Some people with learning disabilities use their own unique expertise in training and advisory roles, for example training doctors at the Medical School in St George’s Hospital, London. The opportunities for full-time employment are currently limited in these areas and if they are in the voluntary sector continuity of funding can be an issue.

Employment and people with learning disabilities

Some of the barriers faced by those with learning disabilities include:

- Difficulty in accessing the labour market
- Lack of awareness of the rights of people with learning disabilities
- Difficulty in accessing training and employment services
- Difficulty in accessing funding for supported employment
- Difficulty in accessing adequate mental health support
- Difficulty in accessing adequate physical and multiple disabilities

Some progress has been made in smoothing the path from benefits to paid work, but serious difficulties remain. The main welfare benefits for people with learning disabilities are income support (IS) and the Disabled Living Allowance (DLA). The Severe Disablement Allowance (SDA) has recently been withdrawn for new claimants. Some people with learning disabilities receive Incapacity Benefit (IB).

Benefits

- The Disability Discrimination Act 1995 (DDA), the DDA Regulations (2003) and the Disability Discrimination
- The flexible approach to bridging the gap between Incapacity Benefits and the Tax Credit. This should address in particular the 100 per cent taper in Income Support on entering employment, and the refundability of the 16 hours per week boundary.

Employment

- The development of Direct Payments and individualised funding has the potential to enable people to employ their own job coaches which may help them in the search for work. Business could provide more support by using a natural support model, such as the one used at the National Autistic Society. People with learning disabilities are usually excluded from employment. The way the benefits system operates can make to their local community.

Conclusion

- People with learning disabilities are usually excluded from employment. The way the benefits system operates can be an issue.

- The failure to break down the barriers to employment for people with learning disabilities, even through some progress has been made, can be seen as a denial of their human rights. These needs have to be a high priority for setting out the conditions for which benefits can be paid to those who cannot work. The government through a range of initiatives has been encouraging unemployed people back into work. Often the approaches are not specifically designed for people with learning disabilities. In particular, transitions from school and college into employment need to be radically improved.

- The UK has a comprehensive framework for employment legislation, while the introduction of the Disabled Persons Employment Act 1944, anticipating the return of disabled service men from the Second World War marked the start of legislation to support the employment of disabled people.

- Discrimination in employment is covered by the Disability Discrimination Act 1995 (DDA), the Disability Discrimination Regulations (2005) and the Disability Discrimination


- Scottish Executive Draft Education (Additional Support for Learning) (Scotland) Bill

- Written evidence from the Foundation for People with Learning Disabilities (2002) Count Us In!


- The National Assistance Act (1948) was the starting point for setting out the conditions for which benefits can be paid to those who cannot work. The government through a range of initiatives has been encouraging unemployed people back into work.

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will never work. Only a few people with mild learning disabilities will, for example, claim Job Seekers Allowance as it is predicated on the assumption that the person is actively seeking work. A person with a learning disability is likely to need support to get a job.

Employment and welfare benefits are reserved to the Westminster Parliament. Nonetheless there are differing strategies, impacting on the lives of people with learning disabilities in England, Wales, Scotland and Northern Ireland and variations in programmes to get people into work. Underlying principles are that anyone with learning disabilities who wants to work should be able to work.

In England the White Paper, Valuing People and the subsequent Framework on employment require local authorities to prepare plans on how they will pursue employment opportunities for people with learning disabilities, particularly those placed in local authority day centres, linking to mainstream and government programmes and agencies. There has been very limited success and the picture is patchy. A recent report commissioned by the Department for Work and Pensions (DWP, Working Live), concluded that day centres were poorly prepared or moving people into jobs and links with specialist agencies should be strengthened if employment goals are to be achieved.

A review of day opportunities in Northern Ireland found that further improvements are needed. More employment opportunities need to be created and more opportunities for people with disabilities. Employment (Disabled Persons) 1983 nor ratified the Revised European Social Charter of 1996, both of which would encourage the inclusion and employment of people with learning disabilities. There has been considerable progress in promoting employment through the European Social Fund (ESF). Supported employment schemes are in place and there are many grants, but experience difficulties because ESF funding often takes many months to arrive.

In Scotland, the learning disability strategy, The Same As You?” recommended that local authorities should give a greater priority to creating opportunities for people with learning disabilities to get and keep a job in the community where they live. It also recommended that a programme approach, would be a valuable way forward. There also should be opportunities for career development.

Supervised employment

Supported Employment Agencies have a valued role. They are funded usually by local authority money, rather than through central government, and are therefore more responsive to the needs of people with learning disabilities. Non-governmental agencies, including MicropAction, also work with unemployed people who need support and to be able to develop their skills. There is a long waiting list for supported employment and people with learning disabilities who want one having a job within a few months.

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Some people with learning disabilities undertake ‘Permitted Work’ or ‘Supported Permitted Work’ as a way of exploring employment. Although ‘Permitted Work’ is not paid by the employer, anyone claiming a benefit based on incapacity can do some paid work for up to 16 hours a week without losing a benefit from a doctor for a 12 month period. Those receiving IB or ESA can earn £78 a week while those on JSA can earn £23 a week. There are still concerns that although the situation has eased, any form of work may threaten a person’s benefit status.

When a person on benefits moves into paid work, they will usually feel that their means tested benefits are reduced or withdrawn. This includes the taper in housing benefit and the taper in Employment and Support Allowance (ESA). They may also become responsible for their own care unless they may have made arrangements to pay for care. This can put a strain on both at a better off no matter how much they earn. They are however able to claim the Working Tax Credits, but only if they are working more than 16 hours a week.

The divide at 16 hours a week limits choice and deviates the contribution made by people for whom part-time work is the most appropriate and where they can make a real contribution.

Generalised about the benefit system, there are probably more important in shaping behaviour than any single aspect of it and are correspondingly difficult to overcome. This is particularly true for those living with learning disabilities who take on volunteering roles for which they should be able to access.

Government employment policy
A major preoccupation of the government is getting people into employment, although currently the number of jobs available is lower than the numbers who are unemployed. The government’s focus on Improving the Life Chances of Disabled People has led to a variety of strategies put in place to ensure that within 20 years no disabled person is unemployed. The National Audit Office report ‘Working for Change’ was based on the principle of

Government employment schemes
Government employment schemes are not sufficiently sensitive to the needs of people with learning disabilities. Currently the main government schemes relevant to the needs of people with learning disabilities are Access to Work, WorkSTEP and the New Deal for Young People or the New Deal for Long-term Unemployed Disabled People. The Disability Employment Allowance (DEA) which works for the Department for Work and Pensions (DWP) and the Disability Access Fund (DAF) are often the first point of contact for a person with a learning disabilities seeking work.

They will develop an action plan which may involve an immediate transition to work or may lead initially to assessments and work experience. Sometimes they need greater expertise in working with people with learning disabilities. Access to Work works with disabled people on a one-to-one basis to provide financial help with the costs of employment.

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A review of day opportunities in Northern Ireland found that while local authorities provide schemes and offer supported placements, there is no evidence that these are effective at increasing employment. In current evidence is patchy but it is agreed ‘that people with learning disabilities can progress at the rate envisaged without involving support is a crucial individual action planning, rather than implementing a fixed programme approach for everyone. There also should be a plan for career development.

Supported employment
Supported Employment Agencies have a valued role. They are funded usually by local authority money, rather than through central government, and therefore they are more flexible. Non-governmental agencies, including Macmillan, have a long-term commitment to exploring and developing appropriate employment opportunities and need support from the Department for Work and Pensions. Many will work under the umbrella of supported employment work rules for no more than 4 hours a week. Some other specialist programmes include the ‘work preparation scheme’, the job introduction scheme and the New Deal for Disabled People – Job Brokers (NDDP). The target driven approach of NDDP has made it unsuccessful to many people with learning disabilities.

However, with the increasing emphasis on inclusion, it is important to press for mainstream employment schemes to consider people with learning disabilities as suitable for a needs of people with learning disabilities. At present they are not geared up to providing effective training.

The EU policy
Although complying with most EU policy, the UK has not kept up to international Union Convention on Rehabilitation and Employment (Disabled Persons) 1981 nor ratified the Revised European Social Charter of 1988, both of which would encourage the inclusion and employment of people with learning disabilities. There has been some progress the promotion of employment through the European Social Fund (ESF). Supported employment schemes are one example and have been shown to be be the way forward particularly in the south of the UK. The Foundation demonstrated the possibilities of work for people who self claim or no verbal communication through the Step That project based at L’Arche Liverpool. It applied the systematic approach used in supported employment of a job coach, an individual supported programme and vocational profiling, developing job plans, job search, job analysis, pre-occupations and then training to begin to reduce support.

Creative approaches to employment
In Scotland, the Beattie Report recommended that there should be improvements in guidance and support arrangements during transition to post-school learning or employment.

Employment and people with severe learning disabilities
At present the system discriminates against people with severe learning disabilities, particularly as they are likely to be in care accommodation and in need of certain support. This means that few of these benefits. This needs to be addressed. Adapting the programme, there should be opportunities for career development.

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The New Deal scheme is poorly adapted to the needs of people with learning disabilities. It is estimated that only 5% of people with learning disabilities in Scotland have paid work.

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grants, but experience difficulties because ESF funding is often short term and their funding mechanisms have not always been able to continue.

Transition from full-time education, college, training or work

In England, people with learning disabilities who have left school have a six month to two year period of transitional support. People with learning disabilities should be able to get a college place or college course to develop employment roles for people with learning disabilities. The National Implementation Group’s report Working for Change was based on the principle that no one-who wants to work-should be unable to work. It is estimated that only 5% of people with learning disabilities in Scotland have paid work.

Supported employment

Supported Employment Agencies have a valued role. They are funded usually by local authority money, rather than through central government, and are linked with short term funding. Non-governmental agencies, including Mencap, now offer a wide range of employment services. They allow individuals to choose the size and type of work. Many will work under a supervisor who is trained in supported work roles for no more than 4 hours a week.

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However, with the increasing emphasis on inclusion, it is important to press for mainstream employment opportunities for people with learning disabilities. At present they are not geared up to providing effective training and workplace support.

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Employment and people with severe learning disabilities

At present the system discriminates against people with severe learning disabilities, particularly as they are likely to live in staffed accommodation and have a wide range of needs. There are no current equality benefits. This needs to be addressed. Adapting the workplace to suit people with learning disabilities is not enough. The workplace should be adapted to suit people with learning disabilities. The workplace should be adapted to suit people with learning disabilities.

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Some people with learning disabilities use their own unique expertise in training and advisory roles, for example training doctors as the Medical School in St George’s Hospital, London. The opportunities for full-time employment are currently limited in these areas and if they are to be the voluntary sector continuity of funding can be an issue.

Conclusions
Employment for people with learning disabilities needs to be a priority and to be addressed within the context of person centred planning and fulfilling individual aspirations. This is an ongoing priority in the Foundation’s work. It is committed through its UK in the Community Project to demonstrating that people with learning disabilities with complex needs can make contributions to their local communities, including through paid work. It is also important to the development of supported employment for example in Angus, Scotland.

The development of Direct Payments and individualised funding has the potential to enable people to employ their own job coaches which may help them in the search for work. Business could provide more support by using a familiar system supported from the EU in which co-workers gain support. This has the advantage that they know the company and is less costly. They may even be able to pay someone to meet personal support needs.

The failure to break down the barriers to employment for people with learning disabilities, even through some progress has been made—can be seen as a denial of their human rights. These needs have to be a shift in attitudes and a recognition that many people with learning disabilities want a job and make a valuable contribution through work.

Ways forward

Government Departments25 should explore a more flexible approach to bridging the gap between incapacity benefits and the Tax Credit. This should address in particular the 100 per cent taper in Income Support on entering employment, and the refundability of the 16 hours per week boundary between incapacity benefit and the Working Tax Credit. One possibility would be to extend the lower hours limit of the Working Tax Credit downwards, and allow individuals who are at a different stage, which would, in effect, be equivalent to establishing a hybrid benefit for people working less than 16 hours, and in an area such as people working more than 16 hours.

Employment schemes
The Foundation always move WORKSTEP® in a support model, rather than a programme model. An important cultural change involves moving away from an assessment process which focuses on eligibility for fixed programs, and replacing it with individual action planning, designed to establish what support each individual needs. Thus people should be regarded as “employable” when they want to work and require support.

Employment schemes should allow people to make changes as the way supported employment is funded, to enable core funding for a full range of people with learning disabilities. In particular, core funding should be made available for the full model of supported employment from central Government sources.

Transition planning
Governments should recognise the need for young people with learning disabilities, particularly those with more severe learning disabilities, to progressively spend more time in a supported environment and in the communities where they will later spend their adults’ real homes, leisure, community life and, particularly, work situations. To implement this approach, increased support resources should be made available for young people with learning disabilities in special schools and in mainstream schools if they are more fully integrated and in a wider role foreseen for Learning Support Workers in supporting community based learning.

Governments should clarify which agencies should take a lead in improving transition planning. In particular, the responsibilities of Connexions (or its successor) Careers Wales/Careers Scotland/Carers Northern Ireland for people with learning disabilities should be clarified, along with the implications for the Employment Service.

Resources, staff and training they need to deliver better outcomes.

Adult education and lifelong learning
The agencies involved in Further Education26 should ensure that young people with learning disabilities are not restricted to segregated “access courses” and that curriculum modification, and possibly more powerful systematic instruction techniques are available and can be delivered through Learning Support systems. Learning Support systems should help young people with learning disabilities take part in a full range of vocational courses, depending on their ability and interests and should be capable of providing personal support to people towards their wider integration into college courses. Courses should be well connected to the local employment market and the response, providing training in the skills needed by local industry.

Further Education Colleges should develop strong partnerships with local supported employment agencies to provide job finding and work based support; to help young people with learning disabilities bridge the gap they still face in graduating into jobs.

Introduction
Independent. It gives me something to do. I’d hate to sit around all day doing nothing. It would drive me potty. It makes use my brain and that is important for people with learning difficulties.

The National Assistance Act (1941) was the beginning point for setting out the conditions for which benefits can be paid to those who cannot work. The government through a range of initiatives has been encouraging unemployed people back into work. Often the approaches are not yet fully appropriate for people with learning disabilities. Similarly, opportunities need to be adapted to meet the needs of people with learning disabilities, in particular transitions from school and college into employment. An implementation plan has been improved.

Main themes

Moving from benefits to paid work
Some success has been made in smoothing the path from benefits to paid work, but serious difficulties remain. The main welfare benefits for people with learning disabilities are Income Support (IS) and the Disabled Living Allowance (DLA). The Recent Disability Allowance (RDA) has recently been withdrawn for new claimants. Some people with learning disabilities are Income Support Benefit.

This is currently under review.

Currently, the way benefits are organised indicates an expectation that most people with learning disabilities...
Employment and people with learning disabilities

A policy briefing

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Act 2005 (DDA2005) When DDA 2005 comes into force in 2006, it should bring UK legislation fully into line with the EU Employment directive. People must not be discriminated against in employment and access to services in the workplace. Redress for grievances can be sought through the Disability Rights Commission.

The National Assistance Act 1942 was the starting point for setting out the conditions for which benefits can be paid to those who cannot work. The government through a range of initiatives has been encouraging unemployed people back into work. Often the approaches are not fully appropriate for people with learning disabilities. Similarly, job opportunities need to be adapted to meet the needs of people with learning disabilities, in particular those from schools and college into employment who have been poorly prepared.

Background

The UK has a comprehensive framework for employment legislation, while the introduction of the Disabled Persons (Employment) Act 1944, anticipating the return of disabled as service men from the Second World War marked the start of legislation to support the employment of disabled people.

Discrimination in employment is covered by the Disability Discrimination Act 1995 (DDA2005), the DDA Regulations (2005) and the Disability Discrimination Act 2005 (DDA2005) When DDA 2005 comes into force in 2006, it should bring UK legislation fully into line with the EU Employment directive. People must not be discriminated against in employment and access to services in the workplace. Redress for grievances can be sought through the Disability Rights Commission.

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Main themes

Moving from benefits to paid work

Some progress has been made in smoothing the path from benefits to paid work, but serious difficulties remain. The most onerous benefits for people with learning disabilities are Income Support (IS) and the Disabled Living Allowance (DLA). The

The National Assistance Act 1942 was the starting point for setting out the conditions for which benefits can be paid to those who cannot work. The government through a range of initiatives has been encouraging unemployed people back into work. Often the approaches are not fully appropriate for people with learning disabilities. Similarly, job opportunities need to be adapted to meet the needs of people with learning disabilities, in particular those from schools and college into employment who have been poorly prepared.