

Operational Changes to Access to Work

Completed by Disability and Work Division

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Equality impact assessment for operational changes to the Access to Work Programme

Introduction

To meet the requirements of the Equality Act 2010, the Department for Work and Pensions has carried out an equality impact assessment on changes to the Access to Work Programme.

This process will help to ensure that:

- the Department's strategies, policies and services are free from discrimination;
- due regard is given to equality in decision making and subsequent processes; and
- opportunities for promoting equality are identified.

This equality impact assessment considers the potential impact of operational changes in terms of disability, gender and race.

This report will also show how the Department considered the impact with regard to age, gender reassignment, pregnancy and maternity, religion or belief and sexual orientation.

Purpose and Summary of the Access to Work Programme

Access to Work is a specialist disability programme delivered by Jobcentre Plus which provides practical advice and support to help disabled people and their employers overcome work related obstacles resulting from their disability. It is the legal responsibility of employers under the Equality Act to provide reasonable adjustments to allow disabled staff to do their work. The Access to Work programme is intended to provide funding towards equipment and support that would be above and beyond what is reasonable for an employer to supply.

Application for support is made by individual disabled people who are in paid employment or self-employment, or about to start. Help can include adapting equipment, providing special aids or equipment, providing a support worker or paying for the additional costs in travelling to and from work. Employers are required to share some Access to Work costs in respect of disabled people they have employed for at least 6 weeks.

In 2009/10 Access to Work helped 37,300 people to retain or obtain employment.

Changes to the Access to Work Programme

As with all our programmes, Access to Work operational guidance is regularly reviewed to ensure that the programme is delivering effectively against policy objectives. As a national programme we also need to ensure customers receive consistent levels of support wherever they live.

We have introduced some operational changes to the Access to Work Programme to ensure that employers are more consistently meeting their obligations to provide reasonable adjustments, and that there are more consistent decisions about the need for support. There is also a change to improve the administration of the programme. These changes have been made in ways that will minimise any differential impact on any of the special groups identified in the Equality Act and particular groups of disabled people.

We have examined the impact of the following changes:

- Providing better guidance as to which items of equipment should be considered as items that employers should provide as standard, and should therefore not normally be funded by Access to Work;
- Assuming that employers will cover the full cost of adapting their premises to suit disabled employees;
- Requiring a medical opinion (in most cases a letter from the person's GP) to confirm that a customer is unable to use public transport when considering an application for Travel to Work support.

Consultation and involvement

These are operational changes and have not been subject to external consultation.

In February 2010 we held a series of Focus Groups with a number of key external stakeholders, such as third sector organisations representing disabled people, employer groups, and disabled people themselves, with regard to refocusing the Access to Work programme. All parties in attendance valued the service that Access to Work provides but agreed that the Access to Work programme should be more flexible, more available to those who are in need of most help and that employers could be expected to pay more to support their staff. These points have been kept in mind in designing these operational changes.

Impact of Operational Changes to the Access to Work Programme

Age

There is no evidence of any differential use of the programme by different age groups and therefore we do not envisage these changes having a differential impact on age.

Disability

These changes should not have an adverse impact on disabled customers. Nearly 9,000 customers received help for Special Aids and Equipment, and over 200 individuals received help with adaptations to premises in 2009/10.

Employers will have a responsibility and a desire to supply standard equipment to enable their employees to do their job effectively, whether or not they are disabled. If the employer will supply this anyway it is inequitable that Access to Work should be asked to pay for it, as this would divert resources from those truly in need.

Under the Equality Act, an employer is required to make reasonable adjustments to support a disabled employee, and publicity and guidance for Access to Work makes clear that it should only be expected to pay for adjustments that go beyond this. In some cases however the programme may have been paying for adjustments that were the employer's responsibility. This inconsistency was not fair to either the individual customer or employers, and the revisions to guidance are designed to create consistent decisions across the country..

If some employers are unable or unwilling to meet their responsibilities for reasonable adjustments this could potentially result in disabled employees being unable to continue in their jobs. Exceptions will therefore be made in extreme circumstances if there is a serious risk that jobs could be lost. We will monitor the impact through feedback from customers and their employers.

9,500 people claimed Travel to Work Support in 2009/10. Requiring a medical opinion before agreeing to Travel to Work support may result in a decrease in this number, but by definition support would only be denied to people who their doctors believe do not need it and could use public transport. Implementing this change will only affect new applicants and customers renewing their applications, as individuals already claiming would not be affected. Exceptions will be made in extreme circumstances where a person is unable to obtain a doctor's certificate and there is a serious risk that jobs could be lost. Again, we will monitor the impact through feedback from customers and their employers.

Gender

As a greater proportion of women than men use Access to Work any reduction in support could have a greater impact on women. As noted however, under the Equality Act, an employer is required to make reasonable adjustments, and the Access to Work programme should not be expected to pay for these. Employers

should therefore step up to their responsibilities to fund these adjustments, some of which may formerly have been paid for by the programme, so disabled women should not lose out.

Exceptions will be made in extreme circumstances if there is a risk that jobs could be lost. We will monitor the impact and make any adjustments as necessary.

Gender Reassignment

We do not envisage these changes will have a differential impact on gender reassignment

Pregnancy and Maternity

We do not envisage these changes will have a differential impact on pregnancy and maternity

Race

The operational changes will not have a differential impact on minority ethnic groups. However, we are aware that there is an apparently low take up of people from minority backgrounds, with only 6% being of a Black and Minority Ethnic background and 28% not disclosing their race. We are continually monitoring the situation and are working with minority ethnic groups to increase their awareness of the programme and their take-up of it where appropriate.

Religion or Belief

We do not envisage these changes having a differential impact on any religion or beliefs

Monitoring and evaluation

We will monitor the changes by referring to the operational model, monitor the performance of the programme and gain feedback from delivery managers. We will be particularly concerned by any complaints of worse treatment from customers with protected characteristics and would move quickly to investigate these and if necessary take remedial action.

Next steps

This EIA will be reviewed 3 months after final implementation to ensure impacts of the changes are as expected.

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