

Grow

Build

Change



Disability and Supported Employment

**GMB Congress 2019
CEC Special Report**

GMB Congress 2019: CEC Special Report

Disability and Supported Employment



Introduction

- 1.1 Disability is a trade union issue. The values of our union and our movement demand an inclusive society in which disabled people can live and work with dignity and independence, and without fear of stigma, ignorance, and discrimination.
- 1.2 One in seven workers identify as being disabled,¹ and disabled workers are more likely to be members of a trade union than workers who are not disabled.²
- 1.3 This Special Report is intended to set out an agenda by which GMB can build on our existing work and collectively advance the interests of our disabled members.
- 1.4 Around a fifth of the population is believed to be disabled. Disability can affect anyone, at any time. Disabled people are present in almost all workplaces and each branch of our union. Advancing the cause of disabled people is in all of our interests.
- 1.5 We recognise that, in 2019, disabled people continue to face unacceptable barriers in the workplace and wider society.
- 1.6 GMB endorses and adopts the social model of disability, which recognises that people are disabled by social barriers. We call for more awareness of the social model and for it to be fully implemented by the government, other public bodies, and employers.
- 1.7 GMB recognises the importance of supported employment models and supported businesses. We celebrate the role that disabled

Disability and Supported Employment: Introduction

workers' co-operatives and other genuine supported businesses are playing in improving the lives of disabled workers. In line with the existing policy of the union, GMB supports the creation of a new supported employment network, backed by public funding, that learns from the strengths and weaknesses of the Remploy model.

- 1.8 This CEC Special Report has been written in response to a motion submitted by activists to Manufacturing Section Conference 2018 which called for a report on the subject to be produced for consideration by Congress.
- 1.9 It is not the intention of the CEC to use the term 'disability' in a prescriptive way. GMB recognises that the term covers a diverse range of people, and that each individual has the right to identify as disabled – or not – as they see fit.
- 1.10 Disability can cover a wide range of conditions, including but not limited to those relating to mental health, sensory conditions, physical conditions, lifelong neurological differences and other forms of hidden disabilities ranging from diabetes and Crohn's Disease to cancer, dementia, and conditions relating to industrial to industrial accidents and diseases. Many people have more than one condition that could each be considered a disability in their own right.
- 1.11 Each type of condition listed above would be worthy of a report in their own right. It is not possible in the space of one Special Report to do justice to the full diversity of challenges that disabled workers may encounter in employment and wider society. This report, therefore, aims to set out GMB response to recent policy decisions that relate to disability and supported employment, and GMB's agenda for equality for inclusion as it relates to disability.
- 1.12 Issues relating to disabled people as users of educational services fall outside of the scope of this report, as these questions were

Disability and Supported Employment: Background

covered at least in part by the 2018 CEC Special Report on Schools and Colleges.

Background

2.1 Disability is as old as humanity but most of the history of disabled people in work and their trade unions remains unwritten.³ GMB is proud of its historic role as a union that represents disabled people, and we are determined to celebrate the lives and accomplishments of all our members, including those who are disabled.

2.2 In the late 19th and early 20th centuries, disabled people were increasingly subjected to an official regime that stigmatised disability and difference. Some disabilities are lifelong; some are acquired (including through industrial accidents and diseases): all of those who shared them were at risk of being thrown to the hard mercies of the asylum, the workhouse, and the Poor Law guardians.

2.3 Under the 1913 Mental Deficiency Act, thousands of disabled people were excluded from mainstream education and work and placed in 'an institution for defectives'⁴ instead. The Act was not repealed until 1959. That era is still well within living memory and the legacy of those attitudes continues to cause harm till this day.

2.4 It took until the mid-1990s for disability discrimination legislation to be secured by the passing of the Disability Discrimination Act. The provisions of that Act were later substantially incorporated into the Equality Act. Despite these legal protections, too many disabled people continue to face unacceptable barriers in society and the world of work.

2.5 Economic inequality is rife, driven by very high levels of disability unemployment and pay gaps between non-disabled people and disabled people who are in work. The Equality and Human Rights Commission has warned that poverty 'particularly prevalent' for disabled people in the UK today and that the likelihood of disabled

Disability and Supported Employment: Background

people being in low-paid occupations has increased in recent years.⁵

2.6 According to the Equality and Human Rights Commission, disabled men earn 13 per cent less than non-disabled men in comparable roles (for disabled women the gap is estimated at 7 per cent). The disability pay gap is believed to be particularly high for people who have mental health conditions (including depression and anxiety), developmental differences, epilepsy, conditions relating to their limbs, cardiac conditions, diabetes, and sight conditions.⁶

2.7 Most employers collect data that would allow them to report their disability pay gaps, but very few employers make this information publicly available. While we recognise that pay gap statistics do not always tell the whole story, GMB believes that transparency in this area would illuminate an important but otherwise little-discussed subject. We support the publication of disability pay gap data, on the same basis as gender and ethnicity pay gap reporting.

2.8 Prejudice and structural inequality remain commonplace. A quarter of people say that there is 'a lot' of 'prejudice in Britain against disabled people in general.' This figure rises to a third when disabled people themselves respond to the question.⁷

2.9 Disgracefully, one in five disabled workers has had job offers withdrawn after they disclosed their condition or conditions, according to a recent survey. One in four employers admit that they would be less likely to hire a worker who is disabled.⁸ Seven in ten workers with a neurodivergent condition – such as ADHD, autism, dyslexia, dyspraxia and dyscalculia – report experiencing discrimination at work.⁹

2.10 Recorded disability hate crime is rising. The number of recorded disability hate crime incidents rose by 30 per cent between 2016/17 and 2017/18. This increase may, in part, be due to better recording and raised awareness.¹⁰ Discrimination against disabled people within the

Disability and Supported Employment: Background

criminal justice system is also under investigation.¹¹

2.11 Barriers can be legal, attitudinal, and physical. Too many premises and online platforms are still inaccessible, or are poorly accessible, to disabled people. We call for all reasonable efforts to be made for buildings and other platforms to be made accessible, including for people who have hidden conditions (such as a sensory condition) which may require other types of adjustments than are typically made, such as to noise and lighting levels.

2.12 Disabled people represent an important part of the wider economy. The so-called 'Purple Pound' is estimated to be worth some £250 billion a year, and there is evidence that consumers are becoming more conscious of the equalities record of companies when they make purchases.¹² Utilising the value of the 'Purple Pound' may be an important part of the organising strategies against exclusionary employers of the future.

Disability under austerity

3.1 Since 2010, disabled people – along with women, and members of other minority groups – have borne the brunt of the Government's austerity agenda. One assessment found that austerity has cost disabled people £4,410 each on average, 9 times more than the burden placed on most other citizens.¹³

3.2 According to the Government's own impact assessments, disabled people are more likely to be represented in the public sector than the private sector.¹⁴ This means that disabled workers are disproportionately affected by job losses and restrictions on public sector pay.

3.3 GMB members report that, while large employers in the private and public sectors tend to talk a good game on inclusion, disabled workers are often the first to be targeted for redundancy or capability proceedings.

Disability and Supported Employment: Background

- 3.4 Many disabled people already face a higher cost of living than their non-disabled counterparts. Insurance premiums, transport and utility costs can all be higher: the charity Scope estimates that disabled adults incur additional costs of £583 on average per month.¹⁵ Many people's ability to meet these costs has been severely undermined by changes to the social security system.
- 3.5 Older social security payments – such as Incapacity Benefit and the adult Disabled Living Allowance – have been replaced with new schemes which have cut coverage and support. Eligibility for Employment Support Allowance is undertaken by the discredited Work Capability Assessment, which does not comply with basic medical or occupational health standards.
- 3.6 New recipients have had their entitlements raided, such as through the abolition of the Work Related Activity Component of Employment Support allowance (worth £29.05 a week). Other schemes (such as the Independent Living Fund) have been closed to new entrants.
- 3.7 The Government has rightly been accused of creating – in the words of the former head of the Parliamentary watchdog – a 'hostile environment'¹⁶ for disabled social security recipients. Almost six thousand people have died in the last decade within six months of being declared to be 'fit to work' following a Work Capability Test.¹⁷
- 3.8 The Equality and Human Rights Commission has warned that 'that social security reforms introduced by successive UK Governments since 2010 are having a particularly negative, disproportionate and cumulative impact on the rights to independent living and an adequate standard of living for disabled people.'¹⁸
- 3.9 GMB believes that people are more understanding and compassionate than some politicians, who mistake headlines in the right-wing press for public opinion, realise. When asked, an overwhelming majority want to see increasing spending on the

Disability and Supported Employment: Background

social security safety net for people who cannot work, and only a very small number of people want to see reduced spending.

Would you like to see more or less government spending than now on benefits for disabled people who cannot work?

Question	%
Spend more or much more	61.3
Spend the same as now	34.7
Spend less or much less	2.9
Don't know	1.1
Refused to answer	0.1
Source: British Social Attitudes Survey 2015	

3.10 While the worst assaults on the social security system have taken place under Conservative-led governments, and although the implementation of pre-2010 policies have been changed by Conservative Ministers, it should not be forgotten that the Work Capability Assessment was designed under Labour.

3.11 The social security system should be based on inclusion, support and need, not coercion. The Workplace Capability Assessment and other eligibility tests are not fit for purpose. The next Labour Government must scrap the test instead support a humane system based on a flexible assessment of people's needs, and never again succumb to the siren calls from the right wing press that insist that the route to electoral success lies in the demonisation of disabled workers, and disabled people who are unable to work.

3.12 Disability discrimination law requires strong enforcement by a regulator that properly investigates breaches. GMB recognises the logic of bringing different equalities strands under one regulator, which since 2007 has been the Equality and Human Rights Commission (EHRC).

3.13 Unfortunately, under the Conservatives the EHRC's budget has been slashed by 70 per cent in real terms since 2009/10.¹⁹ This has

Disability and Supported Employment: Background

hamstrung the regulator’s ability to enforce the Equality Act, and the many people feel that as a result the EHRC is less effective than the Disability Rights Commission that it replaced.²⁰ GMB believes that it is essential that the EHRC’s funding levels are at least restored to pre-2010 levels in real terms.

3.14 Employment tribunal fees, which were imposed in 2013, represented an unacceptable barrier to workplace justice. Applications for disability discrimination cases have yet to recover to their pre-fees level, despite the fees being struck down by the Supreme Court in 2017, indicating that an even greater number of workers are still being denied justice than under the pre-fees regime. The fees era has also left employment tribunals with a national shortage of judges which must be addressed as a priority.²¹

Employment tribunal applications for disability discrimination²²



3.15 Public services should be available to disabled people when they need them, but both statutory services and non-statutory services have been cut back severely since 2010. Some of those cuts are described in more detail in the CEC Special Report on Local Government and Austerity. In the NHS in England, over 5,000 specialist mental health nursing posts and over 2,000 learning disability/difficulty nursing posts have been lost in the last decade.²³

Disability and Supported Employment: Background

3.16 Although the Government refuses to publish its own estimate, tens of thousands of people have lost Motability payments worth up to £3,000 a year after losing the mobility component of adult Disabled Living Allowance. These losses have been compounded by cuts to public transport and the withdrawal of discretionary schemes funded by local authorities,²⁴ while other schemes (such as the Disabled Persons' Railcard) have rightly been criticised on the grounds of their restricted eligibility criteria.

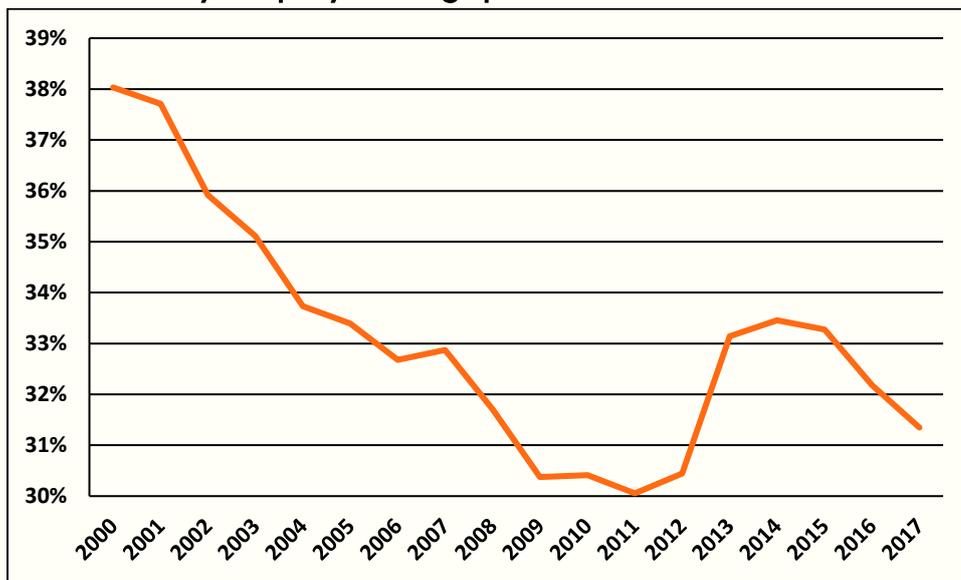
3.17 Disability support services and schemes must be fully funded and extended, where necessary, to ensure that they are open to all disabled people who need them.

3.18 The Westminster Government claims great credit for what it claims as its achievements on disabled employment. Last year the then Work and Pensions Secretary, Esther McVey, pointed to figures published by the ONS and claimed that 'we can see seismic shifts in opportunities for disabled people, with 973,000 more in work since 2013.'²⁵ While GMB recognises the positive role that work can play in disabled people's lives, there are good reasons for expressing caution around these figures.

3.19 Over the period identified by the Minister, the number of people estimated to identify as being disabled increased by almost half a million – reflecting, perhaps, higher levels of awareness. This means that at least some disabled people who are claimed to have gained work are likely to have been in employment all along.

3.20 The number of non-disabled people recorded as being in work also increased significantly over the same period. If Government employment programmes were as effective as claimed, we would expect the 'disability employment gap' (the difference between the disabled and non-disabled employment rates) to have narrowed. In fact, although the below figures should be treated with caution due to breaks in the data series, the employment gap remains high and appears to have grown since 2011.

The disability employment gap²⁶



3.21 As discussed above, some apparent improvements may also be due to the coercive effects of a punitive social security system that has helped drive some disabled people to an early grave. No politician with an ounce of humanity should celebrate this ‘accomplishment.’

3.22 In addition, as is discussed in the next section of this report, during the period in question thousands of Remploy workers were cast out of employment as the Conservatives began their final assault on the company.

Supported employment

4.1 The Government announced in 2012 that the remaining subsidies to Remploy would cease and its factories and workshops would either be sold or closed. Iain Duncan-Smith, the then Work and Pensions Secretary, celebrated the end of an employment model based on what he called ‘Victorian-era segregated employment.’²⁷

4.2 Duncan-Smith was wrong. Remploy’s origins dated not to the 19th century but to the new world of 1945, and a Labour Government that believed in full employment and Ministers who were determined to

Disability and Supported Employment: Supported employment

avoid a repeat of mistakes made after 1918.

4.3 The First World War, and the return to the UK of hundreds of thousands of veterans who bore the physical and mental scars of conflict, led to an important change in public attitudes towards disability. New industries emerged as disabled ex-servicemen sought employment, including in the manufacture of prosthetic limbs which were organised by the predecessor unions of the GMB.

4.4 However, the survivors of the First World War did not return to the 'land fit for heroes' that they were promised. Instead poverty, the means test, and prolonged unemployment became the norm for too many of Britain's newly disabled population.

4.5 By the end of the Second World War, it was clear that a new model would be needed. Thousands of disabled people had already been retrained as munitions workers in Government-run 'Instructional Factories.' In an era when the Government was not afraid to use its power to create far-reaching social programmes, the creation of a national network of supported factories was the logical next step.

4.6 The first Remploy factory opened in 1946, producing mattresses and upholstered furniture. The first workers were Polish veterans who were unable to return to their homeland.²⁸ Remploy's early workforce was dominated by veterans of the Second and even the First World Wars.

4.7 The Ministers who oversaw Remploy's creation spoke in terms of 'rehabilitation' – of providing training and support to 'restore the individual as far as possible to normal.'²⁹ Comparatively little thought was given to mental health, people who have what are often described as 'learning disabilities', or other lifelong differences. Nevertheless, over time, Remploy gradually became more inclusive and its workforce became more representative of disabled people as a whole.

4.8 Remploy became a household name in its own right as a manufacturer of furniture and clothing. It also became a respected

Disability and Supported Employment: Supported employment

supplier to well-known brands such as Singer, EMI, Marks & Spencer, Sony, and the military.

4.9 Remploy survived the privatisation era of the 1980s and 1990s, and by the turn of the millennium the company could still dream of more than doubling its workforce of 6,500 to 15,000. The new Prime Minister, Tony Blair, pledged his 'continuing support for Remploy and its achievements.'³⁰

4.10 Unfortunately, the relationship between the Labour Government and the Remploy workforce soon soured as the company's traditional product lines came under increased competition from cheap non-UK imports. Subsidy costs rose as Remploy's top-heavy management structures proved more effective at awarding themselves bonuses and outsourcing contracts than adapting to the challenge.

4.11 Remploy was never given the time and the resources it needed. All of a sudden, it seemed that Ministers and management had lost the heart to continue the Remploy model. An 'independent' review was commissioned from PriceWaterhouse Coopers with the aim of securing cover for running Remploy down, public sector orders increasingly went elsewhere, and a National Audit Office report claimed that a number of Remploy factories were unsustainable. Mary Turner commented that the Labour Government in 1945 opened the Remploy factories and I will be damned if a Labour Government of 2005 allows them to shut.'³¹

4.12 Shamefully, in 2008 29 factory closures were forced through with the loss of 2,500 jobs, the majority of them disabled workers. Only a quarter of the workers who lost their jobs subsequently found work, according to a later GMB survey. Just one per cent those surveyed had secured work that was better paid than at Remploy.³² It is hard to identify a course of action that was at a greater distance from the values and interests that the Labour Party was founded to represent.

Disability and Supported Employment: Supported employment

4.13 After softening up by Labour, the final blow was inflicted by the Conservatives and Liberal Democrats. In December 2010 the new Government asked Liz Sayce to lead another review of Remploy and other disability employment support programmes. The Sayce Report recommended that Remploy factories that could not operate without subsidies should be closed. In March 2012, the Government announced that Remploy's factories and workshops would be sold where possible, and the remainder closed.

4.14 Remploy was a heavily unionised employer – overall density was at about 90 per cent – and the workforce fought hard against the closure programme, leading lobbies, protests and even industrial action. But the Government's course was set and the end came quickly.

4.15 In 2011, Remploy still operated 54 sites. In the end, 51 sites were closed and only 18 per cent of jobs were salvaged. The act of closing Remploy cost the taxpayer some £109 million, not including ongoing costs arising from social security payments and NHS costs.³³



Remploy workers marching against closures³⁴

4.16 GMB is not, and has never been, an uncritical apologist for any employer. We were not shy to draw attention to Remploy's top-heavy,

Disability and Supported Employment: Supported employment

well-remunerated and mostly non-disabled management, or what we perceived as the company's inadequate approach to marketing Remploy products.³⁵ Nevertheless, when the time came, we did not hesitate to defend our members, and it is incumbent on the union to defend our members' legacy as Remploy workers in the future.

4.17 During the closure process it became fashionable amongst people who were not disabled to sneeringly refer to Remploy factories as 'employment ghettos.'³⁶ These patronising sentiments are an insult to GMB members who found a sense of value, wellbeing and community at Remploy (and, it may be said, an additionally crass insult to the historical memory of people who were persecuted in real ghettos). It is also possible to detect in some a suggestion that disabled people are better off unemployed than in supported employment.

4.18 Unemployment and a loss of community was the fate that awaited most former Remploy workers (especially those who were disabled). A 2014 post-closure GMB survey confirmed earlier findings: only a quarter of ex-Remploy employees were in work. Of these, sixty per cent were on worse rates of pay, and seven in ten former Remploy employees wanted to be able to return to their old jobs.³⁷

4.19 The true costs of the closure programme – including its social costs – are yet to be calculated, but it is possible that the end of Remploy manufacturing cost taxpayers more than it saved. The objective set out in the Sayce Report that 'the resources released [from Remploy closures] can be used to increase funding for Access to Work'³⁸ have also not been honoured. The DWP's own figures show that Access to Work expenditure fell by ten per cent in real terms between 2010/11 and 2017/18.³⁹

4.20 New supported businesses arose from the ashes of Remploy, and GMB is proud of our role in the creation of and representation of workers at businesses such as Enabled Works and the York Disabled Workers' Co-operative. GMB is also the union for the workers of the

Disability and Supported Employment: Supported employment

continuation Remploy Employment Services business, which is minority employee-owned. The private sector parent company, Maximus, is currently seeking to acquire this employee shareholding.

4.21 We are determined to ensure that supported businesses in the future, led by disabled workers, for disabled workers, have access to the support (including government financial support) required to deliver the best vision set out by Remploy: one of creating 'real and worthwhile job[s ... that provide workers with] the money, self-respect and independence which is the right of every citizen.'⁴⁰

4.22 Congress 2017 carried a motion that called for 'the previous policy centred around the Remploy network ... to be resurrected, modified and modernised to reflect a new positive way forward and find a place for a modern supported employment program which through ring fenced finance can provide a support structure for long term meaningful employment' (Composite 14 - Employment of Disabled People and Supported Employment). We reiterate that call today. GMB supports the creation of a new supported employment network, with a presence in each part of the country, which is backed by public funding, that learns from the strengths and weaknesses of the Remploy model. This policy should be put forward by the union as part of our engagement with the Government, and the Labour Party ahead of the next general election.

4.23 GMB does not believe, and we have never believed, that disabled people should be forced to work in supported businesses. We want to see inclusive environments established in every part of the economy. Our point has consistently been that disabled people should have a choice, and it is that choice that has been denied in most parts of the country by the closure of the Remploy network.⁴¹

4.24 Supported businesses face a number of immediate challenges that require a policy response. GMB echoes the call by the British Association for Supported Employment (BASE) for a fully-funded, long-term replacement for the Protected Places element of the Work

Disability and Supported Employment: The social model of disability

Choice Programme, with sufficient discretion and flexibility to accommodate workers who may have complex needs.⁴²

4.25 While GMB welcomes the principle of Supported Internships and Inclusive Apprenticeships as a means of opening doors to employment, we want these programmes to be as accessible and inclusive as possible, and we are concerned in general about programmes that tie eligibility to Education, Health and Care Plans, which in practice are not available to many people who meet the statutory definition of disability (as discussed in the 2018 CEC Special Report on Schools and Colleges).

4.26 Brexit also poses potential challenges to the sector. At the moment, the right to reserve contracts below a certain value to business where at least 30% are 'disabled or disadvantaged workers' is enshrined in Article 20 of the European Procurement Directive 2014/24/EU.⁴³

4.27 Although the provision does not appear to be immediately under threat, vigilance is required in this area in the future. GMB would like to see this provision strengthened and its use extended more widely across the public sector. Long-term funding solutions are also required following the anticipated loss of grants to disability projects through the European Social Fund, which is investing €4.9 billion in the UK between 2014 and 2020.⁴⁴

The social model of disability

5.1 The UK has ratified the United Nations Convention on the Rights of Persons with Disabilities. In relation to the world of work, the Convention sets out a basic 'right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities.'⁴⁵

Disability and Supported Employment: The social model of disability

- 5.2 The Convention also enshrines the importance of the social model of disability (or as the UN calls it, the human rights model). This approach recognises that people are disabled by inappropriate barriers which should be removed to make society more inclusive. It stands in contrast to the older, medical model of disability which focuses on 'fixing' disabled people and minimising differences.
- 5.3 The UK Government (and, to a lesser extent, devolved governments) have been sharply criticised by the UN's investigatory committee for 'grave and systematic violations of the Convention.' The committee focused on changes to the social security system, cuts to services, and a failure to embrace the social model. It was the first time that a nation had been investigated by the UN for breaches of the Convention.⁴⁶
- 5.4 In line with existing Congress policy, GMB supports the social model of disability (Motion 389, Congress 2018). We recognise that too many disabled people are constantly required to 'prove' their disabilities and emphasise their 'weaknesses' to public bodies ranging from employment tribunals to the NHS.
- 5.5 Unfortunately, the language of the Equality Act continues to reflect, in part, the older, more medical approach to disability. The requirement to prove that a condition is 'long-term' can also have the effect of excluding some mental health conditions. Although the social model is enshrined in the UN convention and EU caselaw, its impact on UK institutions both public and private has been limited.
- 5.6 The Disability Discrimination Act and the Equality Act were landmark legislative achievements, but GMB believes that the time has come for the law to be amended to enshrine the social model in UK legislation and be more inclusive of mental health conditions. While the form that this amendment would take should be subject to consultation, one suggestion that has been made is for the Public Sector Equality Duty to be extended to private sector organisations.⁴⁷

The Equality Act 2010 must reflect the social model of disability GMB motion to TUC Disabled Workers' Conference 2019

This Conference supports the social model of disability, which is enshrined in the United Nations Convention on the Rights of Persons with Disabilities and European case law.

Conference notes that the UN Committee on the Rights of Persons with Disabilities has criticised the UK for 'grave and systematic violations of the Convention,' saying 'that not enough is being done to ... put the human rights model of disability into practice,' and also the Committee has recommended that the UK should 'ensure that the human rights model of disability is protected by law and informs policies affecting disabled people across the UK.'

Conference believes that, as the current law is based on the medical model of disability, it is harmful to disabled people. We further believe that employers, the DWP, the NHS, employment tribunals, and relevant other bodies, will continue to use outdated assumptions, language and processes until the social model is fully enshrined in UK legislation.

This Conference calls upon the TUC and its affiliates to lobby the UK Government and the Labour Party to act on the UN Committee's recommendation and adopt a policy of amending the Equality Act 2010 so that it reflects the social model of disability.

GMB and disability

6.1 GMB is proud of its historic role as a union for disabled people. We are determined to build and improve on our campaigning work, both now and in the future, in accordance with our core principle of

campaigning for equality through inclusion.

6.2 One in seven workers identifies as being disabled, and the proportion of people who identify as being disabled is rising in the wider population. Given GMB's membership in the supported employment sector and the occupational backgrounds of many of our members, it is possible that the proportion of GMB members who identify as being disabled is higher than average. It is vital that those members' interests are represented.

6.3 GMB does not regard disabled people as passive victims who can only advance due to the help of their non-disabled co-workers. We do not talk about our members in the language of severity or suffering – those are judgements that only the disabled members themselves are entitled to make. We do recognise that the most durable solutions to the problem of unequal treatment, as with all other workplace issues, will come about through collective action and solidarity.

6.4 Within GMB's structures, disabled members are represented along with other equalities strands on the National Equality Forum. A Self Organised Group – GMB Ability – is a strong campaigning body within GMB London Region. An industrially focussed Supported Employment Activists Committee has been established within the Manufacturing Section. A GMB member holds the disability seat on the TUC Women's Committee, and GMB is supporting candidates for seats on the TUC Disabled Workers Committee.

6.5 In 2020, GMB will hold a GMB disabled workers national summit which will discuss members' campaigning and policy priorities and objectives.

6.6 GMB continues to promote the interests of disabled workers at a national level. In the past year we have engaged with officials and the Labour Party. The policies set out in this report will form part of our

policy agenda in the future.

6.7 We recognise that the Labour Party has done important policy work during its time in opposition. GMB welcomed the 2017 manifesto 'with and for disabled' people, and we call for a stand-alone disability manifesto document to become a recurring feature of Labour Party election campaigns. GMB welcomes and supports the Labour Party Neurodiversity Manifesto document which has been drawn up with a strong input from lay trade union activists.

6.8 In the past year, GMB has launched two new platform disability campaigns. Reasonable adjustments can transform people's experience of work. They are often free or inexpensive, but GMB members have experienced difficulties with transferring adjustments when their circumstances change. This issue was raised by GMB Ability. In response, GMB and the TUC developed a model Reasonable Adjustments Passport which was launched in February 2019,⁴⁸ and GMB has engaged with the DWP on future national policy work in this area.

6.9 Congress 2018 called on the GMB to launch a campaign to raise awareness of and provide members with support relating to neurodivergent conditions such as dyslexia, dyspraxia, dyscalculia, autism and ADHD (Composite 9 – Raising Awareness of Hidden Disabilities). In response, in October 2018 GMB launched the Thinking Differently at Work campaign which included detailed legal guidance, signposting of resources, a model employment policy, and the first ever trade union guide to dyspraxia.⁴⁹

6.10 In 2019/20 we want to expand the range of resources available for the Thinking Differently at Work campaign in conjunction with industrial activism. The GMB Equalities Through Inclusion Department is also taking forward a project with GMB Midland and East Coast Region to provide support for neurodivergent reps.

Disability and Supported Employment: GMB and disability

- 6.11 In accordance with the principle of ‘nothing about us without us,’ GMB has ensured that campaign materials – including for the Reasonable Adjustments Passport and the Thinking Differently campaign on neurodiversity – have been drawn up in consultation with GMB members.
- 6.12 GMB supports and promotes the TUC Dying to Work Campaign for decent treatment of workers with life-limiting conditions, and we recognise and applaud the critical role of GMB Midland and East Coast Region in the creation of that campaign.⁵⁰
- 6.13 GMB recognises that workers with hidden disabilities can face profound barriers at work and in wider society. We will campaign to raise awareness of hidden disabilities (including conditions such as diabetes, Irritable Bowel Syndrome and Crohn’s disease that are not covered by the Thinking Differently at Work campaign) and produce materials that can be used in the workplace.
- 6.14 GMB believes that our own union should reflect the values of inclusion that we wish to see in wider society. It may not always be possible to anticipate every accessibility need, but our own practices, premises and communications should be as accessible to disabled members as possible. GMB is reviewing its own communication practices, and we recognise that GMB staff may have a role to play in providing advice in this area.
- 6.15 GMB recognises that the interests of its disabled members are the interests of the union as a whole, and that more broadly disability rights are human rights. A truly equal society can only be achieved when an end has been put to disability exclusion and discrimination. GMB is determined to play its part.

Disability and Supported Employment: References

References

- ¹ GMB analysis of ONS Labour Force Survey Quarter 4 data.
- ² 27 per cent of disabled workers are members of a union, compared to 23 per cent of workers who are not disabled. Figures taken from Table 1.5 of BEIS, Trade Union Statistics 2017, 31 May 2018 <https://www.gov.uk/government/statistics/trade-union-statistics-2017>
- ³ For two notable exemptions, see Reiss, Blind Workers against Charity: The National League of the Blind of Great Britain and Ireland, 1893–1970, 2015; and Turner and Blackie, Disability in the Industrial Revolution: Physical impairment in British coalmining, 1780–1880, 2018.
- ⁴ Text of the Mental Deficiency Act 1913, accessed at <http://www.educationengland.org.uk/documents/acts/1913-mental-deficiency-act.pdf>
- ⁵ EHRC, Is Britain Fairer? The state of equality and human rights 2018, 25 October 2018, pages 8 and 9 <https://www.equalityhumanrights.com/en/publication-download/britain-fairer-2018>
- ⁶ Table B7 in Longhi, EHRC, Research Report 107: The Disability Pay Gap, August 2017, page 87 <https://www.equalityhumanrights.com/sites/default/files/research-report-107-the-disability-pay-gap.pdf>
- ⁷ British Social Attitudes Survey 2017
- ⁸ According to a ComRes survey quoted in People Management, One in four UK employers would not hire someone with a disability, 21 February 2019 <https://www.peoplemanagement.co.uk/news/articles/one-four-uk-employers-would-not-hire-someone-with-disability>
- ⁹ The Westminster AchieveAbility Commission for Dyslexia and Neurodivergence, Neurodiverse voices: Opening Doors to Employment, 15 January 2018, page 49 https://www.achieveability.org.uk/files/1518955206/wac-report_2017_interactive-2.pdf
- ¹⁰ Home Office, Hate Crime: England and Wales 2017/18, 16 October 2018, page 12 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748598/hate-crime-1718-hosb2018.pdf
- ¹¹ EHRC, Inquiry: Does the criminal justice system treat disabled people fairly?, 01 April 2019 <https://www.equalityhumanrights.com/en/inquiries-and-investigations/inquiry-does-criminal-justice-system-treat-disabled-people-fairly>
- ¹² Open Access Government, UK launches 'Purple Tuesday', the first accessible shopping day, 13 November 2018 <https://www.openaccessgovernment.org/uk-launches-purple-tuesday-the-first-accessible-shopping-day/54399/>

Disability and Supported Employment: References

- ¹³ Duffy, Campaign for a Fair Society, A fair society? How the cuts target disabled people, 2013 <https://www.centreforwelfarereform.org/uploads/attachment/354/a-fair-society.pdf>
- ¹⁴ Unpublished Treasury impact assessment, obtained by GMB through the Freedom of Information Act.
- ¹⁵ John, Thomas, and Touchet, Scope, The Disability Price Tag 2019, February 2019 <https://www.scope.org.uk/scope/media/files/campaigns/disability-price-tag-2019-report.pdf?la=en&hash=31BE0237585E927B2C627D4F2D00944E1A855344>
- ¹⁶ The Guardian, Former watchdog chief labels disabled benefits process a 'hostile environment,' 06 Oct 2018 <https://www.theguardian.com/society/2018/oct/06/former-watchdog-chief-labels-disabled-benefits-process-a-hostile-environment>
- ¹⁷ DWP response to Freedom of Information request, 11 March 2019 https://www.whatdotheyknow.com/request/510980/response/1326448/attach/3/FOI%202018%203511%20Response.pdf?cookie_passthrough=1
- ¹⁸ EHRC, Disability rights: UK Independent Mechanism updated submission to the UN Committee on the Rights of Persons with Disabilities in advance of the public examination of the UK's implementation of the UN CRPD, July 2017, page 99 <https://www.equalityhumanrights.com/en/publication-download/disability-rights-uk-updated-submission-un-committee-rights-persons>
- ¹⁹ EHRC Annual Report and Accounts for 2009/10 and 2017/8; HM Treasury GDP deflator.
- ²⁰ House of Lords Library briefing, Disability in the UK: Rights and Policy Debate on 28 June 2018, page 3 <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/LLN-2018-0071>
- ²¹ People Management, Are we heading for an employment tribunals crisis?, 05 May 2018 <https://www.peoplemanagement.co.uk/experts/legal/heading-employment-tribunal-crisis>
- ²² Table ET 1 (Main Tables), Ministry of Justice, Tribunals and gender recognition certificate statistics quarterly: October to December 2018, 19 March 2019 <https://www.gov.uk/government/statistics/tribunals-and-gender-recognition-certificate-statistics-quarterly-october-to-december-2018>
- ²³ Figures taken from NHS Digital, NHS Workforce Statistics – August 2018, 22 November 2018 (Staff Group, Area, and Levels tables) <https://digital.nhs.uk/data-and-information/publications/statistical/nhs-workforce-statistics/august-2018>
- ²⁴ See for example Nottingham Post, Cuts to free bus and tram travel for disabled people have begun, 03 September 2018 <https://www.nottinghampost.com/news/nottingham-news/cuts-free-bus-tram-travel-1962836>

Disability and Supported Employment: References

- ²⁵ DWP, Eighth month of UK wage growth with disabled employment at record high, 13 November 2018 <https://www.gov.uk/government/news/eighth-month-of-uk-wage-growth-with-disabled-employment-at-record-high>
- ²⁶ DWP and DoH, Characteristics of disabled people in employment: April to June 2017, 01 November 2018
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752906/tables-characteristics-of-disabled-people-in-employment-april-to-june-2017.ods
- ²⁷ Les Woodward, The Guardian, Remploy closures: an act of callous cost-cutting dressed up as progressive, 09 March 2012
<https://www.theguardian.com/commentisfree/2012/mar/09/remploy-closures-cost-cutting-progressive>
- ²⁸ [No author given], Remploy: A very special company, 1999, page 8.
- ²⁹ George Tomlinson MP quoted in Hansard, HC Deb, 22 October 1942, c2161
- ³⁰ [No author given], Remploy: A very special company, 1999, foreword and pages 82–83.
- ³¹ Quoted in Callow, GMB @ Work: The story behind the union, 2012, page 388.
- ³² Written evidence submitted by the GMB to the Work and Pensions Committee, published 11 May 2011
<https://publications.parliament.uk/pa/cm201012/cmselect/cmworpen/1034/1034we04.htm>
- ³³ National Audit Office, The disposal of Remploy businesses, 03 April 2014, page 8
<https://www.nao.org.uk/wp-content/uploads/2014/04/The-disposal-of-Remploy-businesses.pdf>
- ³⁴ Photo credit: Red Pepper, Remploy: Factories floored, 12 August 2012
<https://www.redpepper.org.uk/remploy-factories-floored/>
- ³⁵ Written evidence submitted by the GMB to the Work and Pensions Committee, published 11 May 2011
<https://publications.parliament.uk/pa/cm201012/cmselect/cmworpen/1034/1034we04.htm>; and GMB, quoted in the Sayce Report 2011, page 99.
- ³⁶ See the Sunday Times, The disabled clock off from their 'ghetto,' 27 October 2013
<https://www.thetimes.co.uk/article/the-disabled-clock-off-from-their-ghetto-stpz3m3gwzw>
- ³⁷ GMB, Remploy A Year Since Factories Closed, 30 October 2014, archived at
<http://archive.gmb.org.uk/newsroom/remploy-a-year-since-factories-closed>

Disability and Supported Employment: References

³⁸ Sayce Report 2011, page 16.

³⁹ DWP, Table 11a in Access to Work statistics: April 2007 to March 2018, 01 November 2018
<https://www.gov.uk/government/statistics/access-to-work-statistics-april-2007-to-march-2018>

⁴⁰ [No author given], Remploy: A very special company, 1999, page 2.

⁴¹ See GMB oral evidence to the House of Commons Work and Pensions Committee, in response to Question 7, on Remploy, 11 May 2011
<https://publications.parliament.uk/pa/cm201012/cmselect/cmworpen/1034/uc103401.htm>

⁴² See BASE, Supported Business policy development <https://www.base-uk.org/supported-business-policy>

⁴³ BASE, BASE Policy Platform January 2016, <https://www.base-uk.org/sites/default/files/knowledgebase/Policy%20platform%20%28Jan%202016%29.pdf>

⁴⁴ European Commission, The ESF in the United Kingdom
<http://ec.europa.eu/esf/main.jsp?catId=381&langId=en>

⁴⁵ United Nations, Convention on the Rights of Persons with Disabilities, 06 December 2006
https://www.un.org/disabilities/documents/convention/convention_accessible_pdf.pdf

⁴⁶ House of Commons Library, Briefing Paper: The UN Inquiry into the Rights of Persons with Disabilities in the UK, 27 March 2017
<https://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7367>

⁴⁷ See Geffen, The Equality Act 2010 and the Social Model of Disability, 11 October 2013
<https://disability-studies.leeds.ac.uk/wp-content/uploads/sites/40/library/THE%20EA%202010%20%20THE%20SOCIAL%20MODEL%20TO%20USE.pdf>

⁴⁸ For more information see TUC, Reasonable adjustments disability passports, 25 February 2019 <https://www.tuc.org.uk/research-analysis/reports/reasonable-adjustments-disability-passports>

⁴⁹ For more information see GMB campaign page <https://www.gmb.org.uk/thinking-differently-work/>

⁵⁰ For more information see the Dying to Work campaign website
<https://www.dyingtowork.co.uk/>