



House of Commons
Work and Pensions Committee

**Improving Access to
Work for disabled
people: Government
response to the
Committee's Second
Report of Session
2014–15**

**Second Special Report of Session
2015–16**

*Ordered by the House of Commons
to be printed 7 September 2015*

HC 386
Published on 14 September 2015
by authority of the House of Commons
London: The Stationery Office Limited
£0.00

The Work and Pensions Committee

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The current staff of the Committee are Adam Mellows-Facer (Clerk), Margaret McKinnon (Second Clerk), James Clarke (Committee Specialist), Roderick McInnes (Inquiry Manager), Andrew Wallace (Senior Committee Assistant) and Jessica Bridges-Palmer (Media Officer).

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Second Special Report

On 21 July 2015 we received a response from the Government to the Work and Pensions Committee's Second Report of 2014–15, *Improving Access to Work for disabled people* which we publish with this Special Report.¹

In the Government Response, the Committee's recommendations are shown in ***bold italic*** text. The Government's response is in plain text.

Introduction

The Government welcomes the Committee's second report of session 2014-15, which considered Access to Work for disabled people. The process of engagement with the committee has been productive, helping to shape a range of changes, many of which have already been implemented. This response also highlights the reforms which will be introduced during the course of this year.

The Government is very ambitious for disabled people's employment – we have made great strides in increasing numbers of disabled people in work. According to the latest Labour Force Survey, the number of disabled people in employment in the UK increased by 238,000 between January-March 2014 and January-March 2015, but we know more needs to be done. As part of our ambition to halve the disability employment gap, the Government will be seeking views on the future for employment support for disabled people and ensuring the whole system supports people finding and staying in work.

Access to Work is an important part of these plans. It is widely regarded as a world-leading disability employment support programme. The numbers it supports continue to grow. In 2014/15 it supported over 36,700 disabled people to take up or remain in work, a near record level, and an increase of 1,200 from 2013/14. Within this we supported the highest ever numbers of people with Learning Disabilities, Mental Health Conditions, Cerebral Palsy and Dyslexia (since 2007 which is the start of our reporting period). Deaf and hard of hearing customers continue to be our largest group with over 5,500 supported in 2014/15. In recent years we have introduced a range of measures to support young people to move into work. We have expanded coverage of Access to Work to Supported Internships, Traineeships and work experience in some circumstances. 2014/15 saw a 20% increase in the number of 18-24 year olds supported by Access to Work.

The Government is committed to building on this success, and our reforms are intended to place the scheme on a strong financial and operational footing, enabling it to better meet the needs of a wider spectrum of people and employers.

The Government has already implemented many improvements. Our recent organisational transformation has led to a step change in performance, with service standards this year now exceeding pre-transformation levels and productivity already up

1 [HC 481](#), published on 19 December 2014.

on 2014/15 for both claim and payment processing. We have created specialist teams who have received enhanced disability awareness training from disabled people's organisations. We have opened email channels and look to take this further by developing Access to Work as an increasingly digital service. We are also making accessing the scheme easier for under-represented groups – from setting up a dedicated “Hidden Impairments Specialist Team” later this year to promoting uptake of the Mental Health Support Service (MHSS) via the Disability Confident Campaign.

The reforms we have announced will bring more flexibility for people to arrange their support according to their needs. They will encourage more creative use of technology and flexible use of a range of adjustments, achieving an effective partnership between the individual, their employer and support from Government. We have set out that we intend to provide even more choice and control for users by introducing personal budgets designed with the help of users. We are working with our self-employed customers to develop clearer rules for the entrepreneurs that Access to Work supports.

As part of this package of reforms, we are also introducing a £40,800 per annum limit on awards – equivalent to one and-a-half times current average salaries – for new customers from October 2015 and for all customers from April 2018. The upper limit is expected to affect 200 existing customers, who will continue to be collectively entitled to £8m worth of support through the programme, providing their needs remain the same. Access to Work is a demand led scheme and we look to meet the needs of both existing customers and encourage new customers who may benefit by making careful use of finite public funds.

The package of reforms will ensure that our commitment to meet the needs of disabled people applying to the scheme is placed on a sustainable footing, enabling Access to Work to continue to play a vital role in supporting the employment aspirations of more disabled people.

Government Response

Funding and marketing

DWP has not provided a satisfactory explanation of how the money saved from the closure or sale of Remploy factories has been used to increase funding for effective, specialist disability employment support. We do not consider it appropriate to classify spending on the Work Programme as additional funding for specialist disability employment support. We recommend that, in response to this Report, the Department provide further information on how the savings from the reorganisation of Remploy have been used to date, and that it clarifies whether it intends to increase funding for specific areas of specialist disability employment support, other than the Work Programme, as a result of the reorganisation of Remploy. (Paragraph 28)

The Government is committed to supporting disabled people and we continue to spend around £50bn a year on disabled people and their services. Overall DWP Departmental baseline spend reduced by around 13% in real-terms between 2011/12 and 2013/14. Despite this, overall levels of spend on specialist disability employment support increased during the last Parliament.

The reorganisation of Remploy including the closure and sale of Remploy factories has helped the Department to manage the reduction to its budgets in such a way that we have been able to either protect or increase spend on specialist disability employment programmes. It is important to consider the whole range of employment support delivered to disabled people and those with health conditions as schemes develop over time to most effectively meet changing needs.

Budgets for future years will be set in the Spending Review later this year.

The case for additional funding

We recommend that, as a priority, DWP undertake research to establish a) the likely level and range of currently unmet need; and b) a cost-benefit analysis of Access to Work expenditure, including its likely long-term impacts on social security expenditure and income tax returns. We believe that such a study is likely to produce an overwhelming case for substantial additional funding for Access to Work, which we recommend be presented to HM Treasury at the earliest possible opportunity. Our hope is that HM Treasury will be able to announce substantial additional funding before the next Comprehensive Spending Review. (Paragraph 45)

Access to Work is a flexible scheme providing different sized awards tailored to individual circumstances which will therefore deliver different levels of return on investment for different cases.

Officials have undertaken research to explore the potential costs and benefits of Access to Work expenditure, including the impacts on social security expenditure and income tax

returns. However, it is difficult to establish an overall value for money figure and it would be misleading to publish such a figure. The main reason for this is that there is no readily available comparison group against which to assess the difference the programme makes to someone's likelihood of being in work. Despite this the Government recognise the value users, employers and stakeholders place on the scheme and so the Government is committed to continue to build the evidence base with stakeholders' input to understand the value Access to Work adds.

Establishing unmet need is, as the committee notes, also difficult, but DWP officials are exploring with stakeholders how this might be attempted.

Access to Work statistics

There is remarkably little published information on Access to Work. We have had to piece together much of the information we needed for this inquiry from DWP's answers to Parliamentary Questions and Freedom of Information requests. This lack of transparency is unacceptable. We recommend that DWP change its approach to Access to Work statistics and that, as a minimum, it regularly publish the following information: an indicative annual budget; annual expenditure outturns, broken down by support element and impairment type (including autism spectrum disorders); the number of service users by size of employer; and employers' mandatory and voluntary financial contributions, broken down by size of employer. We also recommend that DWP set out the steps it is taking in response to the December 2014 UK Statistics Authority Report on the compliance of Access to Work statistics with the Code of Practice for Official Statistics, in its response to this Report. (Paragraph 46)

Government is committed to transparency and the Access to Work statistics are fully compliant with the Code of Practice for Official Statistics. There were seven requirements made following assessment by the UK Statistics Authority (UKSA), full details can be found in the Assessment Report published on the UKSA website². Fulfilment of these requirements would allow the statistics to be accredited with the National Statistics kite mark, meeting the very highest standard of official statistics.

In response to the UK Statistics Authority's (UKSA) requirements, Access to Work statistical releases have been significantly improved as set out in the summary below. While further work is required to fully implement these, which DWP will endeavour to achieve, it is important to note that the UKSA made the following judgement of the Access to Work Official Statistics as part of its assessment: 'The Statistics Authority judges that the statistics covered by this report are readily accessible, produced according to sound methods and managed impartially and objectively in the public interest, subject to any points for action in this report'.

² www.statisticsauthority.gov.uk/assessment/assessment-reports/assessment-report-296---statistics-on-access-to-work.pdf

Summary (to date) of the DWP response to UKSA's requirements:

- **Requirement 1.** A 'Users and Uses' document³ has been published and a new section has been added to the publication from January 2015, inviting user feedback on how we can improve the statistics. A log of all feedback and uses or decisions made using the statistics based on this feedback has been developed.
- **Requirement 2.** In response to the user feedback, the volume and detail of information published from January 2015 onwards has been expanded to include three additional tables of numbers helped by age, gender and primary medical condition. Figures at sub-national level are also intended to be published in the future and work is on-going to quality assure this information. Finally, the attached table (**Annex B**) has been produced summarising each of the requirements from the user feedback that have not currently been made, why they have not been met and if/when they could be met in the future.
- **Requirement 3.** More detailed information has been included from January 2015 to aid understanding of the nature of revisions made in the statistics.
- **Requirement 4.** Annex B of the publication has been revised to improve the explanations of the customers included in each published table.
- **Requirement 5.** The data system for Access to Work is focused on operational delivery and the conditions are specific to the impairments seen in people requiring support from Access to Work to stay in employment. Furthermore they align closely with those captured within the Labour Force Survey (LFS) which is used to report the labour market status of people with primary health conditions in the UK by the Office for National Statistics, this comparison is given in the attached spreadsheet (**Annex C**) and shows the alignment between the two. Changes to the Access to Work system (DiSC) can only be made through scheduled updates and work would be needed to assess whether any changes would be at a disproportionate cost. However as part of our programme to make Access to Work a digital service we are exploring what further data could be captured.
- **Requirement 6.** The January 2015 publication included a detailed flow chart mapping the Access to Work customer journey and how the information they supply to us is captured by the data systems. Links to other DWP statistics and research have also been included to show how the Access to Work statistics relate to other disability statistics. The presentation of the statistics has also been improved by including excel tables alongside the word document.
- **Requirement 7.** A section on data quality has been added to the January 2015 publication, and work is on-going, to improve our assessment of the level of quality assurance required on the administrative data.

3 www.gov.uk/government/statistics/access-to-work-official-statistics-uses-and-users

In terms of the specific information recommended above by the WPSC (and as is the case for some of the user feedback in Requirement 2), Access to Work has recently undergone a policy review and as such we have decided not to publish tables on award types by primary medical condition, support workers or detailed tables on total/average programme spend at this point in time. This is due to the fact that changes to Access to Work policy announced in March will introduce a break in time series to these tables were we to publish them now, so the introduction of these tables to the publication would be best left until those announced policy changes have been implemented to the programme. Information on users by employer size is included in the summary table above as part of the response to Requirement 2 (Annex B).

Employer cost-sharing arrangements

We welcome the Minister’s assurance that the current employer cost-sharing arrangements are being considered by the Department as part of its internal review. We believe that DWP could do more to clarify and simplify the arrangements, which might encourage more employers to engage with the programme. We recommend that DWP publish case studies on the Access to Work webpages, to illustrate the types of support which are typically considered to be “reasonable adjustments” under the Equality Act, and those which would normally qualify for publicly funded support. Case studies should also illustrate the circumstances in which employers’ contributions are typically regarded as mandatory, and those in which contributions are voluntary. (Paragraph 47)

DWP does not advise employers upon their legal obligations, and what is reasonable by way of adjustment will be intensely fact-specific to the individual case. However, the department does provide high level guidance and links on adjustments on our gov.uk pages and Access to Work advisers do discuss what adjustments have or could be made in individual cases. In addition, we currently refer people from the Access to Work gov.uk site to the Equality and Human Rights Commission website which provides a large range of illustrative examples and also gives details of the Equality Advisory and Support Service helpline that provides guidance on individual cases.

As DWP develop a digital service for Access to Work and Disability Confident, we intend to use Access to Work case studies to illustrate good practice as a suite of products to support employers.

Given the severe constraints on DWP’s budgets, we recommend that the Department encourage increased voluntary employer contributions, particularly from larger employers. DWP should publish and promote case studies which illustrate examples of employers which have gone beyond their legal requirements to support the recruitment of disabled people, to encourage others to follow their example. The Access to Work webpages should include an employers’ page, and links to Disability Confident promotional material, to promote the benefits of employing disabled people. We also recommend that Access to Work be more prominently featured in the Disability Confident marketing campaign. (Paragraph 48)

Access to Work advisers have increasingly promoted voluntary cost share over the last year and continue to do so. During 2014/15, employers made voluntary contributions of £8.4m, an increase of £4.4m from the previous year.

A future Disability Confident portal for employers linked with an Access to Work digital service offers an ideal vehicle for case studies illustrating this good practice and that is something we will seek to incorporate as part of the offer.

Disability Confident actively promotes Access to Work as a core part of its messaging and in promotional material. Disability Confident has conducted 17 events already this year, including 12 by MPs and where possible, Access to Work advisers have also attended to talk to employers and answer their questions. We intend to continue to give Access to Work significant prominence at future Disability Confident events.

Mental health support

In scaling up Access to Work, priority should be given to supporting people with mental health problems, and other more hidden intellectual, cognitive and behavioural impairments, and learning disabilities, to gain and continue in employment. We recommend that DWP take steps to publicise the Access to Work Workplace Mental Health Support Service (WMHSS) to mental health service providers. It should also ensure that the provider of the new Fit for Work service is fully aware of the WMHSS and refers people where appropriate. (Paragraph 64)

Government agrees with this recommendation. Mental Health support is a key target area for growth in Access to Work. In 2014/15 numbers supported rose by 16%. In February 2015, we held a dedicated event to promote the Mental Health Support Service in partnership with Remploy, Business Disability Forum, Mind and Royal Mail.

We intend to promote the Mental Health Support Service with the aim to double the uptake this year. We will give further consideration of the scale at which Access to Work commissions mental health support of this nature for the successor to existing contracts which end in December 2016

We have ensured Fit for Work advisers have been provided with advice and promotional material for the Mental Health Support Service as well as the mainstream Access to Work scheme.

To increase the reach of the service, we recommend that DWP change its practice and begin to accept initial referrals to the WMHSS from employees' advocates and employers, where the employee's consent has been given. DWP also needs to take immediate steps to ensure that all of its call centre staff are aware of the WMHSS and that they refer callers appropriately. DWP should publish case studies on the Access to Work webpages to illustrate to potential service users and employers how the programme can support people with mental ill health; learning disabilities; and other cognitive, intellectual and developmental impairments. (Paragraph 65)

We are currently working with Remploy to address any obstacles to third party referrals such as security and consent. After this work is complete, we expect to be able to allow direct referrals to the MHSS as well as third party referrals, subject to consent. We have taken steps to ensure that all call centre staff are aware of the Access to Work offer, including the MHSS, via internal communications.

People with physical and sensory impairments have an element of choice in how their Access to Work support is provided; there is currently a lack of choice in Access to Work mental health support. We recommend that DWP develop a range of mental health provision, in addition to the WMHSS, with a broader focus and which is better able to address difficulties faced by people with more severe and enduring mental health conditions. Once this additional provision is in place, we further recommend that DWP make clear that the Access to Work pre-employment eligibility letter is available to all disabled job applicants, including those with pre-existing mental health problems. (Paragraph 66)

The Pre-Employment Eligibility Letter⁴ is a powerful tool to de-risk the recruitment of disabled applicants amongst employers who may have reservations about what support is available. We have taken on board the Committee's recommendations and recently updated this letter to reflect that mental health support is also part of the Access to Work offer.

It is also worth noting that people with mental health conditions who have additional employment-related needs that are not met by the Mental Health Support Service can still receive flexible and personalised help from Access to Work, for example with advocacy or communication support, travel to work help and for impairment awareness training for colleagues to combat stigma and workplace bullying.

Regarding the broader issue of choice and control, Government announced the intention to roll out Personal Budgets in Access to Work later in 2015/16 as part of the package of measures announced in March 2015. The Government believes this will offer individuals much greater freedom in determining their support from Access to Work.

Access to Work is already a highly personalised scheme, but allowing users to manage their support as they wish within the ambit of the scheme will allow users much more flexibility and responsiveness and reduce the need to frequently contact Access to Work advisers to authorise new items of expenditure.

This will be particularly valuable for those with very varied employment patterns and fluctuating conditions – including potentially customers with mental health conditions. We are currently developing the detailed design alongside disabled people and other experts.

4

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/184941/Access_to_work_eligibility_letter.pdf

BSL interpretation

We recommend that DWP fulfil its commitment to undertake full and proper award reviews in all cases where service users believe that the guidance on full-time Support Workers, or caps on hourly rates, as applied to BSL interpretation, has rendered them unable to source effective BSL interpretation appropriate to their needs at work. (Paragraph 80)

DWP are committed to providing a full reconsideration to all customers who request one and have done so for all those who have contacted the Department since the announcement of the suspension of the “30 hour guidance” in June 2014. The ability to request reconsideration is clearly stated in Access to Work award letters.

Additionally, people who report a change of circumstances (e.g. a new employer or job role) are entitled to a review after each change. We are not therefore aware of any current customers who have award packages based on the “30 hour guidance” Should any such customers present themselves, they would be entitled to a fresh reconsideration based on the current guidance which was amended in April 2015.

We recommend that DWP re-issue the guidance on full-time Support Workers, making it clearer that reimbursement of costs on the basis of an annual salary, rather than an hourly, half-daily or daily rate, should be considered on a case-by-case basis, and only applied in circumstances where it reflects the reality of how effective support can be provided. We further recommend that the guidance explicitly state that this does not typically apply to BSL interpretation. (Paragraph 81)

DWP have reviewed the guidance on full time support workers (often referred to as the “30 hour guidance”) and have made changes in consultation with deaf people’s organisations. We now believe that the guidance fully addresses this specific concern from stakeholders.

Specifically, the former guidance stated that:

“If a Support Worker is required full time, for example 30 hours or more a week, Access to Work will normally fund on the basis of an annual salary rather than an Agency worker employed on an hourly basis”

As part of the package of changes announced on 12th March, we were able to remove that guidance and replace it with the following new paragraph:

“If a support worker (excluding BSL interpreters) is expected to work on a long term basis, typically more than 6 months, then Access to Work will normally fund on the basis of salaried hourly rates, rather than at the hourly rates typical of freelance or agency workers.”

We recommend that DWP consult the BSL interpreting profession, through the Association of Sign Language Interpreters and the National Union of British Sign Language Interpreters, to establish suitable maximum permissible hourly, half-daily and daily rates for BSL interpretation funded by Access to Work, based on robust research.

The Government should also consult formally on improving the efficiency of the market for BSL interpreting services across the public sector. This consultation should consider steps which could be taken to increase the number of BSL interpreters in the UK. (Paragraph 82)

In the 12th March 2015 Statement, Government announced that DWP would lead a Market Review of communication support. DWP is working alongside organisations such as Signature and Action on Hearing Loss (AHL) and will continue to consult with the Association of Sign Language Interpreters (ASLI), the Scottish Association of Sign Language Interpreters (SASLI) and the National Union of British Sign Language Interpreters (NUBSLI) to inform this Market Review. We believe this work is important in delivering the evidence to assist in shaping the future development of the supply of BSL and other forms of communication support.

DWP is also working across government to include other departments such as the Department for Education (DfE) the Department for Business, Innovation & Skills (BIS) and the Crown Commercial Service (CCS) who are leading on a cross government framework for translation services. We plan to complete the Market Review later this year.

Furthermore, in order to improve the way Access to Work customers are served by the market, Crown Commercial Services are working across government to establish a framework contract which will be available later in 2015. DWP will then consider whether Access to Work customers could benefit from this.

We recommend that DWP establish a specially trained team to deal with high-cost ongoing Access to Work awards, including those for BSL Interpretation. This team should receive intensive training in deaf awareness and on the full range of communication support options, including the latest technological innovations and the most cost-effective solutions. DWP staff and Access to Work service users should be encouraged to consider technological solutions to communication support, where it is appropriate to needs and cost-effective. (Paragraph 83)

The move to three sites from 77 permitted DWP to develop specialist Access to Work teams over the last year. These include a “Deaf and hard of hearing specialist team”, a “Visual Impairments specialist team” and a “Mental Health specialist team”. The last of these specialist teams is due to be expanded and transformed into a “Hidden Impairments specialist team”. Furthermore, in February 2015 a “Self-employment specialist team” was established to concentrate expertise in supporting disabled entrepreneurs.

All advisers receive a comprehensive package of training, including disability awareness training. In addition, the specialist teams receive further training on specific disabilities. For example the Deaf and hard of hearing specialist team have received awareness sessions from the Royal Association of Deaf People (RAD) and the British Deaf Association (BDA). They have also participated in a Technology Forum promoting the full range of communication support options. This has helped improve the Access to Work service, enabling advice to be better tailored to customers and reflecting the latest cost-effective and technological solutions.

The recent problems in relation to the 30 hour guidance have, in part, arisen from a lack of consultation and engagement with service users. We therefore recommend that DWP makes it its policy to consult on all significant future changes to Access to Work policy and guidance, through the newly established Access to Work stakeholders' forum, and to undertake much more effective communication about changes to the programme. We request that the Department sets out, in its response to this Report, the membership of the forum, and the processes by which stakeholders will be consulted on future changes. (Paragraph 84)

Government agrees that stakeholders have a critical part to play in shaping the future direction of Access to Work. The Operational Stakeholder Engagement Forum (OSEF) is the ideal vehicle through which to discuss significant future changes to Access to Work policy and guidance. We are now using the forum to explore Access to Work issues, starting with the redrafting of the guidance and updating members on the progress of the announced changes, some of which are currently being co-produced with deaf and disabled organisations and Access to Work customers. The forum is not exclusively focussed on Access to Work, however it includes a broad range of disabled members and Access to Work is intended to remain as a standing agenda item for each forum in which to discuss issues and disseminate information. The membership of the OSEF is set out in Annex A.

Clarity and transparency of decision-making

We welcome the Minister's assurances that the clarity, coherence and accessibility of the Access to Work guidance will be addressed as part of DWP's internal review. We recommend that clarified guidance be published online, in formats accessible to disabled people, at the earliest possible opportunity, so that applicants can be much clearer about the basis on which DWP makes its award decisions. DWP staff should be encouraged in guidance to take a more flexible, innovative and long-term approach to award decisions, for example by investing in training to overcome difficulties using public transport, rather than assuming that long-term funding for use of taxis is the most appropriate form of support. (Paragraph 94)

We are committed to keeping Access to Work as a discretionary scheme, which continues in the future to meet the demand for access to support. The discretion of the scheme means there is flexibility to tailor support to the particular individual and to people with a range of disabilities, health conditions and employment settings. This flexibility contrasts with a rules based scheme which is not as responsive to individual circumstances. This can, on occasion, result in the perception of differences in service. However, each case is individual and is assessed on its own merits and the Government takes the quality of the service offered very seriously.

To improve transparency, the existing staff guidance, which was previously available on request, has now been published on gov.uk so that applicants can understand the basis on which DWP makes its award decisions.

In addition we have developed user friendly guidance for employers and customers – including clearly setting out the reconsideration and complaints procedures. We are in the process of producing British Sign Language and Easy Read versions before making these four products available via gov.uk.

In line with the Written Statement of 19th November 2012, funding for training to overcome difficulties using public transport is already available. The existing guidance states:

“For some customers it may be more cost effective in the medium term to fund travel training that will allow the customer to use public transport without assistance.”

It may be that this could be supported by introducing tapered travel awards in order to embed this principle and encourage advisers to make awards for travel training; however this would require further discussion with stakeholders and assessment of the equality impacts.

We have announced that as part of our drive to increase value for money by increasing contracted provision where possible we are developing taxi contracts for our largest towns and cities. Not only will this deliver economies of scale for the approximately £30m we spend annually for individual taxi support, this will also ensure quality standards by using Government’s purchasing power to leverage better accessibility standards across providers.

The self-employed and entrepreneurs

We recommend that the guidance on support for self-employed people be substantially re-drafted and clarified. In cases where the applicant is a business owner the full history and circumstances of that business should be taken into account in determining AtW support, including whether it employs staff. The guidance also needs to be amended so that it encourages DWP staff to take greater account of the financial realities of working on a freelance basis, including intermittent and fluctuating earnings. (Paragraph 101)

The Government agrees with this recommendation. As announced in March, we intend to base the rules on which Access to Work supports self-employed people around the Universal Credit rules, including the requirement to achieve a minimum level of income over a designated period. The details are currently being co-produced with stakeholders. DWP intends for the rules to be as inclusive as possible, reflecting potential seasonality and fluctuating conditions, whilst also safeguarding against the possibility of Access to Work supporting unviable businesses. The guidance, which is being co-produced with stakeholders and is due to apply from October 2015, will be much more objective and clearer for customers.

Guidance, as the committee recognises, has been altered to reflect the position of company directors, and that the National Minimum Wage requirements do not apply to them as employees. However, we will also consider whether the new self employment rules should safeguard against a situation where a person claims Access to Work support on the basis of being a company director but for a business that is not viable.

Decision reviews and complaints

The process which users have had to follow to challenge AtW decisions is complex and onerous. We recommend that the decision-review process be channelled through a single DWP contact point, who should escalate the review on the applicant's behalf if they indicate that they remain dissatisfied. The guidance should be updated accordingly. We understand that DWP has recently streamlined the decision-review process to some extent in response to the concerns that we have heard, but the details have not yet been publicised. We request that DWP set out the changes it has made, in response to this Report. (Paragraph 106)

“Reviews” are routine procedures carried out at particular points in an award, or after a change of circumstances. Access to Work award letters state clearly that all customers are entitled to one “Reconsideration” of each decision. Additionally, people who report a change of circumstances (e.g. a new employer or job role) are entitled to a “Reconsideration” after each change.

Furthermore, DWP has clarified that any customer who provides evidence that they are undergoing a formal disciplinary/efficiency procedure is entitled to a reconsideration. The complaints procedure for Access to Work has been streamlined and is now part of the common DWP complaints procedure.

The process for making either a reconsideration request or a complaint is being set out in user friendly guidance factsheets, which will be available shortly.

We recommend that DWP publish the Access to Work decision review and complaints procedures prominently on the Access to Work webpages, with links to the Independent Case Examiner (ICE) and the Parliamentary and Health Service Ombudsman (PHSO). It must be made clear to all AtW applicants and service users that if they are dissatisfied following completion of the DWP decision-review or complaints procedures, they can, in the first instance, refer their case to the ICE; and that the PHSO may be able to investigate their complaint further should they remain dissatisfied. (Paragraph 107)

Government agrees with this recommendation. DWP will publish the Access to Work decision review procedure and the complaints procedure online as part of our work to provide user friendly guidance. This will articulate clearly the different processes for official complaints and requests for review and will be available in due course.

The Department will also make clear the procedures for referral to the Independent Case Examiner and the Parliamentary and Health Service Ombudsman when communicating decisions.

Administrative issues

Central call centre

We recommend that DWP take urgent steps to address the ineffectiveness of the central call centre system. It is unacceptable that a programme designed to help disabled people should be inaccessible or inconvenient for a substantial proportion of service users. We appreciate the difficulty of delivering a personalised service for a growing caseload, and the rationale for a more centralised system, given the Department's welcome intention to "scale up" the programme. However, DWP needs to focus on making the call centre system more flexible and user-friendly, including by improving the flow of information from the call centre to trained Advisers, allowing them seamlessly to pick up cases with which they are not personally familiar. We also recommend that a system is established in which service users receive a communication, in response to calls to the DWP call centre, in a format and at a time that is suitable and convenient for them. We request that DWP updates us on progress with these improvements, in response to this Report. (Paragraph 116)

DWP has recognised the importance of taking action to address the concern raised by the Committee in this area. We have improved contact centre scripts and have developed a closer working between contact centre staff and Access to Work advisers to improve the end-to-end journey and enable faster processing of customer cases.

In addition, planned changes to streamline referrals to the Mental Health Support Service will mean that applicants no-longer have to go via the contact centre but may contact the MHSS directly either by email or telephone.

Furthermore, we announced in December 2014 that, subject to customer consent, email will now be available for all Access to Work information exchange, including applying directly to access to Work electronically for those who request this as a reasonable adjustment. Work is underway to transform Access to Work into an online service, retaining telephone channels for those individuals who need this method.

Paper-based processes

Access to Work's reliance on paper-based processes is outmoded and inefficient. We recommend that DWP establish an online application system and an electronic invoicing system for Access to Work, at the earliest opportunity and in advance of the programme being scaled up. Paper-based applications should be retained for service users who choose that option. In the longer term DWP should implement Liz Sayce's recommendation of a "web-based portal", through which suppliers can compete, driving down costs, and service users can search for, and compare, the range of available support, increasing choice and the effectiveness of support. (Paragraph 121)

Government agrees with the recommendation. As announced in March, A new project is underway to re-engineer Access to Work as a digital service, In addition, we are exploring

whether we can develop a Disability Confident digital service or portal focussed on employers and whether there is the potential for this to become an easily accessible online entry route to Access to Work.

Disability awareness and accessibility of information

Some DWP staff administering Access to Work have displayed an unacceptable lack of disability awareness. We recommend that DWP consult with disability representative organisations, with a view to highlighting areas where the disability awareness of DWP staff is currently weak and that it collaborate with them on establishing enhanced staff training to address those issues. (Paragraph 126)

All Access to Work staff receive disability awareness training as a core part of their training once recruited. For our specialist teams in particular, enhanced staff training by disabled people's organisations is undertaken when appropriate – the Royal Association of Deaf People (RAD), The British Deaf Association (BDA) and the National Autistic Society (NAS) have delivered such training to Access to Work Advisers.

We welcome the establishment of specialist Access to Work Adviser teams for service users with sensory impairments and fluctuating conditions. We recommend that at least two further specialist teams are established, for service users with learning disabilities and those with autism spectrum disorders. (Paragraph 127)

We accept more support is needed for users with learning disabilities and those with autism. In response we intend to expand the existing “Mental Health/Fluctuating Conditions specialist team” into a “Hidden Impairments specialist team” to be a source of expertise in dealing with mental health conditions, learning disabilities, autism and other hidden and fluctuating impairments. As part of this work, the National Autistic Society (NAS) has already delivered awareness training to advisers.

We recommend that DWP take urgent steps to increase the accessibility of the Access to Work webpages on the GOV.UK website, including by introducing “Easy Read” content to help people with learning disabilities understand Access to Work and how it might help them, and British Sign Language content for deaf service users. (Paragraph 128)

It is a priority for DWP to ensure that Access to Work is accessible to all users. In addition to producing material suitable for screen readers as standard, we have developed user friendly guidance that we will produce in Easy Read and translate into British Sign Language (BSL) shortly.

We understand that work to improve the accessibility of government services is being undertaken on a cross-departmental basis. However, we believe that there is a particularly strong case for DWP to improve the accessibility of its disability-related services. We therefore recommend that DWP introduce a Video Relay Service, to enable deaf BSL users to contact the Department more easily, as a priority. (Paragraph 129)

Government accepts with this recommendation. We plan to introduce a Video Relay Service across Access to Work – and more widely, later in 2015/16, building on the Crown Commercial Framework which should be ready around November 2015.

Annex A

List of Members of DWP's Operational Stakeholder Engagement Forum (OSEF)

Action for Blind People
Action on Hearing Loss
Advice UK
Age UK
Alzheimer's UK
Arthritis Care
Aspire
Association of Directors of Adult Social Services
Barnardo's
Base UK
Copy
BRAME (Blue Ribbon for the Awareness of Myalgic Encephalomyelitis)
British Polio Fellowship
Carers UK
Carers Trust (formerly Princess Royal Trust for Carers)
Child Poverty Action Group
Christians Against Poverty
Citizens Advice
Citizens Advice Scotland
Citizens Advice Wales
CLIC Sargent
Community Legal Advice
Community Links
Contact a Family
Crisis
Diabetes UK
Different Strokes
Disability Rights UK
Employment Related Services Association (ERSA)
Equalities National Council
Gingerbread
HMRC
Homeless Link
Include me too
Independent Age
Leonard Cheshire Disability
Limbless Association
Local Government Association
London Advice Service Alliance (LASA)
Low Incomes Tax Reform Group
Macmillan Cancer Support
MENCAP

MIND

MNDA

National Association for Welfare Rights Advisers

National Association of Student Money Advisers (NASMA)

National Autistic Society

National Care Advisory Service (NCAS)

National Council for Voluntary Organisations (NCVO)

National Deaf Children Society

National Housing Federation

Neil Bateman

Northern Housing Consortium

Nottingham County Council

Papworth Trust

Parkinson's

Princes Trust

Refugee Action

Refugee Council

Re-Think Mental Illness

Rightsnet

Royal National Institute for the Blind

Royal Association for Deaf People (RAD)

Salvation Army

Scope

Shelter

Social Security Advisory Committee (SSAC)

St Mungo's

Terence Higgins Trust

The Children's Society

TUC

Turn to Us

Wave-Length

Working Families

Annex B

Table 1 - Statistical requirements from user feedback			
Row	Information requested to be published	Reason for not currently including in the publication	If / when we could publish this information
1	How many recipients are on apprenticeships	This is not recorded on DiSC	The functionality to record this would have to be implemented into DiSC first. We would need to investigate if the cost of this would be proportionate
2	How many complaints does DWP receive about AtW	This is not recorded on DiSC - similar MI for other DWP benefits and programmes is also recorded / published separately to performance statistics	This is recorded separately within the Department, but this detailed Management Information will not be included in these Access to Work statistics
3	How many AtW applications are turned down before and after assessments?	See row 2 above	See row 2 above
4	Type of support worker (number of awards and spend)	Access to Work has recently undergone a policy review and as such we have decided not to publish this table at this point in time. This is due to the fact that changes to Access to Work policy will introduce a break in time series to these tables were we to publish them now, so the introduction of these tables to the publication would be best left until announced policy changes have been implemented to the programme.	We will revisit this later this year, once the proposed policy changes have been implemented
5	How many people with learning difficulties are employed and paying tax and NI	This is not recorded on DiSC	We could link with other data sources to obtain this information, but would need to investigate whether the time taken to do this will be proportionate
6	Numbers helped to obtain / retain work	See row 5 above	See row 5 above
7	Customer (employer and user satisfaction with the process, including timeliness and customer service	See row 2 above	See row 2 above
8	Regional and sub-regional breakdowns	See row 4 above	See row 4 above
9	Would like to understand better what they (DWP) are buying to help them (people with MSD) access work	See row 1 above	See row 1 above
10	Referral route to AtW (was it GP referral etc?)	See row 1 above	See row 1 above
11	Number of awards each financial year by element type – would also like this broken down by primary medical definition	See row 4 above	See row 4 above

12	Average financial grant by medical definition	See row 4 above	See row 4 above
13	How many are in Small, Medium and Large employers (with the latter it could also show how much AtW grant is given to public sector (OGD's))	It isn't possible to determine whether a person is employed by a small, medium or large employer from what is recorded on DiSC. Information on employment sector is recorded on DiSC, but around 25% of people have a "missing" employment sector. This is mainly due to problems with data linking between a persons award and their employment	The functionality to record employer size would have to be implemented into DiSC first. We would need to investigate if the cost of this would be proportionate. We will revisit publishing employment sectors later this year, once we have investigated problems with the linking keys in the employment and award data we obtain from DiSC
14	Breakdown of budget could be shown more clearly by disability	See row 4 above	See row 4 above
15	How many new customers have been assisted and those coming off working age benefits	See row 4 above	See row 4 above
16	Present numbers of people by level of spend. For example, x number of people received support totalling up to £100, y number of people received support totalling more than £100 but less than £200, etc.	See row 4 above	See row 4 above
17	Beneficiaries of Access to Work grants who are involved in supported internships, traineeships and self-arranged work experience	See row 1 above	See row 1 above
18	For a given financial year, the average length of time for which existing customers have been Access to Work customers	See row 4 above	See row 4 above
19	In a given financial year helped to access opportunities in the following categories: self-employment; (paid) employment	Issues with data linking between a persons employment and their award means that this data is currently not of a publishable standard	We will need to investigate problems with the linking keys in the data we obtain from DiSC
20	Figures for the average number of days between the point at which customers first register for Access to Work and the point at which help is received	Issues with data linking between the date of a persons successful application, their employment and the subsequent date that they first receive support mean that this data is currently not of a publishable standard	We will need to investigate problems with the linking keys in the data we obtain from DiSC
21	What adaptation to premises they received a grant for	This is not recorded on DiSC	See row 1 above
22	What communication support at interview they received a grant for	This is not recorded on DiSC	See row 1 above
23	What communication support at work they received a grant for	This is not recorded on DiSC	See row 1 above
24	What aids or equipment they received a grant for	This is not recorded on DiSC	See row 1 above

25	If someone is deaf, Deaf, deafened, hard of hearing or deafblind, have a cochlear implant, use hearing aids	This is not recorded on DiSC	See row 1 above
26	More detail of the condition or impairment – for example, rather than “mental health conditions” or “progressive illness”, further detail such as “depression, anxiety, schizophrenia” and “Multiple Sclerosis, cancer	This is not recorded on DiSC	See row 1 above
27	The average length of time employees with specific conditions and who received support through Access to Work remain in work	See row 5 above	See row 5 above
28	The level of contributions made by employers	See row 20 above	See row 20 above
29	The specific types of support individuals with a particular condition are taking up – for example ‘100 people who are deaf are supported by BSL interpreters’	See row 4 above	See row 4 above
30	Classification of applicants’ job, according to ONS major categories	See row 1 above	See row 1 above
31	Measurement of the long-term impact on job retention and career progression	See row 5 above	See row 5 above

Annex C

Table 2 – Comparison of impairment categories captured by the Labour Force Survey (LFS) & DiSC	
Labour Force Survey Main Health Condition	AtW Primary Medical Condition
Problems with arms or hands	Arms or hands
Problems with legs or feet	Legs or feet
Problems with back or neck	Back or neck
Difficulty in seeing	Difficulty in seeing
Difficulty in hearing	Difficulty in hearing
Speech impediment	Difficulty in speaking
Severe disfigurement, skin conditions, allergies	Skin conditions and severe disfigurement
Chest or breathing problems, asthma, bronchitis	Chest or breathing
Heart, blood pressure, circulation	Heart, blood, blood pressure or circulation
Stomach, liver, kidney, digestive problems	Stomach, liver, kidney or digestion
Diabetes	Diabetes
Mental illness, phobia, panics, nervous disorders (including depression, bad nerves or anxiety)	Mental health condition
Epilepsy	Epilepsy
Severe or specific learning difficulties	Learning disability
	Dyslexia
Progressive illness not included elsewhere	Progressive illness
Other health problems or disabilities	Cerebral Palsy
	Spina Bifida
	Other