

NORTH LANARKSHIRE COUNCIL

REPORT

TO: Social Work Committee	Subject: EMPLOYMENT OPPORTUNITIES FOR PEOPLE WITH DISABILITY IN NORTH LANARKSHIRE
FROM: Jim Dickie, Director of Social Work	
DATE OF COMMITTEE: 25 January 2001	
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REF: JD/AD/DH	

1 CONTENT AND PURPOSE OF REPORT

- 1.1 To advise Committee of proposals to increase employment opportunities for people with disabilities in North Lanarkshire, particularly those individuals who currently attend day centres.

2 BACKGROUND

- 2.1 The North Lanarkshire Supported Employment Partnership was launched by the Leader of the Council in January 1999. The central objective of this multi agency group is to assist people with disabilities to obtain real jobs in an integrated setting, paying the rate for the job.
- 2.2 This strategic approach was the subject of a progress report to the Social Work Committee in April 2000. Members expressed disappointment at the lack of posts obtained within the authority. An officer - member group was established to identify barriers to obtaining such employment and to recommend actions and measures which could be instituted to overcome them.

3 SOCIAL INCLUSION

- 3.1 A major objective of both National Policy and of the Council is to promote social inclusion. A central strategy of National Policy is Welfare to Work, recognising the critical role that paid employment plays in enabling independence, fostering broader social networks and greater individual employability. The Supported Employment Strategy adopted by the Council seeks to promote employment for people with disabilities and the development of broader social networks and natural supports.

- 3.2 The process of supported employment is facilitated by a Job Coach who undertakes detailed vocational profiling of candidates, together with job matching of specific appropriate opportunities to suit each potential employee.

4 LEGISLATIVE CONTEXT

- 4.1 In common with other such public bodies the Council's selection and recruitment procedure is governed by the provision of the Local Government & Housing Act (1989) which specifies appointment on merit.
- 4.2 More recent legislation which also has a bearing on the recruitment process is the Disability Discrimination Act 1995. This requires that employers make "reasonable adjustments" in the selection and recruitment process so as not to discriminate against candidates who have a disability.

5 CREATING A FRAMEWORK

- 5.1 In light of the above legislative context and given the inclusion benefits accruing to disabled people who obtain employment, it is proposed that a framework be created within which such individuals can gain both work experience and access to the Councils internal labour market. This framework would also fulfil the necessary legislative requirements

It is therefore suggested that in conjunction with the Department of Personnel Services a programme be established within which people with disabilities can enhance their employment prospects with the Council and can obtain access to the appropriate internal vacancies in a manner similar to that currently existing for skillseeker candidates.

- 5.2 The proposed framework and programme would be built around the National Training for Work Scheme administered by Scottish Enterprise Lanarkshire and for which social work have currently agreed a contract. It is envisaged that at any one time a maximum of 4 candidates would be on such Training for Work placements hosted by Council Departments, and that through this approach a target of 10 candidates obtaining substantive posts in the first year is adopted.
- 5.3 It is further envisaged that all such placements would be created on a supernumerary basis with support being supplied by the existing social work Job Coaches. Where appropriate and desirable, placement candidates would be encouraged to undertake such qualifications as would enhance their general employability, Job Coaches would further assist in applications for suitable posts which may be advertised and if appropriate at any subsequent interview.

- 5.4 In respect of the financial underpinning of the scheme, it is envisaged that Training for Work fees would fund any necessary training and training costs, there would be no financial cost to any host Department.
- 5.5 For candidates on the Training for Work placement scheme who were successful in obtaining employment with the Council, application would be made for New Deal for Disabled status which would confer certain benefits - albeit for a limited term on the employee and employing department.
- 5.6 Notwithstanding the above, and the already noted important role of the Council as an employer of people with disabilities, the private sector will continue to be the principle focus of the strategy for obtaining jobs.
- 5.7 A detailed guide to the full range of internal measures currently being reviewed and revised within the Councils selection, recruitment and training of disadvantaged groups is appended to this document as a separate enclosure.

6 SUMMARY OF PROPOSALS

- 6.1 The Council is a key, large employer within the local labour market and has a significant role to play in ensuring that people with disabilities are better represented as employees in a range of posts within the authority. The central proposal within this report is therefore to create a framework and programme within which such disabled candidates can enter the selection and recruitment process on a more equitable and inclusive footing.

7 RECOMMENDATIONS

- 7.1 Committee is asked to:-
- i) note and approve the contents of this report.
 - ii) request progress reports at 6 monthly intervals to evaluate this development.



Jim Dickie
Director of Social Work
28 December 2000

For further information on this report please contact , Principal Officer (Strategy) (TEL: 01698 332063)

DRAFT PAPER SOCIAL WORK/ PERSONNEL SERVICES

Ensuring a balanced selection and recruitment process for disabled candidates applying for posts within North Lanarkshire.

Supplementary Information and Further Supporting Notes and Briefing.

1.0 Introduction

This information briefing is intended to accompany and support the committee report "Increasing Employment Opportunities for Disabled People in North Lanarkshire". (Director of Social Work, Draft 22/08/2000).

The purpose of the document is to provide elected members and appropriate departmental officers with further supporting information on increasing employment opportunities for disabled candidates for posts within the authority.

The contents of this briefing summarises input from Social Work, Personnel Services and Legal Services who have reviewed existing corporate procedures together with current legislation and good practice guidelines. (Such as the Disability Discrimination Act and The Employment Service 'Double Tick' Scheme).

The document outlines the nature of supported employment details the specific measures which the lead departments require to undertake.

Adoption of the measures detailed below will place a greater emphasis on equality and disability issues and, additionally, emphasis and communicate the Council's legal, business and moral obligation to open up its recruitment process to the broadest audience.

2.0 Supported Employment Placement Scheme

2.1 Purpose

- a) The purpose of the proposed Placement Scheme will be to allow people who are unable to access the normal recruitment processes due to lack of work experience to gain experience of working within the Council environment.
- b) Participation in such a placement will allow trainees to gain practical experience and personal confidence within a work environment, thus increasing their potential to gain substantive employment by enhancing their employability and building transferable skills in a real integrated work setting.
- c) Additionally, and not insignificantly, such placements will allow trainees to gain a reference from their manager/placement Department which can then be used to improve their opportunities of gaining substantive employment.

2.2 Links with Existing Council Policies and Government Initiatives

Training for Work, as referred to in Section 5.2 of the main report, provides a nationally recognised context for pre-employment training in a work based setting and it is suggested that the national Training for Work scheme provides the core of an training framework for disabled candidates within the Council with a target of ten placement trainees being recruited by the Council in the first year of the scheme.

These Supported Employment placements will parallel the existing Skillseekers placement scheme for young workers and it is proposed that between 4 and 10 supported employment trainees will be in placements within the Council on a rolling basis.

This placement scheme will exist without prejudice to existing schemes and is designed to offer opportunities to people who otherwise would be unable to access existing schemes to which the Council already has a commitment ie Skillseekers, New Deal, paid and unpaid summer placements and unpaid short-term work experience.

This placement scheme is not designed to preclude candidates seeking Council employment through the normal recruitment channels but who require additional assistance with interviews, adjustments to their work or work station etc, or who have accessed additional assistance for themselves through the Disability Employment Advisers of the Employment Services or via other agencies. Such candidates will continue to come under the remit of the Council's Recruitment Policy.

2.3 Obtaining a Placement

- a) Participation in this placement scheme will contribute to the council's strategic collaborations on Welfare to Work and the continuing commitment to promote social inclusion through securing employment opportunities. Specifically, Departments will be asked to identify opportunities in suitable locations for the creation of placements, on a supernumerary basis.
- b) Potential trainees will be identified from people who are currently attending social work resource centers, referrals from Area Teams and those profiled by the Supported Employment Project Workers.
- c) Trainees will be required to have successfully completed personal profiles and undergone a Council selection process for inclusion in this training scheme ie the completion of an application form and selection interview, supported by their Project Worker.
- d) Project Workers will assist in the assessment of suitable placements and provide the trainees with continuing work-based support, as required. This will be separate and in addition to any support which may be provided by the host department.
- e) The job coach will also liaise with the council's training section to secure appropriate qualifications during the placement.
- e) Participants on the placement scheme will have the right to access the Council internal vacancy list in the same manner that is currently agreed for Skillseekers.

2.4 Funding the Placement Scheme

- a) It is anticipated that placements would be conducted at no cost to the host department.
- b) The proposed Placement Scheme will be self-financing and, by utilising the Training For Work framework, the Council will receive payment of £40 per placement per week together with an outcome related bonus for those candidates obtaining job of £800 per placement.
- b) The trainees on placement will participate in the national "Training For Work" scheme and will receive a "benefits plus" payment. The Social Work Department has a current contract for Training For Work from Scottish Enterprise - Lanarkshire. The programme is the nationally approved and recognised framework within which training for adults is delivered in Scotland.

The payment to participants is based on the recognised model established by the Wise Group (the Glasgow based organisation which has pioneered intermediate labour market initiatives for disadvantaged adults) and which seeks to both maximise and protect the benefit income of those on training programmes.

2.5 Obtaining Substantive Employment

If, following on from the above placement scheme, a trainee was to obtain substantive employment with the Council the ex-trainee would be entitled to 'New Deal for Disabled' status This would ensure that:-

- a) The post holder would claim the £200 grant towards start-up costs, which would be paid directly to them.
- b) That the Council would claim the £75 per week short-term employment subsidy for the maximum 12-week period to cover induction costs equaling £900.
- c) The Council would further fulfill its commitment towards New Deal.
- d) These new employees would continue to be supported by a Social Work Department Job Coach for as long as necessary.

3.0 Integrating Disability Awareness into the Employment Practices of the Council

It is anticipated that together with the "Double Tick" provisions detailed in Appendix 2 and those areas detailed below, when implemented, will significantly increase the number of disabled candidates accessing the recruitment selection process and gaining and maintaining substantive employment within the Council.

3.1 Council personnel policies - with regard to employment will be reassessed on a rolling basis and, where necessary, revised to strengthen and enhance the Council's commitment to improving, widening and maintaining employment access for disabled people. All new personnel policies and procedures should automatically take into consideration their impact and the requirements of disabled employees

3.2 Entry Level Posts - by ensuring that entry level posts into the Council are appropriately advertised, including local Job Centres, and that person specifications are broad enough in

their application, disabled candidates from previously excluded groups will gain access to the Council's recruitment process.

- 3.3 Disability and Employment** - the development by Corporate Personnel Services of an umbrella policy on disability and Employment will ensure that the Council's aims and intentions are fully developed and communicated to all levels within the Council.

This single policy document will detail the Council's aims and intentions with regard to existing employees with disabilities and the employment of disabled people in general and provide guidelines and instructions for managers with regard to their obligations in relation to disabled employees and recruitment. It will also act as an 'umbrella' policy document cross-referencing the different sources of employment information and detailing the employment rights and services available to employees who consider themselves to be disabled.

- 3.4 Corporate Training Courses** - corporate training courses are available across a range of employment policies and areas that have an impact on the employment of disabled people and the perception of disability as a whole. These courses will be reassessed on a rolling basis and, where necessary, revised to strengthen and enhance the Council's commitment to improving the awareness of disability issues and providing appropriate information for managers and employees attending training courses. All new training courses should automatically take into consideration their impact and needs of disabled employees and the Council's corporate Training Officers will be provided with an awareness of disability issues to facilitate an understanding of their importance within this process.

Additionally, and where appropriate, the use of external specialist trainers for specific disability awareness raising courses may also be considered.

- 3.5 Work Placements** – there are a variety of work placements utilised within the Council, the use of which may have an impact on employment opportunities for disabled people. Whilst these placements do not have specific impact on the Supported Employment Placement Scheme the following actions would enhance employment opportunities and assist in creating a work environment where employees would be judged on their abilities rather than their disabilities:-

a) Skillseekers

- i) provide disability awareness/etiquette training for interviewers
- ii) ensure Job Centres are aware that disabled candidates are encouraged
- iii) Examine the Skillseeker programme in conjunction with Job Centre Disability Employment Advisers for 'disability friendliness' and consider any adaptations considered essential to make the scheme more attractive to disabled candidates
- iv) Discuss the Skillseeker programme with Supported Employment Project Managers to identify any suitable candidates and to allow Project Managers to 'recruit' suitable clients, if appropriate.

b) Work Experience

- i) Formulate and publish a Council-wide policy on Work Experience.
- ii) Explore the potential to centrally monitor Work Experience Placements to ensure a corporate approach to the tailoring of programmes to suit disabled candidates.

4.0 Communicating the Objectives

To successfully implement the Supported Employment Placement Scheme and the provisions detailed above it will be necessary to fully integrate all departments into the development processes, by way of their own personnel representatives or another suitable nominated senior officer.

These departmental representatives will act as liaison officers between Corporate Personnel Services, the Supported Employment projects and other groups to ensure that, amongst other initiatives, Supported Employment and the employment and retention of disabled people, maintains a high departmental profile.

For this role to be effective the departmental contact would have to be of a level to allow them to exercise a strong influence/veto on the content of job descriptions etc and the application of the Council's employment related policies within their own Department.

APPENDIX 1 - Legislative Context

1.0 The Local Government and Housing Act 1989 and Disabled Persons (Employment) Act 1944

Section 7 of the Local Government and Housing Act 1989 states 'Every appointment under (b) a local authority in Scotland shall be on merit'.

Whilst 'merit' is not defined, advice from the Head of Legal Services has indicated that this statutory provision, which was originally intended to eliminate the risk of political patronage, has the effect of precluding local authorities from acting non-commercially. Local authorities must appoint the person who is most suitable for the post in question and posts cannot be 'put aside' for specific categories of candidate ie people with a disability, single parents etc.

2.0 Disability Discrimination Act 1995

The Disability Discrimination Act 1995 came into effect on 2 December 1996 and brought about changes aimed at ending the discrimination which many disabled people face.

The Act makes it unlawful for employers with 15 or more employees to discriminate against current or prospective employees with a disability or who have had a disability. Discrimination occurs when a disabled person is treated less favorably than someone else and the treatment is for a reason relating to their disability which does not apply to the other person.

The Act ended the quota system which had been in place for more than 50 years imposing a quota requirement of 3% of the workforce having to be registered disabled. It also terminated the requirement for people with a disability to formally register as disabled. In effect, this means that it is no longer lawful for local authorities to utilise positive discrimination to the advantage of people with a disability ie ring-fencing posts solely for candidates with a disability.

In terms of employment rights the Act states that it is unlawful to discriminate against current or prospective employees with a disability, because of their disability. Employers must make reasonable adjustments to the workplace, including fixtures and fittings, work equipment and employment arrangements, if these substantially disadvantage a disabled employee or prospective employee compared to a non disabled person.

For example, disabled candidates should not be disadvantaged when making applications for employment; this includes the completion of application forms, selection procedures, the interview and assessment tests. At each of these stages of the recruitment process, reasonable adjustments should be made to enable a disabled candidate to compete with non disabled candidates.

In recruitment, the selection process must not favour people without disabilities, and disabled people must not be offered employment on less favourable terms or refused employment because of a disability.

Appendix 2 - Government Initiatives – Increasing and Enhancing Employment Opportunities

1.0 Training for Work

- a) Training for Work is a national skills training programme for adults which parallels Skillseekers for youth training. Eligible participants are adults aged 25 and over who have been registered unemployed for six months or more **or** those who are deemed to have special needs and who do not meet the qualifying period.
- b) Training for Work can last for up to 52 weeks and participants are paid a training allowance - essentially a 'benefit plus' arrangement.
- c) The use of the Training for Work scheme can provide the Council with formal and recognised mechanism to enabling disabled people to gain experience and an established employment profile in a work setting prior to making application for substantive posts either within the Council or elsewhere.
- d) The Council, through the Social Work Department, currently has a contract to operate Training For Work with Scottish Enterprise Lanarkshire.

2.0 Supported Employment

- a) Supported employment can be defined as a way of offering intensive support to assist disabled people, who are keen to work, access opportunities in the open labour market.
- b) A Job Coach works closely with the applicant to build a full picture of their preferences, abilities, experience and the contribution they could make to a work environment. By building a detailed profile of the individual, over time, the Job Coach is then able to match and meet the individuals and prospective employer's requirements.
- c) Once this profile is completed the Job Coach approaches employers who would seem likely to offer those types of jobs identified as suitable and, once agreement is secured, the Job Coach learns the job using the employers training methods, after which the Job Coach and the new employee work together. For local authority employers, employment is bound by legislation and any post secured for a supported employment client is expected to be by way of open competition.
- d) The disabled employee is the provided with training and support by the Job Coach for as long as is needed. There is no cost to the employer for the support services of the Job Coach however, this training etc will be in addition to the employer's own induction and training systems.
- e) Once employment is secured the disabled person is paid the going rate for the job. In addition to the above the job coach works closely with the other partners such as the Employment Service and the Benefits agency to ensure that the supported employee is not disadvantaged by the effects of earned income on their existing benefits package or, that other benefits are claimed appropriate to a change of circumstances [e.g Disabled Persons Working Tax Credit]

3.0 Positive About Disability (the ✓✓ Double Tick Symbol)

- a) As part of its positive approach to employing disabled people the Council sought and was awarded the Positive About Disability Symbol by the Employment Service in November 1999.
- b) By displaying this symbol on application forms, recruitment adverts and other council documentation, people with disabilities can identify North Lanarkshire Council as an employer who is positive about abilities rather than concerned with disabilities. It also shows the Council's commitment to good practice in employing disabled people.
- c) To qualify for the award of the symbol, the Council had to provide evidence to the Employment Service that policies and procedures are in operation to cover each of the following five commitments:
 - i) To interview all applicants with a disability who meet the minimum criteria for a job vacancy and consider them on their abilities,
 - ii) To ask disabled employees at least once a year what the Council can do to make sure they can develop and use their abilities at work,
 - iii) To make every effort when employees become disabled to make sure they stay in employment,
 - iv) To take action to ensure that key employees develop the awareness of disability needed to make these commitments work, and
 - v) Each year, to review these commitments and what has been achieved, plan ways to improve on them and let all employees know about progress and future plans.
- d) The commitments made by the Council are on-going and will involve considerable work, coordinated by Corporate Personnel Services, in ensuring that the Council continues to be positive about disabled people.
- e) As part of this on-going review the Council has instigated an Employees Disability Forum which will meet on a quarterly basis. Discussions so far have covered such topics as access to buildings, disabled parking and interview arrangements for disabled candidates' etc. However it is envisaged that this Forum will eventually be capable of taking a much wider and active role in the integration of disabled employees into the mainstream of the Council ie appropriate input into training courses, opinions on the impact on disabled employees of revised policies etc.

APPENDIX 3 - Government Initiatives – Benefit Enhancements

1.0 New Deal for Disabled People

North Lanarkshire Council is a partner in the New Deal Strategic Partnership which also includes South Lanarkshire Council, the Employment Service, Lanarkshire Careers Service and Scottish Enterprise Lanarkshire (formerly Lanarkshire Development Agency).

The 'New Deal' is the flagship programme in the Government's Welfare to Work Strategy. Since the introduction of the New Deal for 18-24 year olds, further "New Deals" have been established including New Deal for Lone Parents; New Deal for Disabled People; New Deal for Partners; New Deal 50 plus.

New Deal for Disabled People is aimed at people who are currently claiming incapacity benefit or another disabled benefit. Essentially New Deal for Disabled People can:

- i) Pay a short-term subsidy to employers of £75 per week for a maximum of twelve weeks.
- ii) Pay a candidate who is successful in obtaining a job a sum of £200 towards initial costs of starting work, together with a Zone Card for up to four weeks. Candidates may also be eligible for the Access to Work scheme, which can pay for taxi fares to work over a much longer period.
- iii) New Deal for Disabled People is operated by the Employment Service with initial contact, support and advice being provided through personal advisors based in job centres.
- iv) Participation in New Deal for Disabled People is entirely voluntary.