



# Health is Everyone's Business consultation

Reed in Partnership response



**Services that change people's lives for the better**

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# Health is Everyone's Business: Proposals to reduce ill health-related job loss

## Reed in Partnership's consultation response

### About Reed in Partnership

Reed in Partnership supports disabled people and those with long-term health conditions into employment or training.

Since we were founded in 1998, we have supported over 150,000 unemployed people into work. A significant proportion of the people we work with have previously fallen out of the labour force because of health problems, or are re-entering the workforce while managing a health condition. Many also face other labour market barriers, such as housing issues, debt, a low level of skills and low confidence, which may be linked to their health condition.

Reed in Partnership delivers Better Working Futures, our name for the Government's Work and Health Programme, in the North East of England and South London, where it is commissioned by the South London Partnership. The majority of people starting on the Work and Health Programme (75% nationally) have a disability or health condition. We also deliver a range of other employment support services alongside public health support such as the NHS Diabetes Prevention Programme.

We are a Disability Confident Leader, seeking to encourage and support other employers to sign up and take steps to enable them to benefit from the talents disabled people can bring to the workplace.



## Introduction

We welcome the Government's focus on encouraging early and supportive action by employers for employees with health conditions. In our experience, when an individual moves into work who has either an existing disability or health condition (or previous experience of episodes of ill-health that have caused them problems at work), the first few weeks and months are a critical time for their sustainment in that role. Throughout their employment, an employer with a supportive approach to employee health problems and effective absence management can play a large part in minimising the chances that poor health will lead to an employee leaving. Reed in Partnership works with employers across a range of sectors, both before recruiting one of our participants and in the first six months of employment, to support them with intensive, tailored support, for example on having conversations about health, inclusive communication, mental health awareness and making adaptations. We have carried out research with employers on the main challenges they find in employing a disabled person and responded to the questions where this research could inform our response.

We agree with the Government's analysis that the benefits of retaining people with health difficulties in work - for the individual, the employer and the wider economy and society - are great. For the individual, finding employment with a supportive employer can be particularly transformative, especially for people who thought that they might never work again. For example, Chris, who was featured in our recent "Let's Work Together" campaign with the Yorkshire Evening Post<sup>1</sup>, suffered a stroke which left him with memory loss and other health problems. He recalled: "It has taken me a few years to recover and find work and I had a lot of knock backs along the way." He is now working in a security role following training and other support from Reed in Partnership. He says: "I was stuck in a hole and could not get out. I now have something to get up for on a morning."

For the employer, we agree that the benefits include retaining existing staff, reduced costs of sickness absence and improved employee morale and engagement. Employers who take a proactive approach to creating a healthy workplace and supporting employees in managing health conditions also benefit from a wider talent pool, by encouraging applicants who might otherwise fear that health issues might preclude them from applying for a role.

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<sup>1</sup> "Launch of YEP campaign: "Let's Work Together" in Leeds to give people a chance to work", Yorkshire Evening Post, 24 June 2019. The week-long campaign sought to encourage employers to be more confident in employing people with disabilities or health conditions.

Recent research also illustrates how important preventing employees from falling out of the labour market due to ill health is for both the productivity of the UK economy and the inclusiveness of our economy.

A study by the Institute for Employment Research for the Engineering Employers Federation found that improving workplace wellbeing in the manufacturing sector has the potential to improve productivity by 10%<sup>2</sup>. The Northern Health Science Alliance (NHSA) found that around 30% of the productivity gap between the North and the rest of the country could be ascribed to ill health.

Significantly, the NHSA study found that the effects of ill-health on employment are particularly severe for people with a low level of qualifications, with the probability of staying employed following ill-health reduced by 12% for people with GCSEs or lower compared to 3% for those with A-levels or above<sup>3</sup>. We know from the people that we support into work that many of the people most at risk of falling out of the labour market due to ill health are those most disadvantaged by a low level of skills and other barriers such as debt, housing problems and low confidence.

The relationship between ill-health and work is most negative for the most disadvantaged people in the communities we work in. Encouraging employers to be more proactive to employee health and avoid people being “written off” due to health problems can help to improve the inclusivity of the labour market and society.

## Summary of key points

We welcome the broad package of proposals in the Government’s Health is Everyone’s Business consultation because we believe that employers have a crucial role to play in supporting people with health conditions to stay in work. While we have not commented on all the proposals, we would like to express support for:

- **The proposed right to request workplace modifications on health grounds.** In principle we think that this could increase the extent to which individuals feel confident to discuss modifications with their employer where they have a health condition or ailment that does not necessarily come under the Equality Act definition of disability. However, it will be crucial to ensure that the duty

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<sup>2</sup> *Unlocking employee productivity: The role of health and wellbeing in manufacturing*, Institute for Employment Studies, 2018.

<sup>3</sup> *Health for Wealth: Building a Healthier Northern Powerhouse for UK Productivity*, Northern Health Science Alliance, 2018. These figures are for the Northern Powerhouse area.

to make reasonable adjustments for disabled people is not diluted in its impact in any way. It will also be important to ensure that the right is not overly complex and supported by clear guidance and support for employers.

- **A national, multi-year communications campaign outlining the support and information available, particularly targeted at SMEs and the self-employed.** This should take a one-stop shop approach by pulling all available resources together in one place, provide more accessible guidance and case studies on particular health conditions and improve promotion of Access to Work.
- **Measures to increase access to occupational health services for SMEs and employers more generally.** We have not commented in detail on these proposals but welcome the Government's intention to increase the number of smaller organisations able to access occupational health support.

## Responses to the questions

**1. Do you agree that, in addition to government support, there is a role for employers to support employees with health conditions, who are not already covered by disability legislation, to support them to stay in work?**

Strongly agree.

**2. Why do you think employers might not provide support to employees with health conditions not already covered by disability legislation to help them stay in work?**

We think that the main reasons fall into the four categories below.

### **1. Lack of commitment to inclusion and supporting employee health**

Some employers are not yet aware of (or convinced by) the argument that they should do more to support people with health difficulties at work. In our experience, the factor that makes the most difference to supporting someone with a health condition to stay in work is the employer's level of positivity or buy-in to the benefits of an inclusive workplace where everyone is supported to reach their potential. If an

employer believes that supporting employees with a health condition or through a period of ill-health is the right thing to do and can potentially benefit their organisation in terms of employee engagement and loyalty, they will be much more likely to go the extra mile to overcome other barriers such as knowledge, practical modifications or securing external support.

One of the employers interviewed in our recent research with smaller employers in the North East of England<sup>4</sup> made the point that it was attitudes around disability and health, particularly the stigma around mental health, that posed the biggest barrier to progress and resulted in the situation arising that, in their words, when someone had a health issue, “that’s them written off.” This small employer’s personal commitment to supporting employees with medical problems, such as one employee who needed some time off for a heart bypass operation, was despite the significant cost and practical challenges involved as an employer of four people.

He argued that, in his working experience, it was more common for managers in dealing with health issues at work to say that they: “haven't got the time and they haven't got the nous to actually deal with stuff like that, because they wouldn't understand, because [at the] end of the day, their job as manager is to produce a set amount of figures or a set amount of sales or a set amount of production and...nothing gets in its way.”

In contrast, other employers are convinced of the benefits of supporting employees with health issues to reach their potential. For example Carewatch Leeds, one of the employers featured in our recent “Let’s Work Together” campaign with the Yorkshire Evening Post, described how they saw the potential in Syed, a recruit with a lifelong history of health and personal problems, and are supporting him to thrive at work. Thaira Farooq, senior care coordinator at Carewatch Leeds explained: “Lots of employers look at what they think is right for their business, and people are not always given that chance, but at Carewatch we always try to give people that chance. We genuinely believe that it can really bring the best out in people.”

It is a mistake to assume that commitment to an inclusive and supportive approach is necessarily more common at larger than smaller companies. The in-depth case studies of smaller employers carried out for our research in the North East found many examples of smaller firms determined to find ways to problem-solve issues presented by employees with health conditions because they felt that it was the right thing to do and often had experience of health problems or were a disabled person themselves.

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<sup>4</sup> *Increasing Disability Confidence in SMEs: Creating employment and support opportunities*, Reed in Partnership, 2019

For example, the manager of a small animal care company noted that all its employees had various health conditions. She described how she had adapted the working patterns of an employee with a mental health condition, temporarily swapped manual work for office work for an employee with a bad back and offered work experience or employment to two young disabled people who had had no luck elsewhere. Where an employer does not have this kind of positive attitude they will be less willing to overcome specific practical barriers.

## **2. Lack of knowledge, confusion and misconceptions**

Even amongst employers with a positive attitude towards supporting employees with health conditions, there can be a lack of confidence about their role and responsibilities.

Earlier this year we surveyed employers in the North East of England about the challenges they perceived in recruiting and supporting disabled people and those with health conditions. We found that the four main areas where employers identified challenges were: a lack of confidence and knowledge around disability and health issues; misconceptions and assumptions around disability; fear of the cost and difficulty of making adjustments; and to a lesser extent, concerns about employee absence. In our experience, these findings also apply when it comes to employees with health conditions or problems that may not necessarily come under the definition of disability in the 2010 Equality Act, particularly a lack of knowledge about health conditions and disabilities or access to professional advice in this area.

## **3. Health problems not disclosed by employee**

When we support a disabled person or someone with a health condition into work, we support them to disclose their condition if they chose to do, ensure that any support they might need is in place, identify any risks to falling out of work and how these will be managed, provide practical advice on any adjustments or flexibilities needed and signpost to other sources of support. It can be much more difficult for an employee without this support to open up a conversation with their employer, particularly if they fear that it will not result in a positive outcome.

While it is up to the employee whether to disclose a health issue to their employer, keeping quiet will mean that are not able to ask for any support they might need. For example, according to Business in the Community's 2018 Mental Health at Work report<sup>5</sup>, only 16% of employees with a mental health issue felt able to disclose this to their manager. While a minority (11%) worryingly experienced a negative

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<sup>5</sup> Seizing the Momentum: Mental Health at Work 2018 report, Business in the Community, 2018

outcome, it was much more likely that their manager took steps to support them, with a positive or neutral response in 71% of cases.

In 2016 we carried out a survey of businesses into the employment of people with disabilities, with the support of charity Disability Rights UK<sup>6</sup>. Over 300 employers took part in the survey, with 78% of respondents telling us they faced specific challenges to employing people with disabilities. The challenge most consistently cited by businesses - by almost half of respondents - is that “applicants aren’t always willing to be open about disabilities”.

#### **4. Lack of resources and support**

We agree with the Government that smaller employers in particular find that resource constraints inhibit their ability to provide health and wellbeing support to employees, particularly the costs of covering employees who are unwell and accessing occupational health support. One small manufacturing employer interviewed as part of our research in the North East explained: “In a big organisation, you’ve got twenty in one department, if one person goes off long-term sick because of a disability, it doesn’t really impact, or they can afford to bring in a temp to help cover or move from department to department and we can’t do that. I think in a small business it does impact, not only on the company but the other team members.”

Accessing professional support on health issues is a particular challenge. One of the small employers in our research reported that NHS waiting lists for mental health services were a problem and that in the past they had funded private treatment for an employee. The only employer in our research that felt confident with the professional help on health that they could access was in the health sector themselves so reported that there were channels they were able to use to access the mental health support that an employee might need.

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<sup>6</sup> *Disability and Employment*, Reed in Partnership and Disability Rights UK, 2016.

### **3. Do you agree that a new ‘right to request work(place) modifications’ on health grounds could be an effective way to help employees to receive adjustments to help them stay in work?**

Yes.

#### **Please give reasons for your answer.**

In principle, we think that the proposed right to request work (place) modifications on health grounds would be a welcome measure. Some of the participants we support have experienced a short-term, severe health problem that has resulted in them falling out of the labour force, while others have difficulties with their mental health, for example, that might not necessarily be seen as having a “substantial” impact on their ability to carry out day-to-day activities. In both these cases, what are often minor adaptations can help an employee either return to work from absence or help them sustain and progress in a job over the longer term.

The backing of a right to request could give employees greater confidence to discuss a health condition affecting their work in order to explore any support or adaptations they might need. We agree with the Government that effective return-to-work planning should involve discussing with the employee modifications that can help the employee get back to work, such as considering flexible working hours or changes to work tasks. We know from the duty to make adjustments that often the most effective adjustments are simple and affordable for the employer. One analysis of more than 2,000 employer records found that that the majority (65%) of adjustments were cost-neutral.<sup>7</sup>

However, it is crucial that any change in this area does not weaken in any way the duty on employers to make reasonable adjustments to avoid putting a disabled person at a substantial disadvantage or weaken the message that employers have a positive duty to make these reasonable adjustments. If the Government decides to proceed with the proposed right to request, it is important that communications and campaigns can strike the right balance between what the existing duty and the proposed right to request have in common and how they are different. In addition, support and guidance for line managers will be essential in ensuring that a right to request workplace modifications has a positive, practical effect in supporting an inclusive, healthy work environment for individuals.

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<sup>7</sup> Cited in *A systematic review of the literature on the benefits for employers of employing people with learning disabilities*, Beyer and Beyer (for Mencap), 2017

In question four we suggest that anyone able to demonstrate a need for a workplace modification on health grounds should be eligible to do so, regardless of whether they have been on sickness absence. While other employers may have good reasons for a different approach, Reed in Partnership's reasonable adjustments policy enables any member of staff, regardless of length of service, to request a workplace adjustment because of a health condition. This approach is designed to take a proactive, inclusive approach to supporting employees in managing any health condition that might be a factor at work. It promotes honest employee/manager conversations about health conditions that can potentially improve the sustainability of a job for an employee over the longer term. It also has the benefit of being simple to understand and communicate to employees. It is important that if the new right is implemented, it is done in a way that is clear, straightforward and does not create complexity or bureaucracy for employers.

#### **4. If the government were to implement this new right to request work (place) modifications, who should be eligible?**

Any employee who is able to demonstrate a need for a work (place) modification on health grounds.

#### **49. Do you need more information, advice and guidance?**

In our research with employers in the North East, we asked what they would find most useful in supporting disabled people or those with health conditions at work. Support with training for staff on supporting people with health conditions came first, followed by advice and guidance on the impact of certain health conditions, financial help with reasonable adjustments then in-work support for people with health issues to assess issues and aid progression. However a large number of respondents did not know what help they might need. This suggests that there is a need for more general-awareness raising in this area.

Feedback from our staff suggests that guidance and publicity in the following areas would be helpful for the employers we work with in improving the ways in which they support employees with health issues:

- More accessible guidance on specific health conditions and the workplace, including case studies. While it is important that every case is treated on an individual basis, it would be helpful if there was more readily-available guidance on health conditions in an employment context.

- A one-stop shop approach to the many sources of guidance and information that are already available, for example from the Disability Confidence campaign, the Health and Safety Executive, health bodies and representative groups for people with specific health conditions.
- Promotion of Access to Work. The Government's recent research on Access to Work suggested that most employers found out about the scheme from an employee but had no prior knowledge of the scheme. While improvements to promotion of the scheme have been made, low awareness amongst employers remains.
- Links to local/regional sources of support, advice and services that can help.

To find out more about the services delivered by Reed in Partnership please see our website **[reedinpartnership.co.uk](http://reedinpartnership.co.uk)**

