to make reasonable adjustments to accommodate a disabled employee. This may mean making physical changes to the office. Failure to comply without just cause can be perceived as unlawful discrimination. Employers can receive financial assistance from the *Access to Work* scheme to meet the cost of support arrangements needed by disabled employees. It is important to note that the DDA places a duty on an employer if a particular disabled employee makes a request. There is no duty to make the workplace more accessible for disabled people generally.

The Act only expects an employer to make changes that are reasonable in the circumstances. However, what is deemed reasonable can mean minimal change. Employers do not need to make an office accessible prior to employing a disabled person, so questions are raised as to how effective the law is, and what would incentivise them to employ a disabled person if costs will be higher?

Common concerns about physical access in the workplace

Seven out of ten respondents believed that poor physical access was one of the biggest obstacles to finding employment while half the respondents thought a lack of support for organisations to make reasonable adjustments to comply with the law was the biggest obstacle.

Action needed

We are calling on the Government and employers to improve equality in the workplace for disabled employees and job seekers by ensuring that:

- private sector organisations recruit a representative workforce;
- there is more widespread knowledge of the *Access to Work* scheme;
- there is a review of the legislation supporting minimum standards of wheelchair access to new office buildings;
- all employers have regular access audits on their premises.

"I have been working with *Access to Work* and I applied for a library assistant job with help from the scheme. I was invited for a meeting to see what my needs were. It seemed positive and we talked about solutions to any obstacles that might present themselves. It was mentioned that perhaps a test trial at the library might be a good idea to see how it could work as the library at the present is an old one, which is accessible but quite small.

"Unfortunately, the library contacted me to tell me that I had been unsuccessful in my application for the role. Their feedback was very negative and I feel that they didn't explore all the ways to work around

the physical challenges. I also feel that they assumed obstacles without even seeing me working in the environment. I don't know how it would work without giving it a go but I personally always do my best and the most that I can.

"Organisations need to understand that a personal assistant provided by *Access to Work* can help with all the physical tasks and any manual dexterity. My communication skills and mental ability, together with my experiences means that I am able to work professionally and just as well as anyone else."

Laura Merry, 21, wheelchair user

SELF EMPLOYMENT

"The tick sign shouldn't need to be there because everyone should be treated equally. If you are qualified for the job and can do the job then you should be employed regardless if you have a disability or not."

Steve Ledbrook, Weston Super Mare

Jagdeep Kaur Sehmbi is a wheelchair user who graduated in 2006 from the University of Wolverhampton with a 2:1 BA (Hons) in Multimedia Communication.

"I was eager to enter the world of work – and perhaps a little over-optimistic, thinking it would be an easy process! Though my university didn't have a bespoke career guidance service for students with disabilities, I found the general career service to be supportive. I had my CV and portfolio ready and began looking for suitable jobs.

"I started applying for jobs I'd found and from these I got a few interviews. A few times I was contacted by phone and I did notice that as soon I mentioned that I require wheelchair access the attitude would change somewhat; whereas I had initially felt the conversation leading to an invite for interview, it suddenly ended with me being told that they would get back to me (which never happened!) Other times the firm didn't have access or were not able to offer part-time hours. In other cases I was told someone more suitable had been found for the job. Sometimes they would be willing to offer me a job but their offices would be inaccessible. Once a small firm tried hard to get me a space to

For some disabled people self employment can be a solution to the challenges of finding employment.

Being your own boss means you can manage your own time and work at your convenience. With more freedom to work whenever and wherever you want to you can find a balance between managing your condition and managing your work.

However, there are some drawbacks with less socially engaging experiences and higher risk; you won't receive sick pay and if this is for a prolonged period your business will suffer.

work on the ground floor of the building, which was used by a different company, while they worked on the top floor. However, this unfortunately didn't work out. So I have had a varied experience with regards to the response to disability from employers.

"I did some work as a freelance graphic and website designer, worked on two websites for small businesses, and I also did bits of design work such as business cards for friends and family. But this type of work is hard to come by so I continued job searching. I'd like the opportunity to work in a team environment and gain more skills.

"I am now working on two small websites for individuals, and also doing some freelance graphic design work for a new business; work that I get quite regularly now. The owners of this new business have been very supportive and understanding of my needs, and I really enjoy working with them.

"I have had to manage my own pricing negotiations, time planning and project specifications, which has all been a big learning process as I didn't set out to be working freelance – it just kind of happened! "

**TOP TIPS ON HOW TO FIND
EMPLOYMENT AND MAKE WORK
WORK FOR YOU**

The Employers' Forum on Disability say:

"Employers' Forum on Disability work with employers to make it easier for them to employ disabled people and serve disabled customers. We are supported by a growing list of members from UK business, multinational corporations, small and medium enterprises (SMEs) and the public sector, and are widely recognised as setting the standard for disability best practice.

Many employers want to get it right when hiring disabled people, and there is a lot of good practice out there. Employers are increasingly confident when making reasonable adjustments. An open conversation between employer and employee can help the employer understand what they can do to make sure colleagues can do their job as best they can."



Carrie-Anne Fleming who works for Access for All

The Employers Forum on Disability's tips for a young disabled person looking for work include:

- Be prepared to have a conversation with the employer about adjustments that they might need to make. Be proactive and confident in talking about how you would do a job and how the employer might make adjustments.
- Identify the sector you want to work in and think about where employers advertise their vacancies. Don't limit yourself to recruitment agencies specialising in disability. Many large firms want to hire high-calibre disabled applicants but do not necessarily advertise their vacancies in, say, the disability press.
- Don't assume there are sectors or employers that are reluctant to hiring disabled people. Good practice exists in a wide range of employers across all sectors.
- If an employer is a member of Employers' Forum on Disability it is a good indication that they are committed to working towards disability confidence in recruitment.

EmployAbility says:

"EmployAbility work with disabled students and graduates to ease the transition from education to employment. We provide free guidance and information on internship and graduate opportunities with top employers, disability related adjustments and top tips to succeed throughout the recruitment process. We are passionate and successful in supporting students and graduates with all disabilities to receive a fair and equitable chance of securing a role. The other important part of our work is to engage employers to become more disability and diversity inclusive through a range of tailored services we offer, such as our EmployAbility programmes, Disability Awareness Training for their recruitment and other staff, and various other specialist events to attract disabled students and graduates. As such, disabled students and graduates can apply to many internship and graduate programmes directly through us on our website www.employ-ability.org.uk, in the knowledge that they are applying to a disability inclusive employer."

SUMMARY

There is no doubt that the DDA has had a major impact on the way that the law recognises the right of a disabled person to have the same career and employment opportunities as any non-disabled person.

Unfortunately, the findings of this report reveal that talented and highly-educated young disabled people continue to miss out on training, employment and career progression. We know from this report that one in seven disabled graduates in our survey have never had a single day's paid employment.

For young disabled people to take their rightful and proportionate place in the UK workforce we believe that the Government and employers need to promote disability awareness in the workplace. It is essential that employers judge candidates on their qualifications, experience and ability, and not on disability. Schemes like *Access to Work* can make the difference in reducing the physical barriers disabling potential employees. But, until employers start treating disabled candidates like all other applicants, young disabled adults will continue to miss out on the economic and social benefits associated with a fulfilling employment experience.

Also, of course many employers themselves miss out on the business benefits created by many skilled, positive and young disabled people.

"I was provided with a work placement at a charity for disabled people, which eventually led into paid employment. They were particularly helpful and welcoming. I was also encouraged to volunteer for the Wildlife Trust, which I did for a short time. However, due to transport limitations I was required to work from home, which limited what I was able to gain from the placement. In the past I have had significant trouble gaining a volunteering work placement. I applied to many organisations when I finished school, and got very little response. I suspect my disability played some factor, but have nothing to substantiate my claim."

Jon Hastie, Worthing



Jon Hastie running a focus group for Brighton and Hove Federation of Disabled People

1. <http://jech.bmj.com/content/61/5/421.abstract>
2. http://www.shaw-trust.org.uk/disability_discrimination_act_your_obligations_as_
3. <http://www.officefordisability.gov.uk/docs/res/ded/ded-implementation-report-08.pdf>
4. <http://www.officefordisability.gov.uk/docs/res/factsheets/disability-prevalence.pdf>
5. http://research.dwp.gov.uk/asd/statistical_summaries.asp
6. <http://www.efd.org.uk/disability/disability-facts>
7. <http://www.radar.org.uk/dsdfullrpt.pdf>, September 2009
8. <http://newsbbc.co.uk/1/hi/scotland/10159717.stm>
9. www.equalityhumanrights.com/your-rights/disability/disability-in-employment/at-work-making-reasonable-adjustments/
10. http://www.shaw-trust.org.uk/disability_discrimination_act_your_obligations_as_

Questions asked in the *Trailblazers* Employment Questionnaire

Do you

- Use a wheelchair
- Have mobility difficulties but do not use a wheelchair
- Prefer not to say
- None of the above

Are you currently: (Please tick all boxes that are applicable)

- In education
- Working (in paid employment)
- Working (in a voluntary capacity)
- Looking for employment
- None of the above

What is your highest academic qualification?

- No academic qualifications
- GCSE
- NVQ or Equivalent
- A Level
- Degree
- Postgraduate
- Other

Do you currently have, or have you had in the past, a paid job?

- Yes
- No

Do you currently have, or have you ever had in the past, a regular volunteering role?

- Yes
- No

If you are currently in a paid job, or have been in the past, which sector was this job in? (tick all that apply)

- Private sector (shops, banks, private companies)
- Public sector (local government, councils, national government etc.)
- Charity and voluntary sector
- Other (please specify)

If you have worked in more than one job sector, which sector provided the best support/disability awareness?

- Public
 - Private
 - Charity and Voluntary
 - Other
- > Please explain why

What do you think are the biggest obstacles facing you as a disabled person finding work? (Please tick all answers that are applicable.)

- Employer's low expectations of disabled people
- Poor physical access to the workplace
- Employer's risk aversion to employing disabled people
- My lack of skills and qualifications
- Poor accessible transport
- Lack of support from employer to make reasonable adjustments
- Concerns around health issues
- All of the above
- Other (please specify)

Do you think an employer has ever rejected your job application on grounds of disability?

- Yes
 - No
 - Maybe
- > If yes or maybe please explain why

"The job application process puts disabled people at a disadvantage."

- I agree with this statement
 - I disagree with this statement
- > Please explain why

At what stage, if any, would you disclose your condition to a potential employer?

- CV/Application form
 - Interview
 - Once the job has been offered
 - Never
- > Please explain why

What do you think is more important for an employer to know about prior to an interview or job offer?

- Your condition
 - The reasonable adjustments you require to be able to do a job
 - Neither
- > Please explain why

If you currently have, or have in the past had, a voluntary or paid job, do you feel your employers have?

- Supported you very well
 - Supported you well
 - Not supported you well
 - Not supported you at all
 - Other
- > Please explain why

Have you ever felt forced out of a job as a result of poor disability-related awareness from your employer?

- Yes
 - No
- > Please explain what happened

Have you ever secured a volunteering work placement? If not, what do you think were the factors stopping you from securing a placement?

- Yes
 - No
- > Please explain

Are you aware of the Access to Work scheme?

- Yes
- No
- Not sure

Is there anything you think the Government and employers could do to improve your chances of finding and retaining employment?

- > Please explain

USEFUL LINKS

Business Link

www.businesslink.gov.uk

Business Link is a free business advice and support service, available online and through local advisers.

Direct Enquiries

www.directenquiries.com

Provides nationwide resources for disabled people.

DisabledGo

www.disabledgo.com

Lists accessible entertainment and retail facilities around the UK.

DirectGov

www.direct.gov.uk

Provides information on Government services including *Access to Work*.

EmployAbility

www.employ-ability.org.uk

Opportunities for disabled and dyslexic students and graduates.

Employers' Forum on Disability

www.efd.org.uk

Employers' Forum on Disability is the world's leading employers' organisation focused on disability as it affects business.

The Equalities and Human Rights Commission

www.equalityhumanrights.com

The home of campaigning for equality in the UK.

Find your Assembly Member

www.assemblywales.org/memhome/member-search.htm

If you live in Wales, search here for your Welsh Assembly Member.

Find your MLA

www.niassembly.gov.uk/members/constmap_res.htm

If you live in Northern Ireland, search here for your Northern Ireland Assembly Member.

Find your MP

www.findyourmp.parliament.uk/commons

Self explanatory!

Find your MSP

www.scottish.parliament.uk/msp/membersPages/MSPAddressPostcodeFinder.htm

If you live in Scotland, search here for your Scottish Parliament Member.

Joseph Rowntree Foundation

www.jrf.org.uk

The Joseph Rowntree Foundation is an endowed charity that funds a large, UK-wide research and development programme. We seek to understand the root causes of social problems, to identify ways of overcoming them, and to show how social needs can be met in practice

RADAR

www.radar.org.uk

RADAR is the UK's largest disability campaigning organisation, with a membership of over 900 disability organisations and individual campaigners.

Remploy

www.remploy.co.uk

Remploy is one of the UK's leading providers of employment services and employment to people with disabilities and complex barriers to work.

Scope

www.scope.org.uk

With over 20 years' experience, Scope's Employment Service has a proven track record of providing expert support to customers who have a wide range of health conditions and impairments.

Shaw Trust

www.shaw-trust.org.uk/home

Shaw Trust is a national charity which supports disabled and disadvantaged people to prepare for work, find jobs and live more independently.

GET INVOLVED

Take action, campaign, learn skills, make friends. Interested in becoming a *Trailblazer*? We always welcome people to join our thriving campaigning community.

Contact Bobby Ancil on **020 7803 4807**, email at **b.ancil@muscular-dystrophy.org** or visit **www.muscular-dystrophy.org/trailblazers**

To find out more about the Muscular Dystrophy Campaign call **0800 652 6352** (freephone), email **info@muscular-dystrophy.org** or visit **www.muscular-dystrophy.org**

**This report has been researched, compiled
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