**Insights into the Challenges and Best Practice Recommendations on Realising the Right to Work for Persons with Disabilities**

**Leonard Cheshire - Written Submission - General Comment on Article 27**

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**Introduction**

Leonard Cheshire is one of the UK’s leading charities supporting people with disability. It is a pan-disability charity with many areas of expertise, that includes Inclusive Employment, where we are a leader in both delivering programming and conducting research across the UK and international settings.

The situation for people with disability and employment is immensely concerning. Global figures are lacking and those that do surface tend to be estimates at best. However, snapshots of situations can be considered, and it is certain that employment figures for people with disability are consistently worse than for those without disability, and that this is amplified in low- and middle-income countries. This stark situation has been hugely exacerbated by the Covid-19 pandemic, and its’ low priority on government agendas highlighted by the fact that 78% of countries do not explicitly guarantee equality at work on the basis of disability in their constitutions (Waisath et al., 2019). Ongoing gaps and challenges in collecting accurate and comparable data on the employment situation for people with disability greatly hinders our understanding of this bleak situation. Leonard Cheshire therefore acknowledges the importance of contributing to the General Comment on realising Article 27.

Leonard Cheshire can contribute expert advice on three areas for the General Comment. Firstly, sharing compelling and current data on the impact that Covid-19 has had on people with disability and their employment status across three different settings. Secondly, sharing insights from relevant programming and ongoing research covering the following topics: harnessing digital technology and training; the interrelation between social protection and employment; and the interrelation between education and employment.

Finally, based on their leading programmes and research Leonard Cheshire makes three main recommendations to state parties to ensure compliance with Article 27:

* Develop digital employment pathways that harness the opportunities brought about by technology
* Strengthen the impact of Social Protection systems
* Take a life-cycle approach to Inclusive Employment

**Challenges to Realising Article 27 During Covid-19 – Results from Surveys in the UK and Kenya and Bangladesh**

Prior to the pandemic, people with disability were more likely to be unemployed than those without disability, and those in jobs tended to be in insecure or low-wage work. In the UK, people with disability faced an employment gap of 28.1% (TUC 2019) and were more likely to face insecurity in work, with 36% in part-time work compared to 24.1% for those without disability (Leonard Cheshire 2019). There was also a disparity in salary; on average, people with disability earning 15.5% lower annually than non-disabled workers in the UK (TUC 2019). They were more likely to face poverty and financial insecurity with 4.3 million disabled people in the UK living in poverty, 48% of people living in poverty (Leonard Cheshire 2020). Similarly, in LMICs people with disability are more likely to be living in poverty than people without disability.

People with disability experience additional costs of living unique to disability, that too often are not considered, or at best misrepresented by welfare systems. These extra costs are encountered at many levels, including higher costs for healthcare, aids, training, travel, and adaptations at work itself. Further, they contend with unique barriers to access to Social Protection systems, which at baseline are limited and insufficient in LMICs (UNDESA, 2019).

People with disability are disproportionately affected directly by Covid-19 itself. Access and travel restrictions to slow the spread of the virus can disrupt their basic daily routines especially where there is a reliance on carer access. Support workers are often rendered unable to access homes, or to wear the required PPE, leaving some people with disability at greater risk of contracting the virus itself, and some even going without food and medicine or being unable to bathe, cook or eat. Further, they are disproportionately at greater risk of contracting the virus, and to severe reaction once contracted, than people without disability. All these factors have a knock-on socio-economic impact. The impending economic downturn and austerity measures resulting from the pandemic could lead to a further disproportionate impact on people with disability who are more dependent on public services and welfare (Meaney-Davis, 2020).

Although we have certainty in these general facts, during Covid-19, there is very limited comparative data available on the rates at which people with and without disabilities are losing work (Meaney-Davis et al., 2020), and the true economic impact has yet to unfold. To contribute to this knowledge gap Leonard Cheshire has conducted real time research to understand the situation in the UK and in Kenya and Bangladesh This has involved conducting two qualitative interview surveys, one in Kenya and Bangladesh (i2i, 2020) and one in the UK (Leonard Cheshire, 2020). In Bangladesh and Kenya 312 people with disability were interviewed by telephone by the UKAid funded Innovation to Inclusion (i2i) programme between April and May 2020. Similarly, in the UK 1,171 working aged people with disability were interviewed by telephone between the 17th and 30th September 2020 by Savanta ComRes.

The survey results found an overwhelming sense of anxiety across all locations with regards to employment. In the UK 57% have felt more anxiety than usual due to concerns that their job is at risk (67% Scotland, 64% Wales, 51% Northern Ireland). In Bangladesh 65% of persons with disability surveyed who were in jobs, reported feeling insecure in their jobs, and 85% in Kenya.

*“I am very worried about my job security. The dress factory where I work as a sewing machine operator is fully closed. If I lose my job, I will be treated as a burden of my family”.* Salma Bangladesh

Further, many were worried about the wider, longer-term impact from the impending fall-out of the economy:

*‘With the economy on its knees, I have little hope that I will even be able to sell my items. Most businesses are closing down and the recovery will take a long time. I am gradually going back to being jobless.’* (Respondent, Kenya)

In Bangladesh and Kenya extremely high levels of people with disability reported not being able to work at all, 80% and 68% respectively. In the UK of those in work 24% had reduced hours (29% Scotland, 25% Wales, 24% Northern Ireland), and 20% experienced loss of income (25% Scotland, 25% Wales, 9% Northern Ireland).

In the Kenya and Bangladesh survey it was reported that access to information was low, with only 33% and 30% respectively able to access government information, impacting on ability to access support such as social protection schemes. Other related factors that were highlighted in the i2i survey included lack of access to Assistive Technology, flexible working, and PPE, and finally reduction in the support required to live independently.

*‘My independence was cut short when I lost my job. I depend on my family for assistance, who are available from 5pm as they go to work during the day.’* (Respondent, Kenya)

**Insights from Best Practice and Research**

1. **Harnessing Technology and the Digital Employment Pathway**

*Designing a Digital Employment Pathway to Harness Technology and Collaborative Working*

The Digital Employment Pathway is an initiative being implemented by Leonard Cheshire as part of the i2i consortium, alongside partners in Kenya and Bangladesh. It harnesses technology and is made up of 5 pillars: Identification of People with Disability; Skills assessment of people with disability; Skills development (e.g. digital literacy) through e-learning; Job matching; and Supporting work places with technology solutions.

The i2i programme is designed around careful assessments and cocreation. Prior research found people with disabilities and employers reliant on non-technological solutions that could be redundant and irrelevant, alongside a lack of knowledge and available information, compounded by a common fear of using technology. It revealed a great need to give people with disabilities special work training, including assistive technology skills.

The i2i programme highlights the importance of individual assessment of need, for career planning and profile building. It also offers a good practice example of how to design a programme around the individual context in which it is being delivered, with clear differences between the Kenya and Bangladesh approaches. Like with Social Protection discussed below, Leonard Cheshire raises the importance of multi-faceted assessment to ensure programme and support systems that are considerate and responsive to the complexity and variety of need.

The training component of the Digital Employment Pathway is made up of digital literacy and soft skills training using online learning platforms. These are done through partnerships with regional training providers and eLearning technology suppliers. The i2i programme has shown that harnessing technology and focusing on skills training, can improve access to work for people with disability. The partnership design offers guidance on working collaboratively, being widely cross-sectional covering government departments such as employment, regional education trainers, public and private partnerships with business offering the technology, and ultimately operating through Organisations for People with Disability for optimal reach.

Innovation to Inclusion has proven highly relevant and timely during Covid-19 particularly as it is designed around technology and remote access. It directly supports working remotely and offers remote access to information about the job market. It also offers distance learning, which is particularly relevant during Covid-19 where people are losing jobs and need upskilling to be eligible for other work. Leonard Cheshire recommends this digital employment pathway as an example of good practice that could be adopted by governments to ensure compliance with Article 27. Furthermore, it also offers a portal for social networking, where people can share experiences and learn from others, vital at a time where people with disability are feeling more isolated than ever.

1. **Interrelation of article 27 to social protection (article 28)**

*Interrelation Between Social Protection and Employment - The Importance of Comprehensive Assessment of The Extra Costs of Living People with Disability Face and Responsive and Context Specific Design*

People with disability face extra costs of living in comparison to people without disability, in the UK they spend an extra £570 a month on costs related to their impairment or condition. This is on top of welfare payments which are intended to cover these costs (Scope 2018). Being able to access financial support through the welfare system that sufficiently accounts for the extra expense relating to disability is central to enabling disabled people to live the lives they choose with dignity and independence.

These costs are increased and made even more complicated when accessing the labour market (Ipek 2019) and closely intertwined with barriers, which range from environmental, organisational, informational, and attitudinal. One example is transport, whereby if there is no accessible way to access a work environment a person with disability would be forced to pay for a taxi to access the workplace, leaving them significantly out of pocket in comparison to a person without a disability. Barriers and extra costs such as these are often the reason why people with disability chose self-employment over more secure employment options.

These barriers and costs are varied and complex and certainly not captured by simple income and or asset measurement. The extra costs faced by people with disability are often not considered at all, or at best misrepresented, and consequently not adequately accounted for in support schemes. Multi-dimensional and comprehensive assessments are therefore necessary to ensure that the extra costs of accessing employment are taken into account when designing welfare schemes to ensure access to employment on an equal basis, and ultimately the realisation of Article 27.

The pandemic has shown that social protection schemes have been inadequate at rapidly responding to meet the needs of those most marginalised, including people with disability. This is supported by findings from the i2i survey and emerging i2i Social Protection research, which offer the following recommendations:

*Recommendations for Social Protection Response in Low- and Middle-Income countries for People with Disabilities in Times of Rapid Change*

1. Scaling up of Cash Transfer Programmes to reach the most vulnerable.

Urgent scaling up of cash transfer programmes to reach maximum number of people with disabilities. It is of utmost important that at time of risk (like Covid-19) governments adapt their cash transfer schemes. This means ensuring that people with disabilities who are employed in the informal economy, and whose income has been negatively affected have enough resources to deal with the health and economic crisis without resorting to irreversible negative coping strategies. This can be done in two ways:

* **Supporting programme adaptation,** ensuring that the current/routine cash transfer schemes are not disrupted as a result of the crisis. This means expanding the schemes horizontally (to more people) and vertically (increasing the amount) of existing cash transfer schemes. If the government has no mechanism in place to expand the current cash transfer schemes, then working with humanitarian and NGOs to supplement this.
  + **System support to crisis appropriate response,** improved systems for rapid identification of the most vulnerable including people with disabilities, updated communication, payments systems (including not exposing recipients at payment points), linkages to other services, programme monitoring and evaluation.

In the longer-term support schemes need to ensure that people with disability are able to access the financial support they are entitled to

1. Review public finance response to strengthen social protection schemes

Rapid reallocation of resources to social protection systems is required to meet the urgent needs brought about by Covid-19. This must be done without burdening already strained national budgets and crowding out existing vital services. Some countries can create the necessary fiscal space, whereas others with debt and public health system distress need support from the international community. This can be done in two ways:

* Accurately plan and cost measures to respond to health and social protection needs and integrate these into emergency or supplementary budgets.
* Ensure approved funds are rapidly delivered to frontline service providers or households though mechanisms such as advances and front-loaded transfers.

1. **The Interrelation Between Education and Training and Realising Article 27**

Leonard Cheshire raises the importance of taking a life cycle viewpoint when considering the interrelation between education and access to employment, further this should be considered through a gender sensitive lens. Access to quality education is a critical stepping-stone to enable people with disabilities to gain meaningful employment and secure and adequate economic livelihoods in later life. Furthermore, access to education is a lifelong necessity. Adults with disability need access to training or re-training at different points in life, especially if they at risk of ‘fall-out’ from the job market, during events such as the pandemic.

Lack of access to education and vocational training presents a significant disadvantage to people with disability when accessing employment. Currently, nine out of ten children with disabilities in developing countries continue to be excluded from any formal education (UNGEI 2017). The 2020 UNESCO GEM report also shows that fewer than 10% of countries have laws that help ensure full inclusion in education (UNESCO 2020). In a recent study undertaken by ‘UN Women’, older adolescent girls and young women with disabilities were identified as the least likely to have access to labour market opportunities (GAGE 2018).

Leonard Cheshire highlights insights from their Inclusive Education Model which has a specific focus on reaching girls with disabilities, and therefore supporting their transition into employment. The Inclusive Education model is a holistic community-based model made up of accessibility to learning; awareness raising; peer support; teacher training; identification of learners with disabilities; and advocating for policy change. Through addressing awareness and attitudes across the community it takes a lifecycle approach to education geared towards supporting a working life beyond the classroom.

The Inclusive Education model takes affirmative action to reach and enrol girls with disabilities, who are amongst those most marginalised from education, and consequently excluded from employment. Its success includes increased enrolment rates of girls, and improved literacy and numeracy performance. The model is designed to be sustainable, scalable, and transferable to other geographies. It involves all stakeholders as drivers of change towards social and educational inclusion, and therefore garnering positive attitudes towards inclusive employment for all.

**Recommendations**

Develop digital employment pathways that harness the opportunities brought about by technology

* maximise the opportunities brought about by remote working
* Build on both contextual and individual needs assessments
* Design pathways with cross-sectional working frameworks that embrace public-private partnerships ensuring scalability and sustainability

Strengthen the impact of Social Protection systems

* Adapt social protection systems to context specific need that are based on comprehensive and multi-dimensional needs assessment
* Scale up of Cash Transfer Programmes to reach the most vulnerable.
* Review public finance response to strengthen social protection schemes
* Learn from Covid-19 by building flexibility and responsiveness into systems

Take a life-cycle approach when adopting measures to achieve article 27.

* Ensure all children with disabilities reach the classroom including girls
* Mainstream quality education that is geared towards long-term quality employment for all
* Consider education as a life-long need, and make training options are available to those who ‘fall-out’ of employment at any time in life

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