**Response to** **“The transition from education to employment**

**for young disabled people” Inquiry 2023**

Disability Rights UK (DR UK) is a national organisation led and run by Disabled people. Our vision is a world where Disabled people have equal rights, opportunities, and access to power. Our work is rooted in the lived experience of Disabled people. We are a membership organisation and work closely with organisations led by Disabled people, across the UK.

The following points highlight the barriers that young Disabled people face during the transition from childhood to adulthood and provide recommendations on how to improve support provisions in these contexts.

1. **A failing SEND system means Disabled children start at a substantial disadvantage.**

Many Disabled children are not currently able to access a full and inclusive education. The SEND system is in crisis, with the National Education Union estimating [a £2.1bn shortfall in SEND provision](https://neu.org.uk/funding/send-crisis). Support plans, particularly Education Health and Care Plans (EHCPs), are gatekept from most Disabled children – with [less than 4%](https://www.disabilityrightsuk.org/education) of the 1.4 million students identified as having SEND having an EHCP.

The limited resources available to support SEND students are also most commonly spent placing additional barriers to accessing support. Local councils have spent [over £253 million](https://www.specialneedsjungle.com/councils-wasted-253-million-fighting-parents-send-tribunal-2014-reforms/?fbclid=IwAR1Q-Nl2Hu2oRg3T-nMCZgKuX9PH1yJGk4NJzcjsb6poRCRFCrfbextDljE) fighting parents at SEND tribunals since EHCPs were introduced in 2014, and [95% of these tribunals](https://www.specialneedsjungle.com/95-decisions-favour-parents-nobody-wins-send-tribunal/) rule in the parents' favour.

A combination of late identification/diagnosis, a chronic lack of funding, countless barriers to accessing support, institutionally ableist education policies and practices, and inaccessible assessments, amongst other issues all lead to fewer opportunities and poorer outcomes for Disabled children. The many barriers Disabled children face when trying to access their education leave [Disabled individuals three times less likely to hold any qualifications](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/outcomesfordisabledpeopleintheuk/2021#education), compared to their non-disabled peers. We are therefore less likely to access Higher Education and less likely to access employment.

Before Disabled young people even reach the point of trying to access employment, their unequal access to education compared to their non-disabled peers has already put them substantially behind. For some Disabled people, this disadvantage will result in them never being employed.

* ***Recommendation:*** *Increase funding and investment in the SEND system and ensure every Disabled child (no matter their level of support needs) has access to an effective support plan – the implementation of which should be a fully accountable and transparent process. For a full list of education recommendations, read* [*our SEND Review response*](https://www.disabilityrightsuk.org/education) *on our website.*

1. **The failure to prepare Disabled children for employment/further education leaves them unclear on their options.**

**2a. Careers advice.**

Many Disabled young people have shared with us the barriers they faced to accessing helpful and empowering careers advice. The key issues consistently highlighted to us include inconsistent guidance, a lack of clarity regarding options, and ableist assumptions.

Regarding inconsistent advice – young people often found that they didn’t see careers advisors enough, sometimes only one or two brief meetings throughout their schooling. Regular opportunities should be made available should a student want further advice, particularly if they decide to change their options and want advice on a new path. The information provided online should also be regularly updated, as it is often out of date and no longer relevant.

External agency staff are also often the ones who give students career advice – meaning that they don’t know the students personally. Many Disabled young people have shared with us that they feel this is a waste of time, because they spend half the session giving them the background needed about their specific circumstances – and then little to no time is left to receive helpful and tailored advice.

Career options and the pathways to get there aren’t clear and many Disabled young people have shared with us that ableist assumptions from career advisors can impact the information they’re given. Sometimes this can include pushing Disabled students with high grades to do A-Levels and discouraging them from an apprenticeship, despite the young person explaining that an apprenticeship is a more accessible setting for them; or it can include Disabled students who wish to do A-Levels and attend University being discouraged from this simply due to the assumption that it’s not a realistic pathway for SEND students.

It's essential that advisors provide students with a full menu of options, empowering them to make their own decision – rather than push them down the path they believe is correct. Advisors also cannot by motivated by biased assumptions – particularly when it comes to the presumed ability of Disabled students.

* ***Recommendation:*** *All career advisors should receive training so they’re aware of the options available to a Disabled student and any ableist attitudes should be challenged. Sessions with career advisors should be easier to access and the information online should be more accessible and kept up-to- date. SEND careers advisors could also be beneficial. Not dissimilar to the specialist advisors for those with disabilities at the Job Centre - students could have the choice to meet with a SEND careers advisor who would have a better awareness of all the support options available in the next stage of education/employment.*

**2b. A lack of information on support schemes and rights.**

At a time when young Disabled people feel they have lost a lot of their support system, some of them move into employment – where many will experience much poorer support provisions than they did in an education setting. Many young people aren’t aware of their rights to reasonable adjustments in the workplace, nor are they made aware of schemes that can support them such as Occupational Health Assessments, benefits like PIP, or support schemes like Access to Work. Not applying for these schemes can place additional barriers on ensuring that adjustments are implemented when they move to their next setting.

A lack of awareness of their rights, and employers’ legal obligations, also often mean that Disabled young people don’t feel comfortable asking for adjustments or telling their employer they’re Disabled. Especially coming from an education system that gatekeeps support, Disabled young people often enter employment thinking they have to be deemed “Disabled enough” to ask for the adjustments they’re entitled to under the law.

It’s also not uncommon – even when an employer is made aware of a Disabled person’s adjustments – that they fail to deliver them, and that the Disabled individual may need to advocate for themselves. Not only is challenging employer decisions almost impossible to do when you’re unaware that the law protects you, but if this is a Disabled young person’s first experience of employment – it may also be their first experience of independently advocating for themselves. This can be hugely overwhelming, and one bad experience can impact a young Disabled person’s self-esteem and mental health for many years afterwards. Particularly discriminatory and distressing employment experiences can lead to individuals never feeling able to return to employment – as they assume all settings must be inaccessible, and that they must have been the problem rather than the employer.

* ***Recommendation:*** *Include education on Disabled people’s rights (including how to ask for reasonable adjustments, what employers’ anticipatory legal duties are, what support is available (e.g. access to work)) in the curriculum. Educating both Disabled and non-disabled young people on this will hopefully lead to empowered future Disabled employees and informed future colleagues and employers with lawful practices.*

**2c. The barriers to support and benefits.**

Delays to the application and implementation process of support schemes (e.g. Access to Work) often place additional barriers on young Disabled people transitioning into employment. Access to work is also not available to those on short-term placements or during T Levels.

* ***Recommendation:*** *Improve access to support schemes, particularly focusing on reducing Access to Work delays and introducing formal support for those on short term placements and T Levels.*

1. **Delayed identification and barriers to diagnosis lead to poorer outcomes.**

[ITV News reports](https://www.itv.com/news/2023-10-16/itv-news-review-uncovers-worst-data-ever-for-adhd-referral-wait-times) that the longest wait times for ADHD referrals are currently up to five years, with the average wait time being three years in the UK. Some adults in Herefordshire and Worcestershire have waited more than ten years to get any answers. Neurodivergent children – [particularly girls](https://www.autism.org.uk/advice-and-guidance/what-is-autism/autistic-women-and-girls) – can go through their whole education without being identified. Often Disabled children have lower outcomes due to not getting the necessary support or a diagnosis.

Those who are still waiting for assessments are often left unsure whether they are covered by the Equality Act and if they can ask for adjustments at work, despite potentially having been referred by a GP for an assessment half a decade ago. Delayed diagnosis can also mean that individuals aren’t sure yet what adjustments would be helpful for them, so feel even more so that they can’t ask for any.

Academic and employment outcomes aside, delays in diagnosis can also have a significant impact on a person’s mental health. Research shows that those with [Autism](https://www.autism.org.uk/advice-and-guidance/topics/mental-health/suicide) and [ADHD](https://www.gla.ac.uk/news/headline_881944_en.html) are more likely to attempt suicide than their neurotypical peers, and facing barriers to accessing a diagnosis and support can greatly exacerbate this risk.

* ***Recommendation:*** *Invest in healthcare services to ensure Disabled young people can access the support and diagnoses they need without needing to reach crisis point first. Improve teacher training for identification and ensure that any child identified is not still waiting for a diagnostic assessment before they leave school.*

1. **The ‘cliff-edge’ of support as a child becomes an adult.**

Across the board in public services, when Disabled children become adults, they often lose the support systems they have relied upon thus far in life. The following examples can relate to any context – for example, even if a Disabled young person remains at the same address. However, if a young person is also moving to a new location – which is very common when going to university or starting a new job – then the barriers they’ll face in trying to register at new healthcare services and ensuring their support plans are in place will likely be even greater.

**4a. Education**

Although the EHCP is meant to transition with a young person to age 25 – in practice this often doesn’t happen. Young people experience a postcode lottery when it comes to support – both in schools but also when they leave school and move onto university, training or employment. We frequently hear from young Disabled people that university support provision varies dramatically – and there is no guarantee that what’s outlined a young person’s EHCP will translate to their university setting.

Moreover, as already stated, most Disabled children are unable to access an EHCP – so almost never move into their next setting with a formal support plan in place, and there is no guarantee that their adjustments will be delivered in the next setting. It’s also not clear how a young Disabled person is meant to access support, or who they’re meant to speak to.

* ***Recommendation:*** *Improve the EHCP’s ability to transition to the age of 25, as in practice we know this doesn’t often happen. Set up a clear support plan – which can also effectively transition with the young person to their next setting – for those who leave school without an EHCP. Create a system of accountability for education providers and employers who fail to meet their legal obligations.*

**4b. Welfare**

As a Disabled young person, this drop in support often coincides with losing benefits. When a child turns 16, DLA turns to PIP, and many young people who once qualified for DLA no longer qualify for PIP – even if a young person’s circumstances haven’t changed. What can qualify a child for DLA does not guarantee an adult qualifies for PIP.

There is also a huge lack of cohesion between different Government departments – particularly between the Department for Education and the Department for Work and Pensions. With the DFE offering supported internships, traineeships and apprenticeships, and the DWP creating youth hubs and youth coaches – the Job Centre often doesn’t advertise all these opportunities, and it can be particularly difficult to navigate all the different options and know what’s best.

* ***Recommendation:*** *Streamline the work between DFE and DWP to support Disabled young people into work. Better promote the options and specialist schemes available.*

**4c. Student Finance**

Another way young Disabled people fall through the cracks between Government Departments is financial support at university. For example, you can’t access Universal credit as a student. There is also no additional financial support to cover specialist housing needs or if you need a carer to live with you, for example. Some universities will provide discretionary bursaries for Disabled students to access specific accommodation – like paying the different for an ensuite room for health reasons. But this isn’t common practice, and many universities offer no financial support.

* ***Recommendation:*** *Broaden DSA to include all additional costs that Disabled students face – including specialist housing and travel (e.g. taxis).*

**4d. Healthcare**

The transition from paediatric to adult healthcare is very difficult. Poor communication between paediatric and adult care staff and a lack of communication with the patient, can leave Disabled young people feeling completely unsupported. Often, they can fall through the cracks, not receiving expected appointments or facing delays to accessing their healthcare. These barriers can especially be exacerbated if the young person is not just transitioning across departments but moving hospitals. Leaving a specialist paediatric hospital could mean transferring to their local adult team, who don’t know them and can sometimes be less aware of their unique medical history. There can also be a lack of awareness from adult teams of the impact of this transition, and the fact the young person may need additional support at this time – instead young Disabled people can be made to feel like a burden or inconvenience when merely trying to access their healthcare.

Not being able to access effective healthcare will place a barrier on young Disabled people being able to move into the phase of independent living and employment.

Not only does this lack of support impact the young person’s access to healthcare and can risk their safety, it can also have a hugely negative impact on the young person’s mental health. The transition to adulthood and increased independence is a stressful time for any young person, but this is especially the case for Disabled children who will have likely needed to rely more heavily on their support system up until this point.

Research highlights a deterioration in young people’s mental health, and a crisis in not being able to access mental health services – with [a record high of young people referred to mental health services](https://www.youngminds.org.uk/about-us/media-centre/press-releases/record-number-of-under-18s-referred-for-mental-health-treatment/) last year.

* ***Recommendation:*** *Invest in NHS services so that staff can provide effective healthcare. Improve training for adult healthcare staff on how to best support young Disabled people transitioning from paediatric care. Carry out research on NHS service provisions during the transition from paediatric to adult care to better understand the specific barriers and issues that need tackling, then tackle these barriers via policy and practice.*

**4e. Social care**

Similar to the difficult healthcare experience, there are also many barriers to accessing support during transition from children’s to adult’s social care. The process for how young Disabled people are expected to navigate the social care system is not transparent, and makes moving into independent living very difficult – often leading to additional barriers to employment.

* ***Recommendation:*** *Streamline the process of accessing social care and improve the transparency of the system, making it clear to young people what they can ask for. Make the process more proactive – for example, the Local Authority should have a system which identifies young Disabled people before they move to adult social care and ensure that the effective support is in place.*

1. **Barriers during transition aside, Disabled people experience disproportionate barriers to employment across the board.**

Whatever the age of a Disabled person, and whatever setting they’re in, we will always face disproportionate barriers to accessing work and staying in work. The systemic reasons for this are many, including but not limited to, discrimination in the workplace, facing barriers when trying to access transport and other public services, and employers refusing to implement the reasonable adjustments required to make our workplace accessible.

A lack of accountability for public and private employers also frequently leads to unlawful behaviour. Employers are often unaware, or choose to ignore, the anticipatory nature of their legal obligations under the Equality Act 2010 – and often don’t know what’s expected of them when they hire a Disabled person. Employers know that they can argue an adjustment isn’t reasonable, but often don’t appreciate the necessity of adjustments for a Disabled person to be able to do their job safely and accessibly. We often hear from Disabled individuals that their employer will make clear that “we don’t have to implement the Occupational Therapist’s recommendations” but rarely recognise this in the context of their legal duty to provide reasonable adjustments or ensure that their practices do not put Disabled people at a substantial disadvantage.

The extent and impact of these barriers are highlighted by the [disability employment gap](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/outcomesfordisabledpeopleintheuk/2021#employment) stubbornly sitting at around 30%, and the [disability wage gap](https://www.disabilityrightsuk.org/news/tuc-report-exposes-disability-pay-gap)) now growing – currently at 17.2% overall and 35% for Disabled women.

Disability confident is also very weak, not placing any tangible additional responsibility on employers to improve their inclusion or representation. The ineffectiveness of this policy can lead to Disabled young people seeking out Disability Confident employers to then still be met with ignorance and inaccessibility and therefore lose confidence in the inclusive practices of any future employers.

It’s important to recognise, when assessing the additional barriers faced by Disabled people during the transition period from childhood to adulthood, that these additional barriers already sit in a systemically ableist context – consistently leading to less opportunities and worse outcomes for Disabled people.

* ***Recommendation:*** *Adopt and implement the asks of the* [*Disability Employment Charter*](https://www.disabilityemploymentcharter.org/blank)*. Introduce mandatory disability workforce reporting and introduce greater accountability for private and public employers that fail to deliver their legal obligations under the Equality Act 2010.*