ESJC Report: Anything's Achievable with the Right Support. Tackling the Disability Employment Gap

Welsh Government Response

17/04/2025

Introduction

This document sets out the Welsh Government's response to the Equality and Justice Committee's report 'Anything's Achievable with the Right Support. Tackling the Disability Employment Gap'.

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1. Recommendation 1

Recommendation 1: The Welsh Government should ensure that expectations of disabled people are met by delivering on its stated policy agenda before the end of the Sixth Senedd. Laudable commitments need to be translated into tangible action including:

- Concluding the work of the Disability Rights Taskforce and any remaining work to develop and co-produce policy arising from the 'Locked Out' report at the earliest opportunity and no later than May 2025.
- Publishing the Disability Rights Action Plan which takes account of regional variations in the DEG and is inclusive of targets and a timeline for implementation as soon as possible and by May 2025 at the latest
- Delivering its Programme for Government commitment by incorporating the UN Convention on the Rights of Disabled People into Welsh law before Dissolution of the Sixth Senedd scheduled for April 2026.

If the Welsh Government were to reject any of the steps in this recommendation it should indicate in its response what alternative action, inclusive of timescales, it intends to take in mitigation and in pursuance of the stated aim.

Response: Accept in Principle

The Disability Rights Taskforce convened its final meeting in January 2025 to receive the framework for the draft Disabled People's Rights Plan.

A principle of the Locked out: liberating disabled people's lives and rights in Wales beyond COVID-19 | GOV.WALES report and development of the Disabled People's Rights Plan has been the sustainable and meaningful engagement of disabled people. This engagement is intended to happen across all the regions as a genuine partnership with disabled people and Disabled People's Organisations.

The draft Disabled People's Rights Plan and its associated actions will be published in May 2025. This 10-year cross-government plan sets out the short-term actions we will take, and the long-term outcomes needed to ensure disabled people can thrive as equal members of Welsh society. This plan includes consideration of the employment and pay differences between disabled people and non-disabled people, and the measures needed to reduce these variations. The plan's 12-week consultation will provide an opportunity to consider regional variations across Wales. As part of our duties under the Equality Act, the Welsh Government has 7 National Equality Objectives (NEO's), this plan will support

these objectives including NEO 6: We will create a Wales with fair and equal opportunities to gain employment and for fair and equal treatment in the workplace, including fair pay and conditions. We will also set up an External Advisory Board to provide advice and support on the implementation, delivery, and impact of the plan.

As explained in evidence provided to the Committee a Legislative Options Working Group (LOWG) has been established in relation to the Programme for Government commitment to incorporate into Welsh law the United Nations Convention on the Rights of Disabled People (UNCRDP). Welsh Ministers' powers to legislate in this area are not unfettered and the LOWG is analysing the Treaty articles and identifying where incorporation would strengthen rights protections alongside use of non-legislative levers. This work is essential prior to taking forward incorporation, and will ensure that Wales takes a coherent, well-informed, realistic, and strategic approach to human rights.

Financial Implications: A grant of £44,515 was provided in 2024-25 to support a pilot to develop and test the methodology of the analysis. Further funding of £99,000 has been approved for 2025-26 to advance this work.

2. Recommendation 2

Recommendation 2. The Welsh Government should undertake a comprehensive review of current arrangements within Business Wales to ensure that their activities align with the overall goal of eliminating the disability employment gap by 2035. This includes reviewing current sources of guidance; how current guidance is promoted, and customer journey pathways to maximise the number of opportunities for raising awareness when employers interact with business support services. The review should be undertaken at pace and completed by July 2025.

Response: Accept in principle

Business Wales reviewed the current service in 2023 and undertook an Integrated Impact Assessment (IIA) to ensure the service promoted and maximised the opportunities for disabled people accessing the Business Wales service. As part of the commitment to the Programme for Government to close the gap between disabled people and the rest of the working population, Business Wales works closely with the Welsh Government's Disabled People Employment Champions to provide support and guidance to SME's and business start-ups on the recruitment of disabled workers. Business Wales will review sources of guidance that are currently available to employers looking to recruit through the Business Wales service, working with the Welsh Government's Disabled People Employment Champions to explore whether the customer journey for employers maximises the number of opportunities to raise awareness.

Financial Implications: None

3. Recommendation 3

Recommendation 3. In order to monitor the effectiveness of the Disability Employment Champions the Welsh Government should set targets for their work and report on these annually. The targets should provide a basis for continuous improvement and use quantifiable metrics including:

- the total number of engagements with external stakeholders
- the total number of engagements that lead to permanent offers of employment;
- the number of engagements that lead to changes in recruitment and retention policies or processes.

We would expect this recommendation to be implemented quickly and no later than by July 2025.

Response: Accept in Principle

We have published the strategic objectives that the Disabled Peoples Employment Champions are tasked with delivering. These objectives have been provided in the written evidence to the Committee. The objectives form the basis for regular performance discussions with the Disabled Peoples Employment Champions, including their engagement activities and the outputs from these activities.

While we acknowledge the Committee's suggested targets, we believe that measuring the number of engagements alone will not provide a comprehensive picture of the value that the Disabled Peoples Employment Champions bring. Instead, we will effectively communicate the work of the Disabled Peoples Employment Champions and the impact of their contributions through a Written Statement which we will commit to publishing every 6 months.

Financial implications: None

4. Recommendation 4

Recommendation 4. The Welsh Government must seek urgent changes to the Disability Confident Scheme which address the concerns regarding the general effectiveness and levels of trust in the Scheme, particularly at Levels 1 and 2. The Welsh Government should, by the end of April 2025, set out in detail:

- what improvements it would like to see made to the Disability Confident Scheme (including its accreditation arrangements);
- how it intends to secure these changes and a timeline by which we can expect the improvements to be implemented.

Should the Welsh Government fail to secure the necessary changes to the Disability Confident Scheme within existing structures, then it should give full consideration to developing a new, ambitious Welsh kitemark which commands the respect of employers and employees in Wales. The Welsh Government should report back on progress with this recommendation by December 2025.

Response: Accept

We have brought the Committee's report to the attention of the UK Government and are actively engaging with them to seek improvements to the Disability Confident Scheme. The UK Government has expressed interest in exploring ways to make the scheme more robust, and we will continue to engage with them on this matter. We have also been working with members of the Disability Rights Taskforce to co-produce evidence that will test the feasibility of a Welsh specific scheme.

Additionally, we are using our influence to raise awareness of Disability Confident and increase the number of Disability Confident Leaders (Level 3) in Wales, particularly in the devolved public sector. Recently, we hosted three regional events with the Department for Work and Pensions (DWP) to strengthen relationships between DWP Disability Employment Advisors, Business Wales Disabled People's Employment Advisors, Careers Wales Disability Advisers, and Welsh Government Disabled People's Employment Champions.

We commit to reporting back to the Committee on progress in relation to this recommendation by the end of the year.

Financial implications: None

5. Recommendation 5

Recommendation 5. The Welsh Government should require devolved public sector bodies, where possible, to make a more substantial contribution to the aim of eliminating the Disability Employment Gap. This should include requiring them to:

- review their policies and practices to ensure alignment with the forthcoming Disability Action Plan;
- set a target to become Disability Confident Leaders within a specific timescale;
- include eliminating the disability employment gap as a formal objective in their well-being plans.

Where possible, this recommendation should be implemented within a specified and realistic timescale which we suggest would be by the end of 2025.

Response: Accept in principle

We support the principle of devolved public sector bodies leading by example in contributing to addressing the Disability Employment Gap through their actions. The Disability Rights Plan, which we will be publishing and consulting upon in the next few weeks, will contain relevant actions in this regard.

Financial implications: None

6. Recommendation 6

Recommendation 6. The Welsh Government should address gaps and introduce greater flexibility into the eligibility criteria of key support programmes for disabled applicants. This includes ensuring disabled people are subject to a higher age limit than others within each cohort in the next iteration of the Jobs Growth Wales scheme. This will ensure that disabled young people are able to access support at the right time and at an appropriate pace.

Response: Accept

The Welsh Government has set itself an ambitious goal to unify Jobs Growth Wales Plus, ReAct+ and Communities for Work Plus into a cohesive employability support programme. This transformative approach aims to streamline and enhance the delivery of services, ensuring that individuals seeking employment can access comprehensive support through a consolidated system. Starting on 29th April 2025, Welsh Government officials will conduct a series of engagement events across Wales.

Support for disabled people will be a key discussion point at these events. The outcome of events will be used to ensure that the new model meets the needs and expectations of those out of work, employers, and service providers.

Financial Implications: None

7. Recommendation 7

Recommendation 7. The Welsh Government should ensure that the Disability Disparity Evidence Unit (DDEU) improves its engagement with the disability rights sector and report on the issues and data gaps it will work on by May 2025.

Response: Accept in principle

In line with the strategy set out for each of the Equality, Race, and Disability Evidence Units (the Units), the Disability Disparity Evidence Unit (DDEU) has engaged with various stakeholders from the disability rights sector throughout its current workplan. This includes collaboration with academics, Disabled People's Organisations, and private business owners through its work with members of the Disability Rights Taskforce to support the development of the forthcoming Disabled People's Rights Plan and in piloting the co-production of Government Social Research.

A summary of work carried out in response to policy and stakeholder needs was published on the Welsh Government website in 2024, with a second progress update planned for spring this year.

Key projects for the DDEU in 2025-26 will include the continuation of our project to develop Social Model compliant survey questions, the delivery of ongoing research into employment barriers and related interventions, scoping research to develop the evidence-base around British Sign Language, and a new programme of work to evaluate the implementation and impact of the Disabled People's Rights Plan.

As these projects progress, the DDEU will continue to engage with stakeholders across the disability rights sector to develop and deliver its future workplan.

Financial implications: None