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EUROPEAN SOCIAL CHARTER

35th National Report on the implementation
of the European Social Charter

submitted by

THE GOVERNMENT OF THE UNITED KINGDOM

- Article 1, 9, 10, 15, 18 for the period 01/01/2011 - 31/12/2014
- Complementary information on Article 2§4 and 4§5 (Conclusions 2014)

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THE COUNCIL OF EUROPE

EUROPEAN SOCIAL CHARTER

THE UNITED KINGDOM'S

THIRTY-FIFTH

REPORT

MARCH 2015

Under the current reporting system the provisions of the European Social Charter are divided into four thematic groups. States present a report on the provisions relating to one of the four thematic groups on an annual basis. Consequently, each provision of the Charter is reported on once every four years. This year's report, for the period 1st January 2011 to 31st December 2014, covers the Thematic Group 1, on the subjects of Employment, Training and Equal Opportunities.

For the United Kingdom the relevant Articles are:

Article 1	The right to work
Article 9	The right to vocational guidance
Article 10	The right to vocational training
Article 15	The right of physically or mentally disabled persons to vocational training, rehabilitation and social resettlement
Article 18	The right to engage in gainful occupation in the territory of other Contracting Parties

Contents	Page
Article 1, Paragraph 1	1
Article 1, Paragraph 2	38
Article 1, Paragraph 3	41
Article 1, Paragraph 4	44
Article 9	55
Article 10, Paragraph 1	64
Article 10, Paragraph 2	71
Article 10, Paragraph 3	72
Article 10, Paragraph 4	77
Article 15, Paragraph 1	89
Article 15, Paragraph 2	92
Article 18, Paragraph 1	105
Article 18, Paragraph 2	105
Article 18, Paragraph 3	109
Article 18, Paragraph 4	109
	118

Report from the Isle of Man

Appendices (electronic version only)

Appendix 1A – UK ILO Article 22 Report of 2012, Convention No. 122

Appendix 1B – UK ILO Article 22 Report of 2014, Convention No. 2

Appendix 1C – UK ILO Article 22 Report of 2014, Convention No. 100

Appendix 1D – UK ILO Article 22 Report of 2014, Convention No. 111

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ARTICLE 1 - The right to work

Article 1, Paragraph 1

Question 1

Legislation

The Welfare Reform Act, 2012

<http://lawvolumes.dwp.gov.uk/docs/a14-101.pdf>

The Jobseekers (Back to Work) Schemes Act, 2013

<http://lawvolumes.dwp.gov.uk/docs/a11-1001.pdf>

The United Kingdom (UK) has ratified the International Labour Organisation (ILO) Convention No.122 on Employment Policy. A copy of the UK's most recent Article 22 report, which describes in some detail the Government's employment policies during the period 1 June 2010 to 31 May 2012, is attached to this Report as **Appendix 1A**.

The UK has also ratified the ILO Convention No.2 on Unemployment. A copy of the UK's most recent Article 22 report, which describes in some detail the Government's policies on employment and unemployment protection during the period 1 June 2010 to 31 May 2014, is attached to this Report as **Appendix 1B**.

Question 2

EMPLOYMENT POLICY

Please see the ILO C122 and C2 reports at Appendices 1A and 1B in conjunction with the following update.

Economic and employment policy

In October-December 2014 there were 30.90 million people in work in the UK, equivalent to 73.2% of the 16-64 year old population. ILO unemployment was 5.7% of the labour force, while claimant count unemployment stood at 823,000 people. Both measures of unemployment have decreased since the last report in 2010 as the UK economy has recovered from the recession in 2008-2009.

Economic growth in the UK in 2014 was 2.6% year on year. Inflation in December 2014 was 0.5%, which is below the Bank of England's target rate of 2.0%.

The proportion of unemployed who are long-term unemployed (over 1 year) was 34.3%, up from 33.5% in 2010.

Localism, Decentralisation and Devolution

The Government's overarching goal is to promote strong, sustainable and balanced growth. To do this the Government needs to rebalance the economy both from a sector- and geographical-based perspective, so that growth is not reliant on particular

places. An approach to shift power away from central government to local communities, citizens and independent providers puts businesses and local communities in charge of their own futures and provides greater incentive for local growth. For local communities this means ensuring that everyone has access to opportunities that growth brings and everyone is able to fulfil their potential.

In 2011, Government announced new support for cities, including the Cabinet Office-led initiative 'Unlocking Growth in Cities', to drive growth and prosperity. A first wave of "City Deals" with the eight largest cities in England outside London (Birmingham, Bristol, Leeds, Liverpool, Manchester, Newcastle, Nottingham and Sheffield) were agreed in 2012 followed with deals with a further smaller 20 cities in 2013. These are agreements between government and a city that give the city control to:

- Take charge and responsibility of decisions that affect their area;
- Do what they think is best to help businesses grow;
- Create economic growth; and
- Decide how public money should be spent.

City Deals enabled the Department for Work and Pensions (DWP) to work with cities where they wished to develop and deliver new local welfare proposals and approaches to supporting people into work and ensure DWP priorities are incorporated into local partnership plans for driving forward growth.

In 2013, to build on this approach and enhance existing City proposals, DWP made available £50m of funds which were awarded to English Cities to develop new and innovative interventions for tackling long term youth unemployment with a further £5m provided to Scotland and Wales. Southampton and Portsmouth City Region and Black Country Deals received further DWP funding to support their proposals.

Local Enterprise Partnerships (LEPs) in England bring businesses and local authorities together to create the right environment for economic growth by addressing local issues such as transport, planning, housing, employment and to create business development opportunities. Growth Deals were announced on 7 July 2014 with £6 billion of local projects agreed and £2 billion allocated from a Single Local Growth Fund for 2015-2016. This was partly funded from the existing budgets of central government departments, i.e. transport, skills and housing and the rest competitively bid for by LEPs through their strategic economic plans. The Department for Work and Pensions continues to work with Local Enterprise Partnerships, through their employment stands, to ensure that tackling local worklessness is a key priority for allocation of resources.

In November 2014, The Smith Commission proposed that the Scottish Parliament would have all powers over support for unemployed people through the employment programmes currently contracted by DWP (which are presently delivered mainly, but not exclusively, through the Work Programme and Work Choice) on expiry of the current commercial arrangements. The Scottish Parliament would have the power to decide how it operates these core employment support services.

Further to this, the government has also announced “devolution deals” for the Northern Powerhouse cities with initial agreements with Greater Manchester and Sheffield. DWP is committed to exploring co-commissioning of the Work Programme in England and Wales and will use the opportunity the devolution deals offer for local discussion to explore local approaches.

Local partners are critical to the delivery of employment outcomes and in securing improvement to employment services. Jobcentre Plus has flexibility in how services are deployed to meet local need - the Flexible Support Fund and the Work Programme – are currently available throughout Great Britain and build upon the Department's legacy of partnership working to tackle unemployment.

The Work Programme is based upon flexible contracts where the Department does not determine nor prescribe what services providers deliver to individual clients but relies upon the market to determine what is efficient and effective. Providers are paid on the results they achieve and need to work side by side with partners if they are to be successful and deliver the best possible outcomes. The Department actively encourages the involvement of a range of contractors and sub-contractors in the Work Programme and has strengthened the requirement on prime contractors to put together supply chains that deal credibly with all aspects of disadvantage for the customer groups and locality concerned, which is expected to increase the diversity of the supply chain.

Whole Place Community Budgets

Community Budgets

One of the key approaches to the Government's commitment to devolving and localising control of public services away from Whitehall has been the development of Community Budgets. These were intended to enable local public service providers to work together to meet the needs of their local communities by joining up services, sharing budgets, improving outcomes for local people and reducing duplication and waste. Over time the approach has changed to a “Whole Place” one where the aim was to increase collaboration between all partners to reduce duplication, develop greater synergies across a range of services, creating a more effective “joined up” approach, whilst making significant savings.

Four Whole Place Community Budget pilots were announced in 2011 where business plans identified significant savings across a range of public services. In March 2013 the newly announced Public Service Transformation Network was formed to extend the benefits of the “whole place” multi-agency approach to public service reform by supporting specific projects, gathering, assessing and using evidence to influence and inform future national policy. The network is currently working with 13 areas across England.

The Independent Transformation Challenge Panel was launched in 2014 to look at how public services are delivered and working to encourage more radical recommendations to Government how to increase the pace and scale of transformation.

Reforming Back to Work Support to Get Britain Working

The Government remains committed to the idea that work is the best route out of poverty and has objectives to:

- a) provide employment opportunities for all;
- b) prevent poverty and provide security for those who cannot work; and
- c) ensure that the welfare system is affordable for the state.

The Department for Work and Pensions (DWP) has reformed the way Jobcentre Plus delivers its services by handing responsibility back to the Jobcentre Plus advisers who work with the claimants. Jobcentre Plus advisers are now able to offer claimants a comprehensive menu of help including skills provision and job search support. They have the flexibility to judge which interventions will help claimants at the most appropriate point in their job seeking journey, tailoring this to individual need.

The Flexible Support Fund (FSF) was introduced in April 2011 to support the flexible delivery of the Jobcentre Plus offer. It is a fund of previously targeted budgets amalgamated into one to support the need of the individual and the local labour market as determined appropriate by Jobcentre Plus. Examples include:

- training allowances for claimants undertaking some types of full time training;
- support for Partnership activity;
- purchasing support to meet one-off claimant needs;
- paying for adaptations to help a disabled claimant to access work placements; and
- paying for replacement adult, or child care to enable a claimant to undertake training, attend interviews or start work.

In 2011 the Government introduced the Work Programme which is moving people off benefit and into work. The vast majority of those who find sustained employment through the work programme are remaining in work beyond the six month point (this is covered in more detail below).

The Government has a number of other Labour Market programmes in place:

- New Enterprise Allowance supports those looking to start their own business (for more information see section below);
- Enterprise Clubs, run by for example local voluntary sector organisations, chambers of commerce and enterprise support organisations, help people make the most of local knowledge and resources to support unemployed people who are interested in self-employment; and
- 'sector-based' work academies offer pre-employment training and work experience placements in sectors with high volumes of local vacancies, with a guaranteed job interview upon completion of their placement. Sector-based work academy placements last up to six weeks. The claimant remains on benefit during that time and receives additional support with travel and childcare costs and reasonable adjustments if required.

Since April 2014, Help to Work has supported longer term Jobseeker's Allowance claimants. Help to Work offers three intensive support options for Work Programme completers. Work Coaches in Jobcentres will work with claimants to understand their needs, and refer them to one of the following:

- A Mandatory Intervention Regime (MIR), where Coaches have more time to spend with claimants, and can use other support such as referring to training, local provision and using the flexible support fund;
- Daily Work Search Reviews, where claimants will attend the Jobcentre every day to discuss their progress in looking for work, for up to three months;
- Community Work Placements, where claimants undertake work placements of community benefit for up to six months. If claimants remain on benefits after a period of daily attendance or Community Work Placements, they will be transferred to the intensive Mandatory Intervention Regime support for as long as they need;
- Work experience, which helps young unemployed people, with little or no work experience, get valuable work-based skills through a placement with a local employer. Work experience also provides young unemployed people with a potential new route to getting onto an apprenticeship. Work experience is one of a series of measures which form part of the Jobcentre Plus flexible menu of support to help claimants seek and obtain employment prior to their eligibility for referral to the Work Programme. Between its launch in January 2011 and May 2014 (the latest published figures) 196,600 young people aged between 18 and 24 used the scheme.

New Enterprise Allowance

The [New Enterprise Allowance](#) (NEA) gives extra help to unemployed people who want to start their own business.

The scheme is available to people, aged 18 and over, who are claiming Jobseeker's Allowance, ESA claimants who haven't yet been mandated to the Work Programme; lone parents in receipt of Income Support and people who are claiming Income Support because of sickness or disability. It provides access to advice and guidance through business mentoring, together with an element of financial support.

The NEA has now successfully supported the start-up of over 60,000 businesses. Over 110,000 have had support from an NEA mentor.

NEA participants work with a business mentor who provides them with guidance and support as they develop their business idea, and supports them through the early stages of trading.

The financial support available to participants includes of a weekly allowance payable over 26 weeks - worth up to £1,274 – aimed at enabling participants to establish their business and cash flow; and if they need start-up capital they may also apply for an

unsecured loan through the BIS start-up loan scheme.

Ethnic Minorities

Ten years ago, the gap between the ethnic minority employment rate and the overall employment rate was 13.5 percentage points. Today the employment rate gap stands at 11.3 percentage points. Although the gap is narrowing there is still a lot of work to be done, with economic activity varying considerably between ethnic groups, such as inactivity among Pakistani and Bangladeshi Women being 60.3 per cent (quarter 4, 2013) which is more than double the overall population at 27.7 per cent and unemployment among young black people standing at 45% in quarter 4 of 2012 compared to 21% for all young people.

The Government's strategy for increasing ethnic minority employment and participation in the labour market is based around mainstreaming opportunity through locally delivered flexible provision.

Employers:

- DWP is working in partnership with employers to build relationships to help employers see the benefits of a diverse workforce, thus changing attitudes towards people from ethnic minority communities;
- The Department looks to offer recruitment services that meet the needs of the individual employer; and
- Through the Department's network of employer advisers, we also help employers ensure that their policies and recruitment practices do not unintentionally deter candidates from minority communities. For example, the Employer's Toolkit enables both employers and employees to consider how their decisions impact on their diverse workforce and customer base.

The Ethnic Minority Stakeholder Group (EMESG) supports the strategy by:

- offering Ministers and officials advice on the impact of DWP's services and strategy on the employment/self employment of ethnic minorities;
- providing expert advice on existing and developing services, policies and strategy relating to ethnic minorities across the DWP's key work areas; and
- advice on the labour market barriers potentially faced by ethnic minorities across Great Britain and evidence-based solutions that can help to overcome these barriers.

Specialist Disability Employment Provision

In December 2010, Ministers asked for an independent review to look at DWP employment support available for disabled people, specifically Remploy, Residential Training Colleges and the Access to Work programme. Liz Sayce, the Chief Executive of the disability organisation RADAR, led the review. A key aim of the review was to examine how more disabled people could be supported into work within the available funding. The Report 'Getting in, staying in and getting on'¹, was published on 9 June 2011.

¹ www.dwp.gov.uk/policy/welfare-reform/specialist-disability-employment/

The Government's response and a separate public consultation were launched on 11 July 2011. The Minister for Disabled People welcomed the central theme of the review, that resources for supporting disabled people into employment should be focused on disabled people themselves rather than on specific institutions. The Government Response and the Consultation can be viewed on-line at www.dwp.gov.uk/sayce-consultation

Disability and Health Employment Strategy

In December 2013, the Department for Work and Pensions (DWP) published 'The disability and health employment strategy: the discussion so far'¹. This paper set out a range of proposals for improving the suite of Government-funded employment support for disabled people and people with health conditions, including:

- Developing an improved 'Gateway' through which people access DWP's services. The new 'Gateway' focuses on an individual's employment strengths, skills and needs, rather than the benefit they receive or their health condition, enabling us to create a more individualised support package;
- Improving our specialist employment support to ensure we deliver value for money and that providers deliver high-quality, personalised and effective services; and
- Continuing to build our evidence base, both to inform our own future specialist and mainstream offers, and to encourage other commissioning bodies to invest in this area.

Since 2013, DWP has continued to invest in supporting groups that face particularly high barriers to employment:

- DWP has worked with partners and stakeholders to develop the Hidden Impairment National Group (HING), which is helping to improve services for people with Autism and associated Hidden Impairments (including: Attention Deficit Hyperactivity Disorder, Dyslexia, Dyspraxia, Dyscalculia and Speech and Language impairments).
- DWP has also produced the Hidden Impairment Toolkit, which can support employers in identifying appropriate reasonable adjustment solutions for their employees.
- The Government has introduced a new £1.2 million Autism Innovation Fund, which is funding 42 projects to test new ways of supporting people with autism to obtain information and advice, develop independence skills, and find work

¹ <https://www.gov.uk/government/publications/the-disability-and-health-employment-strategy-the-discussion-so-far>

or apprenticeships. The projects will be evaluated and the outcomes shared to encourage replication in other parts of the country.

- DWP has increased its focus on mental health, launching an enhanced Employment and Wellbeing toolkit in Jobcentre Plus local offices which offers practical support to advisers to help them work with claimants affected by mental health problems.
- The Government has appointed a new special needs Tsar, Lee Scott MP, to focus on helping people with special educational needs make the transition from education into employment.

Employer Engagement

The Government is committed to working in partnership with employers to remove barriers, increase understanding and ensure that disabled people have opportunities to fulfil their potential and realise their aspirations.

DWP has already built wide support for this agenda amongst a range of employers through national employer campaigns such as Employ-Ability, Hire Vision and the Recruitment That Works initiative.

Jobcentre Plus continues to promote employment opportunities for disabled people by making sure employer-facing staff encourage diversity and equality in the workplace, as part of the wider service offer to employers for recruitment, retention and skills support, ensuring opportunities for vulnerable or more disadvantaged customers.

Disability Confident

The Disability Confident campaign is a key element of the employer engagement measures described in 'The disability and health employment strategy: the discussion so far'.

The award-winning¹ campaign works with employers to challenge negative attitudes to disability employment, and promotes equal opportunities for all individuals who can work. It was launched by the Prime Minister in July 2013 at a national event attended by around 300 employers, including FTSE 100 companies, small businesses and disabled entrepreneurs.

A series of seven regional events followed, and to date the campaign has reached over 1,100 employers across Britain and received over 200 Disability Confident employer pledges.

In July 2014 DWP expanded the campaign with the launch of:

¹ 'Winners of Diversity Awards revealed' <https://www.civilserviceworld.com/articles/news/winners-diversity-awards-revealed>

- a. an expanded and updated Disability Confident employer portal with advice and information for employers on obligations and support available to employ disabled people; and
- b. a Disability Confident toolkit to support MPs and other individuals and organisations wishing to hold their own Disability Confident events.

The Disability Confident campaign has also attracted international interest; #disabilityconfident has been trending around the world in countries including Australia, Germany and the USA and has inspired similar programmes abroad.

WALES

The Lift Programme

The Welsh Government's Lift Programme reflects the commitment in the Welsh Government's Tackling Poverty Action Plan to provide 5,000 training and employment opportunities to people from workless households by the end of 2017.

The Programme was formally launched in March 2014 and is being delivered in nine areas, based on 12 Communities First Clusters, across Wales.

The Programme focuses on people who have been out of work for more than six months and face employment barriers, such as young single parents, adults with few or no formal qualifications; people with poor employment records and disabled people. The provision is intended to be additional and complementary to what is delivered by the Department for Work and Pensions.

As of December 2014, the Programme had provided 1028 training and employment opportunities, including 178 people supported into employment.

In January 2015, the Minister for Communities & Tackling Poverty confirmed she had approved £1 million of funding to support the continuation of the Programme until 31 March 2016.

Jobs Growth Wales

Jobs Growth Wales offers unemployed young people aged 16-24 work experience for a 6-month period. This is paid at or above the National Minimum Wage for a minimum of 25 hours per week.

In April 2013, Jobs Growth Wales exceeded its first year target, creating 6,000 job opportunities for young people across Wales and getting more than 4,000 unemployed young people into work.

As of March 2014 Job Growth Wales had created 11,851 job opportunities across Wales and of these, 9,181 had been filled. The remainder were in various stages of recruitment. A data management system is kept which logs details on participants, such as ethnicity, any disability, age and length of unemployment.

2007-2013 European Structural Funds Programmes

The 2007–2013 European Structural Funds (ESF) programmes are investing in projects which can help achieve sustainable growth and jobs in Wales. As of 31 December 2014, a total of 290 projects have been approved EU funds of over £1.9 billion, representing a total project investment of £3.7 billion. These have helped provide over 26,000 opportunities for businesses and over 650,000 employment and training opportunities for individuals across Wales, with approximately 189,400 people having gained qualifications.

Equal opportunities (in Wales this includes support for speakers of the Welsh language), is one of the two cross cutting themes integrated into the 2007-13 European Union Structural Funds programmes in accordance with the requirements of the European Commission. Gender equality, equal opportunities and the protection of all persons against discrimination is to be promoted in the preparation, implementation, monitoring and evaluation of the Structural Funds Programmes and any project qualifying for funding must integrate equal opportunities. In Wales every attempt has been made to align equal opportunities with the skills and employment agenda, tackling poverty and supporting health and well being and this holistic approach has enabled the successful integration of the equal opportunities cross cutting theme.

SCOTLAND

Overview of Scotland's Economic Strategy

*Scotland's Economic Strategy*¹ – published on 3rd March 2015 – sets out how the Scottish Government will continue to make full use of the levers currently devolved to the Scottish Parliament in order to deliver on the Purpose established in 2007 to:

...focus the Government and public services on creating a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth.

Scotland's Economic Strategy sets out an over-arching framework for how the Scottish Government will create a more productive, cohesive and fairer Scotland. The Strategy sets out how Scotland will go beyond pre-recession levels of economic performance, by tackling the underlying challenges in the economy and labour market, increasing the competitiveness and sustainability of the Scottish economy, and tackling inequality in a way that ensures the benefits of economic success are shared by all.

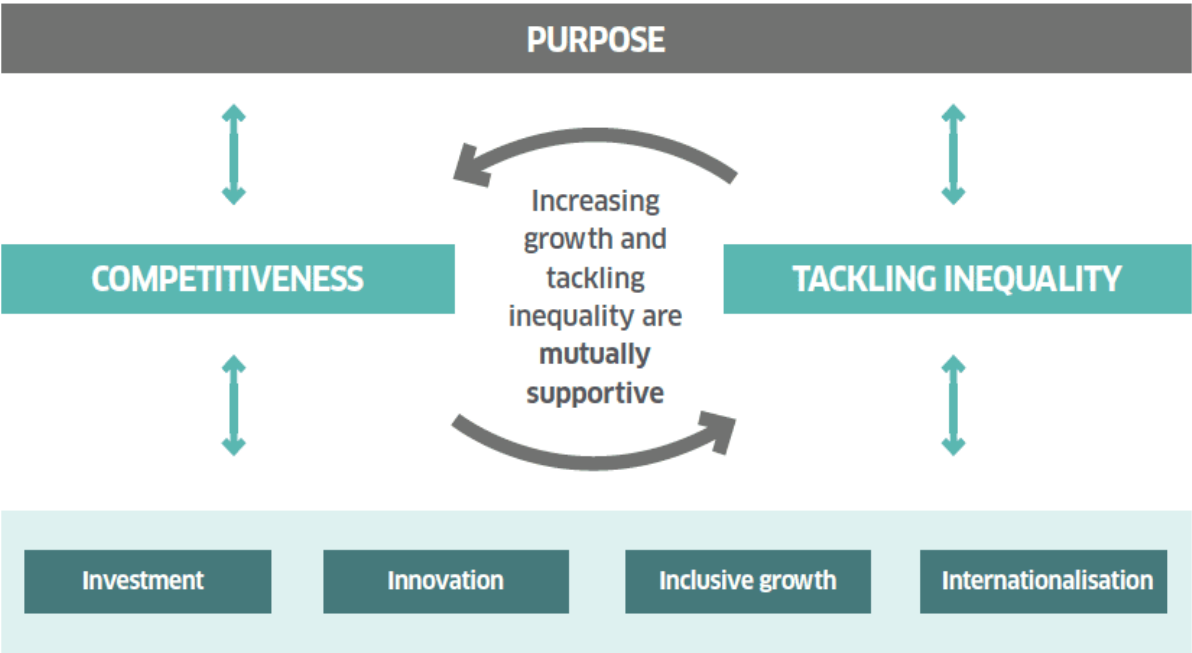
The approach set out in *Scotland's Economic Strategy* is focused on two mutually supportive goals for achieving our Purpose; **increasing competitiveness** and **tackling inequality**. Scotland's Economic Framework is outlined in Figure 1A.

¹ <http://www.gov.scot/Resource/0047/00472389.pdf>

Increasing competitiveness relates to the Scottish Government's ability to help new Scottish businesses to develop by supporting entrepreneurialism and access to finance, encouraging companies to become more innovative and to exploit new commercial opportunities, and to help businesses to grow and expand both at home and overseas.

As well as being important in itself, **tackling inequality** is vital to creating the conditions to deliver economic growth that is sustainable over the long term and is shared by all. A growing body of international evidence shows that lower inequality is correlated with faster and more durable growth.

Figure 1A: Scotland's Economic Framework



Promoting competitiveness and addressing inequality are important interdependent ambitions. These goals are underpinned by four priority areas which the Scottish Government will focus on to deliver sustainable economic growth.

- Four Priorities for Delivering Sustainable Economic Growth**
- **Investing** in people and infrastructure in a sustainable way;
 - Fostering a culture of **innovation** and research and development;
 - Promoting **inclusive growth** and creating opportunity through a fair and inclusive jobs market and regional cohesion;
 - Promoting Scotland on the **international** stage to boost our trade and investment, influence and networks

Investment – in Scotland's people, infrastructure, businesses, communities and natural environment – is key to driving long-term improvements in competitiveness and creating opportunities for everyone in society to benefit from these improvements. *Scotland's Economic Strategy* sets out how investment will be prioritised to ensure a healthy population and a productive workforce; provide physical and digital infrastructure to ensure that all of Scotland is connected and able to take advantage of opportunities; provide the setting to help Scottish businesses grow; and ensure that economic growth is sustainable by reducing emissions, enhancing our natural capital and transitioning to a low carbon economy.

Innovation - including the development of new processes, products, services, workforce design and business models – is a fundamental driver of long-term competitiveness and sustainable growth. The Strategy sets out how the Scottish Government will work with businesses, universities, trade unions and others to make Scotland a world-leading innovative and entrepreneurial nation.

Promoting **inclusive growth** and creating a more cohesive economy that improves the opportunities, life chances and wellbeing of every citizen in Scotland is key to improving outcomes for individuals and households, and is a critical driver of economic performance over the long term. The approach in *Scotland's Economic Strategy* sets out how the Scottish Government will make Scotland a more equal country and ensure that the benefits of growth are shared by all through promoting a fair and an inclusive jobs market; reducing barriers to economic opportunity; tackling cross-generational inequality; and capitalising upon local knowledge and resources to realise opportunities across Scotland's cities, towns and rural areas.

Growing Scotland's **international** presence and strengthening links with the global economy is increasingly important to economic success. This brings opportunities for increasing trade; attracting investment; for sharing skills; expertise; and for collaborating with others to support innovation and sustainable economic growth. The Scottish Government's approach to internationalisation is two-fold: It aims to create an environment within Scotland that supports a better understanding of international opportunities and a greater appetite and ability to seize them; and to influence the world around us on the issues that matter most in helping Scotland to flourish.

In order to ensure that the benefits of economic success are shared across all of Scotland, *Scotland's Economic Strategy* recognises that a partnered approach to boosting competitiveness and reducing inequality, between the public sector, businesses, trade unions, the third sector and communities is required.

SCOTLAND

Employability – Overview

- Employment remains reserved to the UK Government however employability and skills services funded through the Scottish Government support employment outcomes for the unemployed.

- Published on 20th September 2012, "Working for Growth", our refreshed employability framework, was developed with a range of partners to strengthen the focus on economic growth in Scotland. The key priorities are; improved strategy development and more effective leadership, to encourage better partnership working, tackle inequality and improve performance.

Key Priorities in Progress

- While young people remain a priority, the Scottish Government will continue to address the needs of those who face significant barriers to work including those with disabilities, criminal backgrounds and low skills.

Key strategies and policies include:

- Opportunities for All ensures access for all 16-19 year olds to a range of opportunities, including staying on at school beyond age 16, pre-employment training programmes, further and higher education, Activity Agreements, additional opportunities offered through the Third Sector, Community Jobs Scotland and the Department for Work and Pensions (DWP). Scottish Government is providing an additional £30m between 2012-15 to support 16-19 year olds not in education, training or work and a further £4.82m for local authorities to co-ordinate local delivery of Opportunities for All.
- The Youth Employment Scotland Fund (YESF) is a £50m (£15m provided by the Scottish Government) fund that is delivered by local authorities. The fund aims to create up to 10,000 new jobs for young people aged up to 30 years old by March 2015 although support may be extended beyond this date.
- Community Jobs Scotland (CJS) has enabled the third sector, through over £35m funding since 2011, to create 5,000 job training opportunities for long term unemployed people aged 16 to 24. Phase 4 (2014/15) provides a £7.1m funding package for 1,400 job training opportunities and also includes a pilot of 200 places for ex-offenders and care leavers.
- The Scottish Government delivered 25,284 Modern Apprenticeships in 2013-14 and it was announced in April 2014 that the target would increase year on year from 25,000 to 30,000 by 2020. There will also be an additional focus on higher level apprenticeships as well as on young people, 79% of MA starts were aged 16-24 in Scotland.
- The Employability Fund (EF) brings together Scottish Government spend on pre-employability training, moving away from the funding of specific programmes of learning towards provision tailored to the needs of participants and local labour markets. The budget in 2013-14 and 2014-15 is £52m. £34m of provision is contracted by SDS to support 17,150 training opportunities and £18m is allocated directly to the colleges to support 7,950 training opportunities.
- In the 2014-2020 Structural Funds Programmes, £115m has been allocated to all 32 local authorities across Scotland to fund the continuation of employability

pipelines. A further £78M will be available in South West Scotland specifically to target unemployed and inactive young people and get them into long-term and sustainable work, training or education.

- Developing Scotland's Young Workforce (DSYW) aims to reduce youth unemployment by 40% by 2020. £12m was allocated for the early implementation of the recommendations in 2014 and priorities will include advanced MA's, young people not in education, employment or training, and establishing new regional employer partnerships.

Devolution of Employment Services by the UK Government

On the 18th September 2014, Scotland held a referendum on independence. Although there was not a clear mandate for independence, there was cross-party agreement on the devolution of further powers to Scotland.

The Commission subsequently set up to determine this recommended that DWP contracted employment provision be devolved. This presents an opportunity for the Scottish Government to better align a range of support funded at all levels of Government to achieve greater employment outcomes.

NORTHERN IRELAND

Questions 1 and 2

The position remains as previously described with the following update on developments.

Northern Ireland's main adult return to work programme is Steps 2 Success. This was introduced on 20 October 2014. The programme is operated under the provisions of the Employment and Training Act (Northern Ireland) 1950 supported by [The Jobseeker's Allowance \(Schemes for Assisting Persons to Obtain Employment\) Regulations \(NI\)](#).

Steps 2 Success (S2S) programme

The aim of Steps 2 Success is to help eligible benefit recipients find and sustain employment thereby supporting the needs of employers and the economy.

Eligibility

JSA - 18 to 24 years

JSA clients aged between 18 and 24 years will become eligible for referral to S2S if they have failed to find work after 9 months on benefit.

JSA - 25 years and over

JSA clients aged 25 and over will become eligible for referral to S2S after 12 months on benefit. JSA clients aged 25 and over who have concerns about their ability or opportunities to secure employment without more expert help, can request referral to S2S when they have been in receipt of benefit for 6 months or more.

JSA - Early Entry

JSA clients who, in the opinion of their DEL Adviser, have a significant barrier(s) to work which cannot be addressed by the Employment Service may be referred to S2S after 13 weeks. Ex-offenders will be offered access to S2S from Day One of their claim to JSA. Once referred to the programme clients will be subject to conditionality.

ESA - Work Preparation (ESA WRAG)

After an assessment process with their Employment Service Adviser the client may be referred to the S2S programme where the DEL Adviser and the client agree that it is the most appropriate route.

Voluntary

Customers already in the ESA (Support Group), Income Support clients (Lone Parents and Carers) and Pension Credit will be able to join the programme on a voluntary basis. Customers in the ESA will be able to join the programme on a voluntary basis. Customers in receipt of Pension Credit will also be eligible to participate on the programme on a voluntary basis, if they are seeking work.

Returners

Those clients who have completed the S2S programme and have been claiming benefits for a further 26 weeks will return to the programme once more for a period of 52 weeks.

Pathways to Success

'Pathways to Success'¹, the Northern Ireland Strategy for young people not in education, employment or training (NEET), was endorsed by the Northern Ireland Executive on 31 May 2012. The Strategy seeks to effectively join up actions taken across the Executive to prevent young people falling into the NEET category in the first place and to ensure that young people's needs are identified and matched with opportunities to meet those needs. As it was developed to help those young people who face barriers to participation in education, employment or training the Strategy introduces a number of new initiatives within the context of wider existing and developing programmes of intervention to tackle youth unemployment. In combination, these represent a comprehensive programme of action, for which the Executive as a whole will provide leadership. A NEET Advisory Group brings together key decision makers from Government Departments, voluntary and community sector, education, health, social care, business and local government to lead the implementation of the 'Pathways to Success' Strategy.

Community Family Support

The Community Family Support Programme (CFSP) has been designed to help families make life changing decisions to enhance their prospects and to become full participants in society. During the 26 week programme families receive help to address the health, social, economic, educational, employment and training issues that impact on their daily lives.

¹ <http://www.delni.gov.uk/del-pathways-to-success-v6.pdf>

The programme also aims to prevent young people falling into the NEET category and help other young people who find themselves in this situation to re-engage with education, training or employment.

Professional support workers engage and consult with parents of children and young people to promote early intervention and high quality parenting and to identify solutions to address their specific needs.

A total of £3.9 million, will have been invested in the CFSP in the period November 2013 to March 2015 and 720 families will have benefited from this intervention overall.

Collaboration and Innovation Fund

The Collaboration and Innovation Fund (CIF) is exploring new approaches to address the specific and general employability barriers faced by those young aged 16 to 24 people who are not in education, employment or training (NEET). The programme aims to help 6,000 young people in the NEET category through a range of provision which includes an individual assessment of need, development of action plans, mentoring, bespoke training, work placements and signposting.

Funding of £9.2 million has been allocated to 24 organisations from the community, voluntary and educational sectors to deliver project activity between December 2012 and March 2015. At the end of December 2014, 5,284 young people had commenced CIF and of the 3,754 leaving the programme 2,870 had completed activities and 1,954 had moved into positive outcomes of employment 496 (13%), education 485 (13%) and training 973 (26%).

Local Employment Intermediary Service (LEMIS)

In Northern Ireland assistance is also available to help the long term unemployed and economically inactive overcome barriers to find employment, through the Local Employment Intermediary Service (LEMIS). LEMIS was developed following evaluations of the Targeted Initiatives and Labour Market Intermediaries, which operated on a pilot basis for a number of years and finished in March 2007. The programme is operated under the provisions of the Employment and Training Act (Northern Ireland) 1950.

The LEMIS client base is the long term unemployed, economically inactive (both benefit claimants and non-benefit claimants) and clients with a common employability barrier, e.g. young people not engaged in employment, education or training, those with a history of drug/alcohol misuse, homelessness and ex-prisoners/ex-offenders. The main priority groups are those claiming Incapacity Benefit, Employment Support Allowance, Income Support and Carers Allowance.

LEMIS provides tailored assistance to help voluntary clients overcome personal barriers that may be preventing them from finding and keeping a job. The service, is independent of the statutory employment services, is delivered by and in the community and complements the services available through the Jobs and Benefits offices and JobCentres in the areas being targeted.

LEMIS commenced in April 2007 and the areas to be targeted by LEMIS were identified by reference to the latest version of the Noble Indices of Multiple Deprivation i.e. those areas suffering the highest levels of unemployment/low employment in N Ireland, namely Strabane, Belfast and Londonderry. LEMIS will be extended to the next three areas on the Noble Indices of Multiple Deprivation on 1st September 2011, i.e. Newry and Mourne, Moyle and Cookstown.

LEMIS subsumed the Department's Progress2Work programme in April 2011 and in September 2011 LEMIS provision was extended to Newry & Mourne, Cookstown and Moyle District Council areas.

In addition to these 11 core LEMIS contract areas and due to LEMIS subsuming Progress2Work in September 2011, LEMIS was made available on an outreach basis throughout Northern Ireland (NI areas 1, 2 and 3) to individuals with a common employability barrier, i.e. homelessness, ex-offenders/ex-prisoners, people with a history of drug/alcohol misuse and care leavers. LEMIS Mentors travel to meet clients with a common employability barrier in their local area.

LEMIS is delivered by providers offering an impartial and confidential advice and support service to help people find a job that best suits their skills and abilities. The service is person centred, flexible and puts the needs of the client first.

The LEMIS providers are local organisations with detailed knowledge of the issues facing the communities in which they operated, and an understanding of the employment opportunities (existing and potential) in and around their communities. Current contracts run until 31 March 2015 when provision will continue to support clients through the new European Social Fund (ESF) Programme commencing in April 2015.

LEMIS statistics

- During 2013/14 2,789 clients have participated in LEMIS which includes 1,028 young people; and
- 437 entered full time permanent employment with 297 sustaining employment for 13 weeks.

The Department for Employment and Learning (DEL)'s Disability Employment Service has several programmes to assist people with a disability find and remain in employment.

Access to Work

This programme continues to see a steady increase in applications and in participation. At March 2014 there were 651 people on the programme and by December 2014, this had risen to 685. The total programme cost for the financial period April 2013 to March 2014 was £1.63m.

Workable (NI)

Workable (NI) is flagship disability programme in Northern Ireland. This programme is delivered through contracted provider organisations who have extensive experience in delivering specialist employment programmes designed to support people with

disabilities in employment. Between January 2011 and December 2014 the numbers participating on the programme rose from 341 to 560 and overall spend in that period was £8,539,015.

Condition Management Programme

In Northern Ireland, unemployed clients with health and disability related barriers to work can avail of the Condition Management Programme (CMP). This is delivered on behalf of the Department for Employment and Learning by teams of Healthcare professionals working on the five regional Health Trusts.

During 2014, more than 1108 clients participated in CMP.

Work Connect

The Work Connect programme was introduced by the Department in September 2012 to assist people with disabilities and health conditions on Employment and Support Allowance/ Incapacity Related Benefits to move into lasting, paid employment.

The programme offers a range of supports including pre-employment support and In-Work support to help programme participants prepare for, obtain and sustain employment. Since the introduction of the Work Connect programme in September 2012, 271 clients have been helped into work. Expenditure from September 2012 to December 2014 was £1,522,742.

EX – Offenders

Northern Ireland has a number of initiatives in place to reduce the levels of re-offending and works with a number of key Departments within the Northern Ireland Civil Service and voluntary sector agencies to deliver appropriate education, training and employment. The **PATHWAY 2** strategy encourages inmates to make the best use of vocational and educational services, from committal to release and resettlement back into the community.

Following a recent review of the service and delivery of learning and skills by the Northern Ireland Prison Service (NIPS) and also taking into consideration the recommendations proposed for learning and skills in the Dame Anne Owers Report, plans are now underway to change the delivery and services of Learning and Skills in prison establishments.

During 2014 NIPS contracted out some of its learning and skills services as part of an interim contract and is now progressing plans to outsource the delivery of its full learning and skills service to Colleges NI and introduce a new curriculum with effect from April 2015. Where possible the courses will be accredited and service provision aligned with that in the community. The revised curriculum will include provision for careers advice and accredited courses in education and vocational training.

Participation will assist in building confidence, a sense of achievement, renewed hope and self-belief that will allow for a smoother transition of offenders leaving custody to continue with their studies and reintegrate into community life with a range of transferable skills which will be valued by potential employers on release.

Targets:

1. prisoners assessed with learning needs in essential skills literacy and numeracy, and who subsequently complete an education course in this area during custody, will attain at least one higher level essential skills award.
2. prisoners completing educational courses during custody to attain an accredited qualification.
3. prisoners who complete vocational training during custody to attain an accredited qualification.

Objectives:

- To provide Essential Skills assessments for all prisoners/inmates on committal, supported by needs based classes in literacy, numeracy, ICT, higher level education, as well as access to accredited skills development and training to improve employability on release.
- To educate prisoners to a level of attainment needed to benefit from behavioural and therapeutic programmes.
- To measure the level of enrolments and accreditations achieved in essential skills literacy and numeracy and agree a target increase to that level year on year.
- To take a coordinated approach to sentence planning, linking the provision of learning and skills to offender management programmes, with appropriate monitoring and reviewing arrangements.

Development Plan

- Complete early assessments of the individual offender learning needs, setting these out in an individual learning plan which should include information, advice and guidance arrangements and how to ensure those needs are delivered as the offender progresses through custody (to include more targeted work to address the specific needs of women and young offenders in relation to basic education and skills).
- Contribute to the development of a Learning and Skills Forum which will help to provide a more joined up service for offenders, and Implement agreed recommendations from the forum.
- Review the NIPS core curriculum and process map the educational and vocational procedures of each establishment.
- Review the extent of learning disability within the prisoner population, identifying major areas of need and how to address them.

Childcare Strategy

Childcare is also a critical enabler to help parents into work, move families out of poverty and help to break the cycle of inter-generational deprivation. Supported by an affordable, flexible and accessible childcare sector, parents can access work, improve their workplace skills and their employability, or continue to be economically active.

The Childcare Strategy, along with its child development aims, will therefore aim to ensure that no parent who wants, or has a need to, work or to undertake work related training or study, will be prevented from doing so by a lack of childcare.

Question 3

UNITED KINGDOM

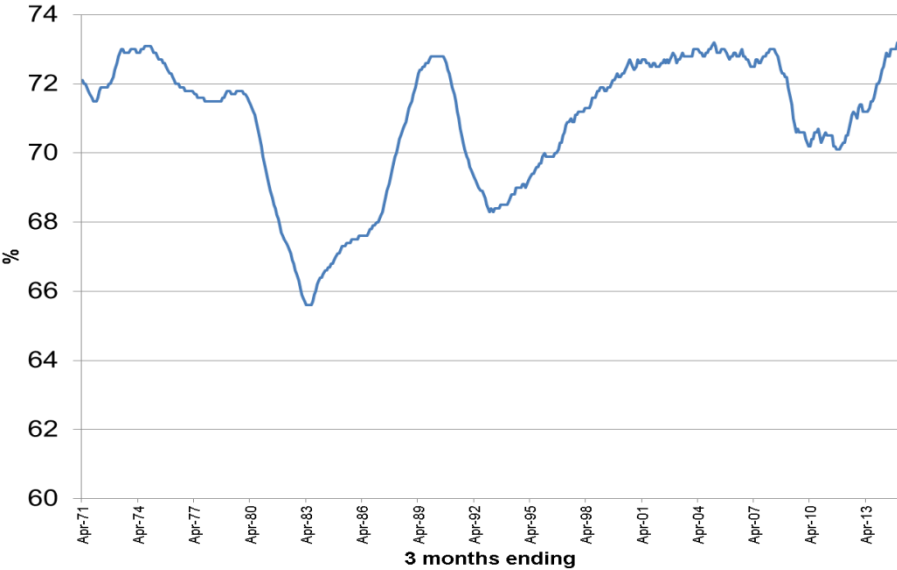
Statistical Analysis of Employment Trends

Employment

The employment rate of working age people aged 16 to 64 was 73.2% in October to December 2014. The rate is up 1.2 percentage points in the last year, 2.8 percentage points since the last report, and is the joint highest rate on record. There were 30.9 million people in employment, aged 16 to 64, as of October to December 2014.

All UK regions saw an increase in the employment rate between October-December 2010 and October-December 2014. The North East and Yorkshire & the Humber saw the most pronounced rise, both at 4.5 percentage points; followed by, East Midlands and London.

Employment Rate for those aged 16-64, UK, 1971-2014



Employment by region

UK employment for those aged 16-64, by region (rates and levels; seasonally adjusted)

16-64 Employment	Oct-Dec 2010		Oct-Dec 2014		Change 2010-2014	
	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
North East	1,093	65.5	1,157	70.0	+5.9	+4.5
North West	3,116	69.0	3,187	70.9	+2.3	+1.9
Yorks & Humber	2,299	68.2	2,450	72.7	+6.6	+4.5
East Midlands	2,041	70.73	2,154	74.5	+5.5	+3.8
West Midlands	2,389	67.9	2,518	71.2	+5.4	+3.4
East	2,714	73.9	2,822	76.3	+4.0	+2.4
London	3,791	68.1	4,153	71.9	+9.6	+3.8
South East	4,079	75.1	4,186	76.5	+2.6	+1.4
South West	2,419	73.9	2,489	75.9	+2.9	+2.0
Wales	1,303	67.7	1,324	69.2	+1.5	+1.5
Scotland	2,437	71.2	2,539	74.4	+4.2	+3.1
Northern Ireland	764	65.9	790	67.8	+3.4	+1.9

Source: UK Labour Force Survey

Employment by gender and age

The male employment rate was 78.0% in Oct-Dec 2014, compared to a female rate of 68.5%. In the four years to Oct-Dec 2014, the male employment rate rose by 2.3 points compared to a rise of 3.3 points for women. The number of men in employment rose by nearly 600,000 over this period, compared to a rise of 730,000 for women.

Employment rates vary between a high of 83.7% for those aged 35-49 and a low of 23.2% for those aged 16-17 in Oct-Dec 2014. Young people aged 16 to 17 were the only group to see an employment rate fall between Oct-Dec 2010 and Oct-Dec 2014 (down 0.1 percentage point). The employment rates of all other age groups rose, with the highest being amongst people aged 50-64 which increased by 4.3 points over this period.

UK employment by gender and age – (seasonally adjusted)

16-64	Oct-Dec 2010		Oct-Dec 2014		Change 2010-2014	
	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
Employment by gender						
Males	15,150	75.7	15,745	78.0	+3.9	+2.3
Females	13,294	65.2	14,024	68.5	+5.5	+3.3
Employment by age	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
16-17	358	23.3	346	23.2	-3.5	-0.1
18-24	3,345	57.7	3,494	60.2	+4.5	+2.6
25-34	6,532	78.7	7,006	80.5	+7.3	+1.8
35-49	10,854	81.0	10,794	83.7	-0.5	+2.7
50-64	7,356	64.7	8,129	69.0	+10.5	+4.3
65+	880	8.8	1,127	10.1	+28.1	+1.3

Source: UK Labour Force Survey

Type of employment

Around 73% of workers were in full-time employment in Oct-Dec 2014, unchanged on Oct-Dec 2010.

Of all those in employment, nearly 15% were self-employed and this represents an increase of around 1 point in the four years to Oct-Dec 2014. Over the same period, the share of employees in temporary work rose marginally from 6.2% to 6.5%. However, the proportion of people in temporary work because they couldn't find a permanent job fell from around 37% to 34% over the same period.

The main type of temporary work is the fixed-term contract with around 41% of temporary employees on such contracts in Oct-Dec 2014, down from 45.5% Oct-Dec 2010. There was a rise over the period in the proportions in all the other types of temporary work. The share of agency work rose from 17 to 19%; casual work from 18.5 to 20%; and seasonal work from 6.5 to 8%. This trend in fixed-term contracts holds for both sexes, though men saw more of a rise in the proportion of seasonal work, whereas for women the increase was in the share of employees engaged in agency and casual work.

Employment by sector of activity

83.4% of total workforce jobs were in the service sector in September 2014, compared to 82.8% in September 2010. In September 2014, the largest sectors comprised: 'Wholesale & retail trade; repair of motor vehicles and motorcycles' (15.4% of total workforce jobs); 'Human health & social work activities' (12.7%); Education (8.8%); and, outside the services sector, Manufacturing (8.1%).

'Professional scientific & technical activities' saw the largest increase of any sector, up 492,000 or 21% over the four year period. This was followed by 'Administration & Support Service Activities', which saw an increase of 370,000 or 16%. The only

sector to see a decrease was 'Public administration & defence; compulsory social security', where the number of jobs fell 196,000 or 11%.

UK workforce jobs by industrial sector (level; seasonally adjusted)

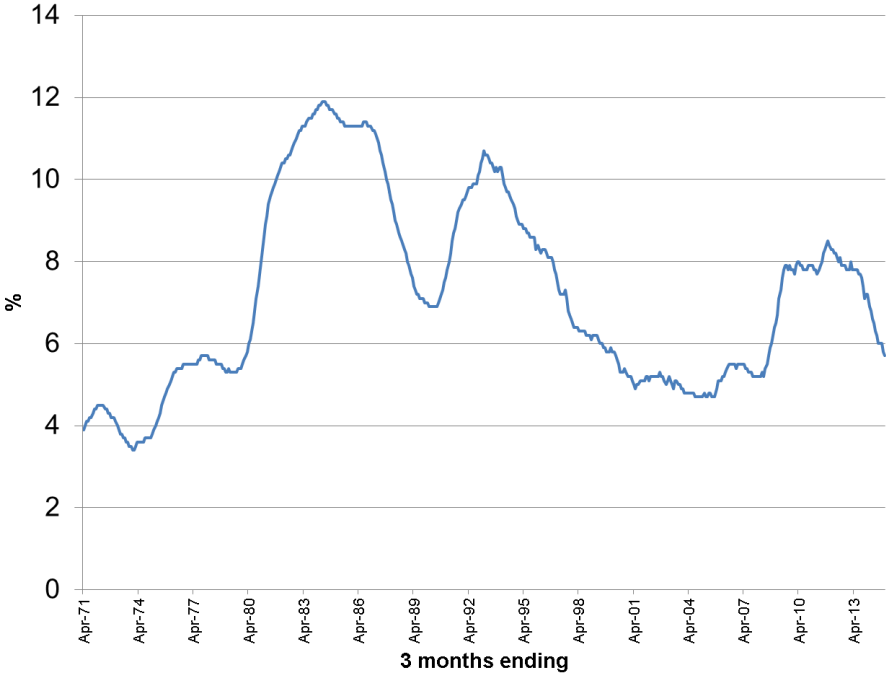
Workforce jobs SIC 2007	September 2010		September 2014		Change 2010- 2014 (% level)
	Level (000's)	% of total	Level (000's)	% of total	
Total Industries	31,340	100.0	33,492	100.0	+6.9
Agriculture, forestry & fishing	409	1.3	469	1.4	+14.7
Mining & quarrying	64	0.2	65	0.2	+1.6
Manufacturing	2,554	8.1	2,606	7.8	+2.0
Electricity, gas, steam & air conditioning supply	122	0.4	126	0.4	+3.3
Water supply, sewerage, waste & remediation activities	180	0.6	197	0.6	+9.4
Construction	2,069	6.6	2,103	6.3	+1.6
Wholesale & retail trade; repair of motor vehicles and motorcycles	4,826	15.4	4,890	14.6	+1.3
Transport & storage	1,454	4.6	1,601	4.8	+10.1
Accommodation & food service activities	1,921	6.1	2,212	6.6	+15.1
Information & communication	1,192	3.8	1,328	4.0	+11.4
Financial & insurance activities	1,114	3.6	1,128	3.4	+1.3
Real estate activities	467	1.5	536	1.6	+14.8
Professional scientific & technical activities	2,371	7.6	2,863	8.5	+20.8
Administrative & support service activities	2,385	7.6	2,863	8.2	+15.5
Public admin & defence; compulsory social security	1,732	5.5	1,536	4.6	-11.3
Education	2,756	8.8	2,888	8.6	+4.8
Human health & social work activities	3,979	12.7	4,260	12.7	+7.1
Arts, entertainment & recreation	872	2.8	980	2.9	+12.4
Other service activities	792	2.5	865	2.6	+9.2
People employed by households, etc	84	0.3	86	0.3	+2.4
Services	25,943	82.8	27,929	83.4	+7.7

Source: ONS Business Statistics Division

Unemployment

There were around 1.9 million people ILO unemployed in the UK, aged 16 and over, in Oct-Dec 2014, or 5.7% of the labour force. The unemployment rate had fallen 1.5 percentage points in the year to Oct-Dec 2014 and was 2.2 points below the same period in 2010.

Unemployment Rate for those aged 16 & over, UK, 1971-2014



Regional unemployment

As of Oct-Dec 2014, the North East had the highest unemployment rate of any UK region, at 8.0%, 3.5 percentage points above the South West rate which was the lowest. All UK regions saw a fall in the unemployment rate in the four years to Oct-Dec 2014. The West Midlands saw the most pronounced fall, at 3.5 percentage points, followed by the East Midlands and Yorkshire & the Humber.

UK ILO unemployment by region (rates and levels; seasonally adjusted)

16 & Over	Oct-Dec 2010		Oct-Dec 2014		Change 2010-2014	
	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
Unemployment						
North East	125	10.0	103	8.0	-17.7	-2.1
North West	264	7.6	229	6.5	-13.1	-1.1
Yorks & Humber	236	9.1	164	6.1	-30.3	-2.9
East Midlands	184	8.0	115	4.9	-37.5	-3.1
West Midlands	262	9.6	169	6.1	-35.6	-3.5
East	195	6.5	156	5.0	-19.9	-1.5
London	392	9.2	295	6.4	-24.8	-2.8
South East	274	6.1	212	4.6	-22.7	-1.5
South West	166	6.2	122	4.5	-26.7	-1.7
Wales	124	8.3	99	6.7	-19.7	-1.6
Scotland	215	7.9	149	5.4	-30.8	-2.5
Northern Ireland	67	7.9	50	5.7	-26.1	-2.2

Source: UK Labour Force Survey

Unemployment by gender and age

The male unemployment rate was 6.0% in Oct-Dec 2014, compared to a female rate of 5.4%. In the four years to Oct-Dec 2014, the male employment rate fell by 2.6 points compared to a fall of 1.7 points for women.

In Oct-Dec 2014, Unemployment rates varied between a high of 31.2% for those aged 16-17 to 3.6% of those aged 50-64, and 1.5% for the over 65s. All age groups saw the unemployment rate fall between Oct-Dec 2010 and Oct-Dec 2014, with young people aged 16 to 17 seeing the largest fall, at 6.3 percentage points followed by those aged 18 to 24 (down 3.9 percentage points).

UK ILO unemployment by gender and age (levels and rates; seasonally adjusted)

16 & Over	Oct-Dec 2010		Oct-Dec 2014		Change 2010-2014	
Unemployment by gender	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
Males	1,457	8.5	1,039	6.0	-29	-2.6
Females	1,046	7.1	822	5.4	-21	-1.7+2.2
Unemployment by age	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
16-17	215	37.5	157	31.2	-27	-6.3
18-24	745	18.2	583	14.3	-22	-3.9
25-34	520	7.4	390	5.3	-25	-2.1
35-49	633	5.5	414	3.7	-35	-1.8
50-64	370	4.8	301	3.6	-19	-1.2
Over 65	21	2.3	18	1.5	-15	-0.8

Source: UK Labour Force Survey

Unemployment by ethnic origin and gender

Unemployment rates vary between 13.9% for people of black, African or Caribbean origin and 5.0% for white people in Jan-Dec 2014, a range of 8.9 percentage points. Most groups saw falls in the unemployment rate between Oct-Dec 2010 and Oct-Dec 2014. The exceptions were for women of Pakistani or Bangladeshi origin, for whom the rate was unchanged, and men of Indian origin, for whom there was a rise of 0.3 percentage points. However, it should be noted that these estimates are based on quarterly Labour Force Survey data. Normally we would use Annual Population Survey figures, but APS data is currently not available beyond September 2014. The quarterly LFS has a smaller sample, and the sampling variability of these figures will therefore be greater.

ILO unemployment by ethnic origin and gender (levels and rates; not seasonally adjusted)

16 & Over	Oct-Dec 2010		Oct-Dec 2014		Change 2010-2014	
	Level (000's)	Rate (%)	Level (000's)	Rate (%)	Level (%)	Rate % pt
ILO unemployment by ethnic origin						
White	2,039	7.1	1,447	5.0	-29	-2.1
Mixed	43	17.1	41	12.0	-5	-5.2
Indians	56	7.7	46	5.6	-17	-2.1
Pakistanis/Bangladeshis	81	15.7	89	13.2	+10	-2.5
Black/African/Caribbean	134	17.1	123	13.9	-8	-3.2
Other Ethnic Group	107	11.6	79	8.3	-26	-3.4
Males:						
White	1,203	7.8	814	5.3	-32	-2.6
Mixed	22	18.9	24	13.7	+10	-5.2
Indians	22	5.4	27	5.8	+20	+0.3
Pakistanis/Bangladeshis	53	14.4	49	10.7	-7	-3.8
Black/African/Caribbean	69	17.8	65	15.5	-6	-2.3
Other Ethnic Group	58	11.38.1	35	6.8	-40	-4.5
Females:						
White	836	6.3	633	4.6	-24	-1.7
Mixed	21	15.6	16	10.0	-20	-5.5
Indians	34	10.5	19	5.3	-42	-5.2
Pakistanis/Bangladeshis	28	18.6	40	18.6	+42	0
Black/African/Caribbean	65	16.5	59	12.5	-10	-4.0
Other Ethnic Group	49	12.0	44	9.9	-10	-2.1

Source: Labour Force Survey. Note: Annual Population Survey data is not currently available beyond Sept 2014. As such, quarterly LFS data has been used. However, it should be noted that due to the smaller LFS sample, the sampling variability of these figures will be greater.

Unemployment by duration

As unemployment fell in the four years to Oct-Dec 2014, the numbers of people in each duration generally fell, the exception being females unemployed for over 2 years. Males unemployed for over 2 years also saw the smallest fall of any male duration group. In part, this is likely to reflect a lagged effect of earlier cohorts, who became unemployed in the wake of the recession, moving through the duration structure. However, it is also likely to reflect policy changes in the way Jobseekers Allowance (JSA) (unemployment benefit) operates. Prior to 2011, people on JSA who were about to become long term unemployed were shifted on to a 'training allowance' or into a temporary job which automatically broke their claim. When they returned to JSA they were classed as a new claimant, not someone who had been on benefits for a sustained period. Since the first half of 2011, this practise has been

stopped so that when people get help through work experience or the Work Programme they stay on JSA benefits leading to more accurate statistics on long-term claims. This change is also likely to have had a knock-on affect on self-reporting of unemployment status on the Labour Force Survey.

UK ILO unemployment by duration and gender (levels; seasonally adjusted)

16 & Over	Oct-Dec 2010		Oct-Dec 2014		Change 2010-2014 (% level)
	Level (000's)	% of total	Level (000's)	% of total	
Total:	2,503	-	1,862	-	-25.6
Less than 6 months	1,209	48.3	923	49.6	-23.6
6-12 months	456	18.2	300	16.1	-34.2
Over 1 year	838	33.5	638	34.3	-23.8
Over 2 years	342	13.6	339	18.2	-0.7
Males:					
Total:	1,457	-	1,039	-	-28.7
Less than 6 months	638	43.8	474	45.6	-25.7
6-12 months	258	17.7	164	15.7	-36.5
Over 1 year	561	38.5	402	38.6	-28.4
Over 2 years	237	16.3	220	21.2	-7.1
Females:					
Total	1,046	-	822	-	-21.4
Less than 6 months	571	54.6	449	54.6	-21.3
6-12 months	198	19.0	137	16.6	-31.1
Over 1 year	277	26.4	237	28.8	-14.5
Over 2 years	104	10.0	119	14.5	+14.0

Source: UK Labour Force Survey

Job Vacancies

The number of unfilled vacancies increased by 48% in the four years to Oct-Dec 2014. The largest increase in the share of unfilled vacancies over this period occurred in Public admin & defence; compulsory social security (3.5 percentage points) and the largest decrease occurred in Manufacturing (1.7 percentage points).

Unfilled vacancies by industry, UK

SIC 2007 sections	Oct-Dec 2010		Oct-Dec 2014		Change	
	Levels (000's)	% of total	Levels (000's)	% of total	Levels (000's)	% of total (% points)
All vacancies	477	-	706		+229	+48.0
Mining & quarrying	1	0.2	2	0.3	+1	+0.1
Manufacturing	34	7.1	47	6.7	+13	-0.5
Electricity, gas, steam & air conditioning supply	3	0.6	5	0.7	2	+0.1
Water supply, sewerage, waste & remediation activities	1	0.2	2	0.3	+1	+0.1
Construction	13	2.7	23	3.3	+10	+0.5
Wholesale & retail trade; repair of motor vehicles and motorcycles	93	19.5	136	19.3	+43	-0.2
Transport & storage	21	4.4	27	3.8	+6	-0.6
Accommodation & food service activities	42	8.8	75	10.6	+33	+1.8
Information & communication	29	6.1	31	4.4	+2	-1.7
Financial & insurance activities	31	6.5	34	4.8	+3	-1.7
Real estate activities	5	1.0	11	1.6	+6	+0.5
Professional scientific & technical activities	40	8.4	59	8.4	+19	0.0
Administrative & support service activities	28	5.9	50	7.1	+22	+1.2
Public admin & defence; compulsory social security	29	6.1	13	1.8	-16	-4.2
Education	30	6.3	52	7.4	+22	+1.1
Human health & social work activities	56	11.7	109	15.4	+53	+3.7
Arts, entertainment & recreation	9	1.9	14	2.0	+5	+0.1
Other service activities	12	2.5	18	2.5	+6	0.0
Total services	425	89.1	628	89.0	+203	-0.1

Source: ONS Vacancy Survey, seasonally adjusted

Looking at firms by business size, organisations of all sizes saw vacancies rise over the four years to Oct-Dec 2014. Organisations with over 2,500 employees had the largest proportion of total unfilled vacancies, though their share declined over the previous four years.

Unfilled vacancies by size of enterprise, UK

	Oct-Dec 2010		Oct-Dec 2014		Change	
	Levels (000's)	% of total	Levels (000's)	% of total	Levels (000's)	% of total (% points)
All	477	-	706	-	+229	-
1-9	69	14.5	118	16.7	+49	+2.2
10-49	55	11.5	105	14.9	+50	+3.3
50-249	60	12.6	94	13.3	+34	+0.7
250-2499	88	18.4	120	17.0	+32	-1.5
2500+	206	43.2	270	38.2	+64	-4.9

Source: ONS vacancy Survey, seasonally adjusted

NORTHERN IRELAND

Question 3

The figures below are for those vacancies notified to the Department for Employment and Learning (DEL). The figures do not represent the total unsatisfied demand for manpower by employers within Northern Ireland but are only those vacancies notified by employers to the Department.

In December 2013 improvements were made to the methodology for recording and validating data on vacancies placed through DEL. These changes led to a break in the time series for vacancy statistics. A new time series began with the publication of a statistical factsheet on the 28th January 2015. The factsheet contained data for the first three quarters of the 2014/15 financial year which is presented below by Standard Occupational Classification (2000) and by Standard Industrial Classification (2007). Data within this publication should not be directly compared with those from previous statistical releases. As the series builds, annual trends in vacancy data will be analysed (the first annual vacancy data will be available from the 29th April 2015).

The most frequently notified occupation types for vacancies during the first three quarters of the 2014/15 financial year were *Elementary* (22%) and *Sales and Customer Service* (16%). For example, of the 40,686 positions notified so far in 2014/15, 8,936 were *Elementary Occupations* and 6,585 were *Sales and Customer Service*. *Elementary Occupations* generally require education to be completed to compulsory level and include jobs such as cleaning and bar work. Nine percent of vacancies notified to the Department for Employment and Learning were for *Managers and Senior Officials* (1,559) or *Professional Occupations* (1,954).

Notified Vacancies by Standard Occupational Classification 2000 Major Groups ⁽¹⁾

SOC 2000 Major Group	Vacancies Notified by Quarter Financial Year 2014/15 ⁽²⁾					
	Quarter 1		Quarter 2		Quarter 3	
	Total	%	Total	%	Total	%
Elementary	2,980	21%	3,376	23%	2,580	21%
Sales and Customer Service	2,092	15%	2,427	16%	2,066	17%
Personal Service	2,056	15%	2,150	15%	2,048	17%
Skilled Trades	1,701	12%	1,841	12%	1,267	11%
Associate Professional & Technical	1,512	11%	1,361	9%	1,190	10%
Process, Plant & Machine Operatives	1,249	9%	1,350	9%	865	7%
Administrative & Secretarial	1,057	8%	1,037	7%	968	8%
Professional	679	5%	666	5%	609	5%
Managers & Senior Officials	588	4%	525	4%	446	4%
Total	13,914	100%	14,733	100%	12,039	100%

Notes:

- (1) All statistics are derived from data extracted from the Department for Employment and Learning Client Management System (CMS) on 2nd Jan 2015. Percentages may not sum to 100 due to rounding.
- (2) Vacancies notified are all vacancy positions notified and added to JobCentres / JBOs of the Department for Employment and Learning. Notified is subdivided by financial years which run from 1st April to 31st March.

In the financial year 2014/15, a total of 40,686 vacancies have been notified in the first three quarters, with the greatest proportion to *Administrative and Support Activities* (7,935; 20%), *Other Service Activities* (7,186; 18%) and 5,965 (15%) to *Wholesale and Retail Trade, Repair of Motor Vehicles and Motorcycles*. *Other Service Activities* is a residual category which includes activities such as the repair of computers and household goods; activities of membership organisations (e.g. trade unions and professional membership organisations) and other personal service activities (e.g. washing and dry cleaning). Other key industries notifying vacancies to the Department for Employment and Learning include *Accommodation and Food Service Activities* (12%) and *Human Health and Social Work Activities* (12%).

Notified Vacancies by Standard Industrial Classification 2007 Section ⁽¹⁾

SIC 2007 Section ⁽³⁾	Vacancies Notified by Quarter Financial Year 2014/15 ⁽²⁾					
	Quarter 1		Quarter 2		Quarter 3	
	Total	%	Total	%	Total	%
Administrative & Support Service	3,004	22%	2,694	18%	2,237	19%
Other Services	2,343	17%	2,598	18%	2,245	19%
Wholesale & Retail Trade; Repair of Motor Vehicles & Motorcycles	1,688	12%	2,448	17%	1,829	15%
Accommodation & Food Services	1,880	14%	1,867	13%	1,329	11%
Human Health & Social Work	1,672	12%	1,629	11%	1,530	13%
Education	731	5%	740	5%	672	6%
Manufacturing	743	5%	759	5%	518	4%
Construction	567	4%	696	5%	488	4%
Transportation & Storage	249	2%	260	2%	137	1%
Professional, Scientific & Technical	172	1%	171	1%	228	2%
Arts, Entertainment & Recreation	143	1%	184	1%	168	1%
Public Administration & Defence; Compulsory Social Security	174	1%	129	1%	148	1%
Information & Communication	113	1%	131	1%	104	1%
Agriculture, Forestry & Fishing	124	1%	112	1%	107	1%
Financial & Insurance	71	1%	73	0%	54	0%
Activities of Households; Goods- & Services-Production for Own Use	58	0%	60	0%	75	1%
Water Supply; Sewerage, Waste Management & Remediation	68	0%	48	0%	41	0%
Mining & Quarrying	45	0%	47	0%	39	0%
Electricity, Gas, Steam & Air Conditioning Supply	15	0%	33	0%	46	0%
Activities of Extraterritorial Organisations & Bodies	26	0%	27	0%	22	0%
Real Estate	27	0%	25	0%	22	0%
Not known	1	0%	2	0%	0	0%
Total	13,914	100%	14,733	100%	12,039	100%

Notes:

- (1) All statistics are derived from data extracted from the Department for Employment and Learning Client Management System (CMS) on 2nd Jan 2015. Percentages may not sum to 100 due to rounding.
- (2) Vacancies notified are all vacancy positions notified and added to JobCentres / JBOs of the Department for Employment and Learning. Notified is subdivided by financial years which run from 1st April to 31st March.
- (3) SIC 2007 codes were introduced gradually by JobCentres / JBOs of the Department for Employment and Learning during 2007/08. In cases where this field has not been completed for an employer all vacancies notified by that employer are recorded as not known. Activities of Households as Employers; Undifferentiated Goods- & Services-Producing Activities of Households for Own Use has been abbreviated to Activities of Households; Goods- & Services-Production for Own Use.

UNITED KINGDOM

Article 1, Paragraph 2

Eliminating Discrimination in Employment

The UK has ratified the International Labour Organisation's core Conventions No.100 and No. 111 covering respectively Equal Remuneration and Discrimination (Employment and Occupation). Please see the copies of the UK's most recent Article 22 reports, which describe in some detail the Government's policies during the period 1 June 2010 to 31 May 2014, attached to this Report as **Appendices 1C & 1D**.

The Committee asks for information on the results of the recommendations and strategy arising out of the work of the Women and Work Commission to be provided in the next report.

The Role of the Women and Work Commission

The Women and Work Commission (WWC) was set up in July 2004 to investigate the gender pay and opportunities gaps and make recommendations. The commission originally reported in 2006 and then a second WWC report was published on 29th July 2009¹. The 2009 report showed that some progress had been made in tackling the gender pay and opportunities gap but that there was more to be done, particularly if the part-time pay gap was to be tackled.

The actions which the coalition Government is taking across the board in response to these recommendations aim to:

- Prevent and tackle discrimination and promote equality in education, training and the workplace, including spreading best practice among employers;
- Support individuals to manage their working lives and meeting personal commitments, particularly caring for children and older relatives;
- Challenge and address pervasive attitudes about work and learning aspirations for women and girls – as these attitudes underestimate ability, achievement and potential; and
- Provide the opportunity for women to get the training and qualifications required to achieve the jobs they want, progress in their careers and support women when returning to work.

A summary of the Government's published response, of 27 February 2013, can be viewed via the following link:

http://www.equalities.gov.uk/pdf/summary%20of%20tablesWomenInEmpStrat_web.pdf

As part of the response to the WWC the Government published 'Working Towards Equality, A Framework for Action'. This summarised the actions being taken across

¹ [Shaping a Fairer Future – a review of the recommendations of the Women and Work Commission three years on](http://www.equalities.gov.uk/pdf/297158_WWC_Report_acc.pdf)
http://www.equalities.gov.uk/pdf/297158_WWC_Report_acc.pdf

government departments to improve equality in the workplace and can be viewed via the following link:

http://sta.geo.useconnect.co.uk/publications_and_research/reports_publications/working_towards_equality_a_fr.aspx

Although the WWC is no longer in operation, the Government is committed to tackling the issue of the gender pay gap and is taking a range of measures to improve women's position in the labour market including:

- Enhancing pay transparency, for example, by ensuring employees are able to discuss their pay to expose inequality even when employment contracts are used to try to impose pay secrecy.
- In September 2011, a voluntary initiative on gender equality transparency was launched. "Think, Act, Report" asks private and voluntary sector employers to make things fairer for women at work, through greater transparency on pay and other workplace issues. Employers such as Tesco, BT, IBM and Deloitte are all signed up to this initiative resulting in over 2 million employees now being covered by the Think Act Report initiative.
- The Government is extending the right to request flexible working to all employees from 2014. This can benefit individuals who need to create a better balance between their personal and work life.
- The Government has also announced that from 2015 a new system of flexible parental leave will be available which will give real choices to families for the first time, allowing fathers to take on the primary caring responsibilities from the first weeks of a child's life if this is what the family choose.

Prohibition of Forced labour

Work in prison

The latest published statistics show that 9,900 prisoners a day work in National Offender Management Service (NOMS) public sector prison industries. Circa 2,000 are similarly employed in contracted out establishments.

Prisoners are engaged in a wide range of trades including printing, furniture manufacture, textiles production, laundries, engineering, recycling, and packing. This work gives offenders the opportunity to learn new skills and experience which supports them in finding employment on release. This data does not include the considerable number of prisoners occupied in other activities which support the good running of the prison, such as cooking and serving meals, maintenance and cleaning.

Prisoners receive payment for participating in purposeful activity. Purposeful activity is defined as work, induction, education, training or offending behaviour programmes.

Prisoners who undertake paid work in the community

Around 500 prisoners currently work outside prison in paid employment. Many employers of prisoners working in the community are small local companies. NOMS also has strong partnerships with national employers such as Timpsons and Halfords. NOMS supports the Employers Forum for Reducing Reoffending¹ (EFFRR) which ensures that there is a national network of employers who are prepared to employ ex-offenders on release from custody.

The policy is that those prisoners who are released on licence to work outside the prison for outside companies must be employed at the same rate of pay and on the same terms and conditions as their co-workers are paid for similar work and must pay National Insurance (i.e. social security contributions) and Income Tax.

Statement of interpretation on Article 1§2: prison work

The Government continues to have in place a robust set of rules and regulations that ensure prisoner labour is not abused. In applying these rules the Government ensures that both Public and Private Sector prisons and workshops are subject to rigorous independent inspections, both domestically (e.g. by Her Majesty's Inspectorate of Prisons) and internationally.

Unpaid work by offenders in the community may also be managed by the private sector under the provisions and safeguards contained in the Offender Management Act 2007. Work is subject to mandatory instructions and guidance issued by the National Offender Management Service which ensures that the personal integrity of offenders is respected. Provisions ensure that private entities do not profit directly from the work an offender carries out and where money is obtained we regulate how this can be used. Unpaid work placements are inspected by Her Majesty's Inspectorate of Probation which is an independent inspectorate funded by the Ministry of Justice and reports directly to the Secretary of State on the effectiveness of work with adults, children and young people who have offended.

Coercion in connection with domestic work

England and Wales

Modern Slavery

The new Modern Slavery Bill was introduced into Parliament in June 2014. It is expected to receive Royal Assent in March 2015. The Bill will consolidate, simplify and improve existing offences into a single Act, making it easier for law enforcement to understand. The clauses include two substantive modern slavery offences: one for human trafficking and one for **slavery, servitude and forced or compulsory labour**.

The Bill states:

- 1 Slavery, servitude and forced or compulsory labour
(1) A person commits an offence if—

¹ <http://www.ppdg.co.uk/employers/effrr-homepage>

(a) the person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude, or

(b) the person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour.

(2) In subsection (1) the references to holding a person in slavery or servitude or requiring a person to perform forced or compulsory labour are to be construed in accordance with Article 4 of the Human Rights Convention.

(3) In determining whether a person is being held in slavery or servitude or required to perform forced or compulsory labour regard may be had to all the circumstances.

As a result of the Modern Slavery Bill:

- The Home Secretary will issue guidance on identifying and supporting victims, which will ensure that more front-line professionals are aware of modern slavery and know what to do if they think someone they encounter is a victim.
- Appropriately severe sentences could be applied for those who hold victims in the worst forms of domestic servitude, sending out a clear message to others that this will not be tolerated in the UK.
- Victims of slavery, servitude and forced or compulsory labour will be automatically considered for special measures in court, making it easier for them to testify against their abuser.
- Identified child victims will be given an advocate to help them navigate the legal and immigration systems, and young victims whose age is unclear will be presumed to be children, so that they can receive immediate access to the proper care and support they need.

The Bill also introduces an Independent Anti-Slavery Commissioner to drive improvements and a more coordinated law enforcement response to modern slavery, working in the interests of victims. The Commissioner will act strongly in the interests of victims - and potential victims - by making sure that the law enforcement response to modern slavery is coordinated and effective and ensuring victims are identified effectively.

To complement the Bill, the UK Government is taking non-legislative action to tackle modern slavery. This includes publishing a Modern Slavery Strategy; reviewing the support that victims receive – through the National Referral Mechanism and the victim care contract; and making modern slavery a priority for the National Crime Agency (NCA). The NCA will use its intelligence, tasking and coordination functions to build a more comprehensive picture of the threat.

The new Modern Slavery Strategy sets out a comprehensive cross-Government approach, detailing the wide-ranging actions that we expect from Government departments, agencies and partners in the UK and, importantly, internationally. Modern slavery is often an international crime and requires a strong international response.

The review of the National Referral Mechanism for victims of human trafficking was published in November 2014 and recommended that the support system for identifying and supporting victims of people trafficking should be overhauled.

The key recommendations of the report include:

- extending the NRM to cover all adult victims of modern slavery, including those in domestic servitude;
- strengthening the first responder role - the point at which potential victims are first identified and referred. New Anti-Slavery Safeguarding Leads will be created, supported by increased training and feedback;
- streamlining the referral process by removing the “reasonable grounds” decision once the successful implementation of accredited Slavery Safeguarding Leads has occurred– allowing direct referral to specialist support for potential victims;
- new multi-disciplinary panels, headed by an independent chair, should be established with a view to ceasing the sole decision-making roles of UK Visa & Immigration (UKVI) and the UK Human Trafficking Centre; and
- creating a single case working unit within the Home Office to replace the current case-working units in the NCA and UKVI.

These recommendations have been welcomed in principle.

The UK Government is focused on further strengthening protections for vulnerable domestic workers through ensuring that immigration and borders staff are trained to recognise potential victims of abuse; that overseas domestic workers are provided with guidance on their rights and how to obtain help before and after they enter the UK; and that employers are fully aware of their responsibilities before their workers come to the UK. The Government is piloting a pocket sized card summarising employment rights and helplines which will be given to overseas domestic workers at the border to supplement the leaflet detailing their employment rights which they are already given when they apply for their visa.

The UK Government is committed to increasing compliance with minimum wage legislation and effective enforcement of it. Everyone who is entitled to the minimum wage should receive it. Every complaint made to the Pay and Work Rights Helpline is investigated and proactive enforcement is conducted in high-risk sectors.

It has become simpler to name and shame employers that break National Minimum Wage law and the financial penalty that employers pay for breaking minimum wage law has been increased from 50 per cent to 100 per cent of the unpaid wages and the maximum penalty from £5,000 to £20,000. The revised Naming and Shaming scheme came into effect on 1 October 2013 and the UK Government has already named 30 employers who owe workers a total of over £50,000 in arrears and have been charged financial penalties totalling over £24,000.

In 2014, 2,340 potential victims of human trafficking were referred to the National Referral Mechanism (NRM). Of these; 234 were in domestic servitude; 200 female and 34 male. In addition, there were 71 children referred to the NRM for domestic servitude – 48 female and 23 male.

The UKHTC has also carried out ‘strategic assessment’ to combine intelligence held by central agencies, the National Referral Mechanism, police intelligence and information from Non-Governmental Organisations. The Strategic Assessment for

2013 estimated there were 230 victims in Domestic Servitude – 8% of the total number of victims.

General question to all states: Article 1§2: existence of forced labour in the domestic environment

The Home Office is focused on further strengthening protections for vulnerable domestic workers through ensuring that immigration and borders staff are trained to recognise potential victims of abuse; that overseas domestic workers are provided with guidance on their rights and how to obtain help before and after they enter the UK; and that employers are fully aware of their responsibilities before their workers come to the UK. The Government is piloting a pocket sized card summarising employment rights and helplines which will be given to overseas domestic workers at the border to supplement the leaflet detailing their employment rights which they are already given when they apply for their visa.

Within the UK, overseas domestic workers have the protection of employment and criminal law in accordance with the usual jurisdiction rules. All domestic workers are provided with a leaflet that explains their rights when they apply for a visa. This is available in a range of languages. It includes details of how to access the Pay and Work Rights Helpline and of organisations that can provide advice and assistance.

The UK Government does not consider it an abuse of a visa for the domestic worker to leave the employment of an abusive employer and seek assistance nor does it criminalise them to do so. The key is for all victims, regardless of their immigration status or right to change employer, to feel confident that they can report any abuse they suffer to the authorities, and that they will be believed, treated as a victim and supported.

The Government will undertake an independent review of the Overseas Domestic Worker visa to look at how to ensure that we protect Overseas Domestic Workers from becoming victims of modern slavery.

WALES

Coercion in connection with domestic work

The Welsh Government in its Programme for Government created the post of Anti-Slavery Co-ordinator in March 2011. It is the aim of the Welsh Government to make Wales hostile to slavery and to provide the best possible support to survivors. To ensure a strategic multi-agency approach to tackling slavery in Wales, the Welsh Government established the Wales Anti-Slavery Leadership Group in January 2013. The Leadership Group has a Delivery Plan with Strategic Objectives which include taking action for preventative measures to tackle labour exploitation in Wales.

The annual reports of the Welsh Government's Anti-Slavery Co-ordinator for 2013 and 2014 can be accessed via the following link:
<http://wales.gov.uk/topics/people-and-communities/communities/safety/anti-slavery/what-we-are-doing/?lang=en>

NORTHERN IRELAND

The relevant legislation in Northern Ireland is the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015¹. Section 1 of the 2015 Act created a new offence of slavery, servitude and forced or compulsory labour. This provision makes it an offence to knowingly hold another person in slavery or servitude or to knowingly require another person to perform forced or compulsory labour. Offences of slavery, servitude and forced or compulsory labour, in Northern Ireland, are triable on indictment only, attracting a maximum sentence of life imprisonment. Section 2 of the 2015 Act created a new consolidated offence of human trafficking for any type of exploitation, as defined under section 3 (Meaning of exploitation for purpose of section 2). An offence under this section is triable on indictment only, attracting a maximum sentence of life imprisonment.

In the Conclusions on the UK's previous report, the Committee refers to Section 713 of the Coroners and Justice Act 2009 – Slavery, servitude and forced or compulsory labour - and asks to be provided with statistics on prosecutions and convictions under it when available.

Prosecutions and Convictions

Ministry of Justice figures for prosecutions and convictions in 2012:

Defendants proceeded against at magistrates' courts and found guilty at all courts for selected offences, England and Wales, 2012					
	Prosecutions			Convictions	
Offences	On a principle offence basis ⁽⁴⁾	On an all offence basis ⁽⁵⁾		On a principle offence basis ⁽⁴⁾	On an all offence basis ⁽⁵⁾
Trafficking for sexual exploitation ⁽¹⁾	16	38		10	29
Trafficking for non-sexual exploitation ⁽²⁾	13	24		2	3
Slavery, servitude and forced labour ⁽³⁾	4	18		1	4
Total	33	80		13	36

(1) Includes offences under the Sexual Offences Act 2003, S.57, S.58 and S.59.

(2) Includes offences under the Asylum and Immigration (Treatment of Claimants) Act 2004, S.4.

(3) Includes offences under the Coroners and Justice Act 2009, S.71.

(4) Figures relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences it is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

(5) Figures relate to all offences for which all defendants are proceeded against or found guilty. When a defendant has been proceeded against or found guilty of two or more offences, each of the two or more offences is counted.

¹ www.legislation.gov.uk/nia/2015/2/contents/enacted

Ministry of Justice figures for prosecutions and convictions in 2013:

Defendants proceeded against at magistrates' courts and found guilty at all courts for selected offences, England and Wales, 2013				
	Prosecutions		Convictions	
Offences	On a principle offence basis ⁽⁴⁾	On an all offence basis ⁽⁵⁾	On a principle offence basis ⁽⁴⁾	On an all offence basis ⁽⁵⁾
Trafficking for sexual exploitation ⁽¹⁾	28	75	12	28
Trafficking for non-sexual exploitation ⁽²⁾	12	29	7	20
Slavery, servitude and forced labour ⁽³⁾	10	22	9	20
Total	50	126	28	68

(1) Includes offences under the Sexual Offences Act 2003, S.57, S.58 and S.59.

(2) Includes offences under the Asylum and Immigration (Treatment of Claimants) Act 2004, S.4.

(3) Includes offences under the Coroners and Justice Act 2009, S.71.

(4) Figures relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences it is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

(5) Figures relate to all offences for which all defendants are proceeded against or found guilty. When a defendant has been proceeded against or found guilty of two or more offences, each of the two or more offences is counted.

Note: Every effort is made to ensure that the figures presented are accurate and complete. However, it is important to note that these data have been extracted from large administrative data systems generated by the courts and police forces. As a consequence, care should be taken to ensure data collection processes and their inevitable limitations are taken into account when those data are used. **Source:** Justice Statistics Analytical Services - Ministry of Justice. Ref: 516-14

UNITED KINGDOM

Other aspects of the right to earn one's living in an occupation freely entered upon

General Introduction to Conclusions – Interpretive statement - Article 1§2: requirement to accept the offer of a job or training or otherwise lose unemployment benefit

The position in the UK remains broadly as described in the Council of Europe's Guide on Suitable Employment, to which the Committee refers. Provision is made for Jobseekers Allowance claimants to limit their worksearch to their usual occupation for up to the first 13 weeks of their claim. This is called a "permitted period". It's not a guarantee in all cases, but it can be agreed on a case by case basis, depending on individual circumstances.

Published Labour Market Decision Makers Guidance Chapter 21 (from para 21386 onwards) can be viewed via the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/391556/dmgch21.pdf

Guidance on refusal to take up employment can be found in the Labour Market Decision Makers Guidance Chapter 34 (from para 34721 onwards).

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/391569/dmgch34.pdf

General Question to all States - Article 1§2: workers' right to privacy

Privacy at work

Privacy at work is covered by the [Data Protection Act](#). The Information Commissioner's Office¹ (ICO) produces the following guidance for the public on employment related matters: <https://ico.org.uk/for-the-public/employment/>

The ICO also produces the following range of employment related publications:

Employment practices code

Employment practices code – a quick guide

Employment practices code – supplementary guidance

Disclosure of employee information under TUPE

Getting it right: a brief guide to data protection for small businesses

Monitoring under section 75 of the Northern Ireland Act 1998

The Information Commissioner cannot award compensation, but an individual may go to court to claim compensation for damage or distress caused by any organisation or employer if it has breached the Data Protection Act.

<https://ico.org.uk/for-the-public/compensation/>

Article 1, Paragraph 3

GREAT BRITAIN

Free employment services

The position remains as previously described. Jobcentre Plus is now an integral part of Department for Work and Pensions (DWP). It ceased to have legal status as an agency from October 2011 and no longer prepares annual reports. DWP Annual Report and Accounts for 2013-14 can be viewed via the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/323953/dwp-annual-report-accounts-2013-2014.PDF

Please also see the UK Reports on ILO Conventions C122 and C2 (Appendices 1A&B).

Universal Jobmatch

Universal Jobmatch (UJ) is an online job posting and matching service for jobseekers and employers which went live in November 2012.

UJ streamlines existing services for employers and helps claimants to take more responsibility for their jobsearch and to get more targeted support from advisers. The service is being provided and managed on behalf of the DWP by Monster Worldwide

¹ <https://ico.org.uk/>

Limited. (Universal Jobmatch is a DWP service totally independent of the Monster jobsite.)

UJ is the UK's largest jobs board, with up to 1 million live vacancies at any one time and an average of 4.5 million daily job searches. The UJ site allows jobseekers to search for and apply for jobs and employers to directly manage their vacancies online. Approximately a third of all Gov.uk traffic goes to Universal Jobmatch and UJ has had over 7 billion page views since its launch.

Employers and recruiters can receive an anonymous list of potential matches, ranked in a percentage order, so that they can judge the local labour market before posting a job, allowing them to invite those anonymous jobseekers to apply for their position. This can help to speed up the recruitment process as well as assist in reducing costs.

By setting up an account, jobseekers can make full use of the new service¹, including creating, copying or uploading a public CV, and receiving automated matches to jobs and email alerts when new jobs are posted. Without an account, Jobseekers will only be able to search for jobs.

Jobcentre Plus advisers can issue a Jobseeker's Direction to mandate certain JSA claimants to create a profile and public CV within Universal Jobmatch; and advisers can review a JSA claimant's account (with permission from the claimant). They can analyse CVs, job-matching, training and application history, etc. This enables advisers to give claimants tailored, high quality support, such as helping them to optimise their CVs and identify any skills gaps to help them back into work.

The Committee asks for the next report to provide a number of clarifications in respect of the work of Jobcentre Plus: (i) the number of placements made as a percentage of the vacancies notified to it; ii) what is the number of staff concerned with placement activities, and the ratio of placement staff to registered jobseekers;

As at 30 November 2014, there were 29,715 Jobcentre Plus Work Services front line staff concerned with placement activities.

Please see the *Office for National Statistics - Claimant Count and Vacancies Dataset, November 2014*

<http://www.ons.gov.uk/ons/rel/lms/labour-market-statistics/november-2014/dataset--claimant-count-and-vacancies.html>

This dataset contains series for the Claimant Count (which measures the number of people claiming Jobseeker's Allowance) and Vacancies. The dataset is overwritten every month and it therefore always contains the latest published data. Claimant Count and vacancies estimates are also available in spreadsheet format at:

- [CLA01: Claimant Count summary](#). (393.5 Kb Excel sheet) The table provides estimates of the number of people claiming benefits principally for the reason

¹ <https://www.gov.uk/jobsearch>

- of being unemployed; since October 1996 this has been the number of people claiming Jobseeker's Allowance (JSA).
- [CLA02: Claimant Count by age and duration](#). (532 Kb Excel sheet) The table provides estimates of the number of people claiming jobseeker's allowance (JSA) by age, sex and duration of claim.
 - [VACS01: Vacancies and unemployment](#). (65.5 Kb Excel sheet) This table provides estimates of the number of unemployed people per vacancy.
 - [VACS02: Vacancies by industry](#). (142 Kb Excel sheet) This table shows vacancies by industry according to Standard Industrial Classification 2007.
 - [VACS03: Vacancies by size of business](#). (79 Kb Excel sheet) This table shows estimates of vacancies by size of business.

The Job vacancy figures published by the Office for National Statistics, ONS, are sourced from the Vacancy Survey. This is a survey run by ONS of around 6,000 businesses a month. The headline series are based on three-month moving averages, by type of industry and by employment count. Vacancies are defined as positions for which employers are actively seeking to recruit outside their business or organisation.

Further information about the survey is available in the Quality and Methods Information for the vacancy survey (<http://www.ons.gov.uk/ons/guide-method/method-quality/quality/quality-information/business-statistics/summary-quality-report-for-the-vacancy-survey.pdf>)

The survey does not request a breakdown of vacancies by full and part time. Therefore the percentage of jobs that are full-time and the percentage that are part-time are not available from the ONS job vacancy statistics.

The ONS job vacancy statistics are not sourced from the Universal Job Match system. Every effort is made to work with businesses included in the ONS vacancy survey to ensure that all vacancies counted relate to actual jobs.

The committee also asked (iii) how Jobcentre Plus co-ordinates work with the private employment services.

The Universal Jobmatch service, as described above, is a free service available to all employers and recruiters in the UK, including private employment and recruitment services. More information on work with the private employment services is set out in the ILO Article 22 Report on Convention No 2 – see appendix 1B.

NORHERN IRELAND

The Department for Employment and Learning's Employment Service delivers many of its programmes/initiatives through a network of 35 Jobs and Benefits offices and JobCentres, located in towns and cities throughout Northern Ireland.

Article 1 Paragraph 4

GREAT BRITAIN

Vocational guidance, training and rehabilitation

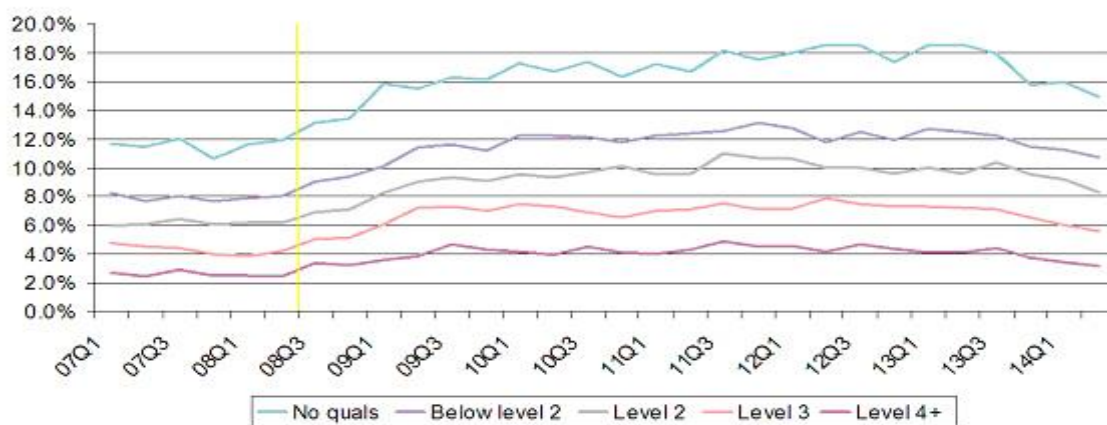
The position remains as previously described with the following update.

Skills

The importance of skills in the labour market

During the period of the recession (dashed line in graph below) unemployment rates for all qualification holders had largely increased. Over the years unemployment rates for those with no qualifications have continued to rise as other rates have stabilized or decreased.

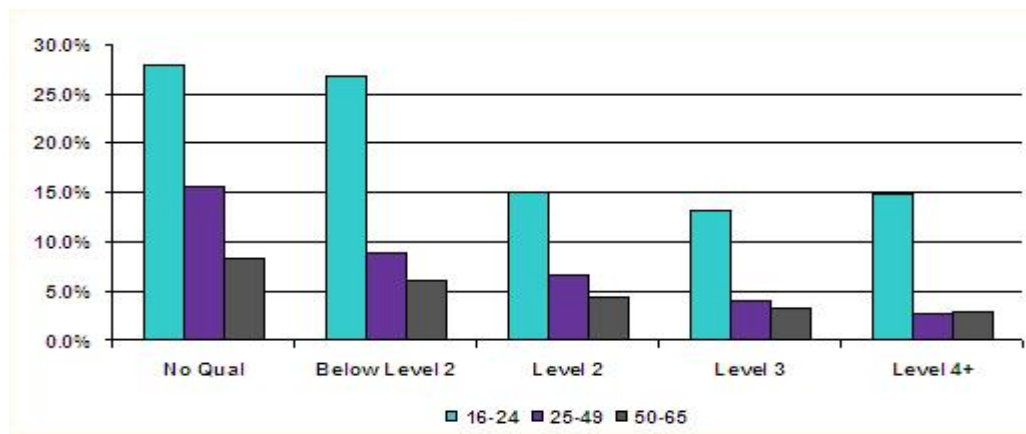
Figure 1 – Unemployment rates by qualification level, Great Britain



Source: Labour Force Survey Q1 2007 – Q2 2014

Having no or low level qualifications has a greater effect on younger people. The unemployment rate is over 36 per cent for 16-24 year olds with no qualifications, more than double that of equivalent people in older age groups.

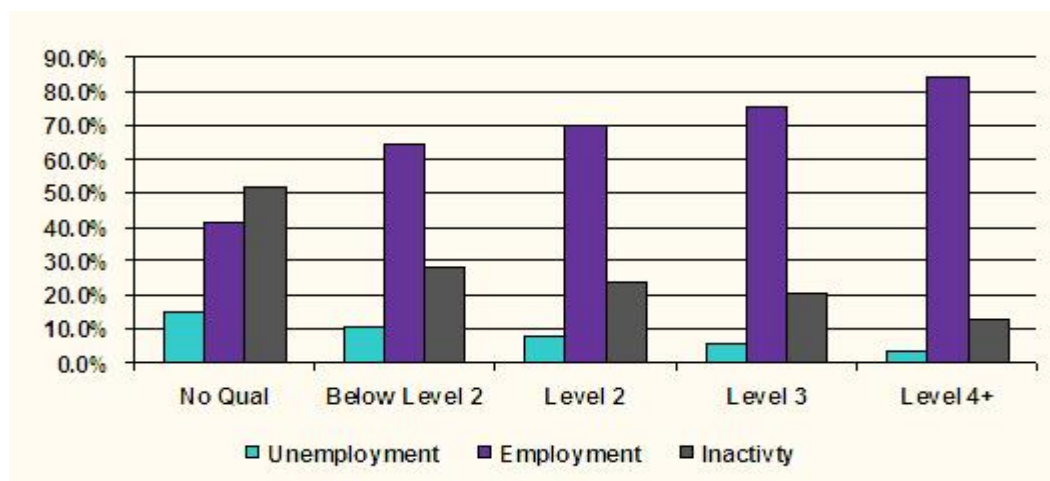
Figure 2 – Unemployment rate for low qualified by age group, Great Britain



Source LFS 2014 Q2

People with no qualifications have an employment rate of 41 per cent, an unemployment rate of nearly 15 per cent and an inactivity rate of 52 per cent per cent. As the level of qualification increases, all three economic activity rates improve.

Figure 3: Qualification levels by economic activity, Great Britain



Source: LFS 2014 Q2

A simplified skills system in England

The ability to get and keep a job and progress in work is the best route out of poverty. Improving skills can be one way to achieve this. The Government has established a simplified skills system in England, in which provision for unemployed people is funded through the mainstream skills budget enabling a more flexible, needs-led approach. Training providers now have greater freedom to tailor training to the needs of the local community and economy. The Department for Work and Pensions (DWP) plays an important role in influencing the local training offer, engaging with employers, colleges and providers.

Government subsidized training

In the academic year 1 August 2014 to 31 July 2015 (AY14/15):

- Everyone in England aged 19 years and over, regardless of benefit status, will be eligible for basic literacy and numeracy training fully funded by the Department for Business, Innovation and Skills;
- People aged 19 to 23 are eligible for fully funded training for a first level 2 qualification (equivalent to five GCSEs at grades A*-C);
- People aged 19 to 23 are eligible for fully funded training for a first level 3 qualification (equivalent to two A levels); and
- People on benefit eligible for fully funded training still have to fulfil the conditions for receiving their benefit.

Those aged 24 and over may get co-funding for a first level 2. Loans are available to those aged 24 and over for a first level 3. Support for 18 year olds is the responsibility of the Education Funding Agency, providing learning and skills opportunities through Foundation Learning.

Young people on Foundation Learning follow personalised programmes that are tailored to their particular needs, interests and aspirations – focusing on helping them to achieve their intended destination – such as GCSEs, level 2 college courses, Apprenticeships or skilled work. In some cases a young person's programme may be more about working towards supported employment or independent living.

Skills conditionality

Skills conditionality is designed to ensure that people referred to careers advice or skills training that will help them turn up and don't drop out, without good cause. Once it is agreed that a particular training course would help a claimant to get a job and that a suitable course is available, it makes sense to ensure that the individual actually starts and finishes the course. Parking people on benefit is no good to anyone.

Claimants in England and Scotland who are required to actively seek or prepare for work can be mandated to undertake activity to address an identified skills need which will aid their movement into work. This puts activity to address a skills need onto the same basis as other conditionality requirements.

Skills conditionality applies only to those receiving Jobseeker's Allowance or Employment and Support Allowance (Work Related Activity Group).

Skills conditionality embraces all types of training.

Training and study rules for Jobseeker's Allowance

DWP claimants are able to take up training on a part-time basis – generally less than 16 hours a week – from their local college from day one of their claim without it affecting their entitlement to benefit.

All Jobseeker's Allowance claimants may also undertake up to two weeks of full-time training in any 12 month period, with the agreement of their Jobcentre adviser, without jeopardizing their benefit entitlements.

Claimants who have been on Jobseeker's Allowance (JSA) for six months or more can be referred by their adviser to up to 30 hours of training per week for a maximum of eight weeks whilst remaining in receipt of JSA. Claimants will be required to remain engaged with the labour market whilst on training.

Support for English language training for speakers of other languages (ESOL)

Full funding for learning English for speakers of other languages (ESOL) is provided for adults in receipt of Jobseeker's Allowance (JSA), Employment and Support Allowance (Work Related Activity Group) (ESA (WRAG) or Universal Credit (All Work Requirements Group) (UC(AWRG)) where English language skills are identified as a barrier to entering employment.

In June 2013, the government announced that new claimants with poor language skills must improve their English in order to receive benefit, reflecting the importance of a good standard of English for getting into work.

The new arrangements, introduced from April 2014, will see all new claimants to JSA / UC (AWRG) screened for English language skills where an adviser judges this to be a barrier to getting a job. Identified claimants will be referred to a provider for a full assessment and will be required to undertake training under threat of sanction for failure to participate, and re-mandated if they do not reach the required level within six months.

The Government expects those who come to this country to work, or their employers, to pay the full cost of language courses and so will not fund ESOL in the workplace.

In Scotland ESOL training is contracted by the Employability Fund nationally, the Scottish Funding Council and Local Authorities.

In Wales ESOL is contracted by Welsh Government and Local Authorities.

In Scotland and Wales, Work Programme providers are expected to source and fund English for speakers of other languages or any other training if they feel it is appropriate for participants in the Work Programme.

In Northern Ireland the Department for Employment and Learning fund Further Education Colleges to deliver ESOL through the Further Education recurrent grant funding model in recognition of its importance to individuals, society and the

economy . Each college has its own fee policies for those wishing to participate in programmes. Colleges also work with employers to deliver ESOL in the workplace

Career Advice and co-location of National Careers Service in Jobcentres

The National Careers Service provides independent and impartial information and advice on learning and work in England. In Scotland this service is provided by My World of Work and in Wales by Careers Wales. In Northern Ireland careers guidance services are delivered by the Department for Employment and Learning's Careers Service. The Careers Service is delivered by professionally qualified careers advisers based in Careers Resource Centres, Jobs and Benefits and JobCentres throughout Northern Ireland.

In England, in 96 per cent of Jobcentres the National Careers Service advisers are co-located. The deepened co-location of the National Careers Service with DWP was trialed in 22 Jobcentres from September 2011, and Ministers agreed to National roll-out of the enhanced minimum standards, from closer working to the installation of broadband.

Apprenticeships

The National Apprenticeship Service (NAS) has operational responsibility for apprenticeships in England. NAS has a remit to increase the number of apprenticeship opportunities and provide a dedicated, responsive service for both employers and learners. In April 2013, NAS was integrated into the Skills Funding Agency.

Since 2010, there have been over 2.1 million apprenticeship starts, including 440,400 apprenticeship starts in the 2013/14 academic year.

The coalition Government has introduced a number of changes to the current apprenticeship programme. The Government strengthened the pay arrangements for apprentices by bringing them within the National Minimum Wage framework. A new minimum wage rate for apprentices was introduced from October 2010 and applies to Intermediate and Advanced apprentices aged under 19 and those aged 19 and over in the first year of their apprenticeship. The rate increases annually and is currently £2.73 per hour.

New measures for apprenticeships were introduced in November 2011 focusing on three priorities to: raise standards & safeguard quality; simplify & speed up processes for employers; and to increase focus where returns are greatest. The Government also introduced a new financial incentive to help SMEs take on a first apprentice aged 16-24.

To support the raising of standards and safeguarding quality of apprenticeships the Government took steps to ensure that every apprenticeship entails a rigorous period of job-relevant learning and lasts for a minimum of 12 months.

In 2012 the social entrepreneur and jeweller Jason Holt was appointed to head up a review examining what more could be done to help small and medium sized businesses to take on apprentices. The Government responded to the review setting

out a number of changes that would be made for small businesses including tailored support from NAS.

The Government has also made modifications to the Specification of Apprenticeship Standards for England (SASE) to allow apprenticeships at Levels 6 and 7.

In June 2012 entrepreneur Doug Richard was asked to undertake a review to ensure that the Apprenticeship Programme meets the future needs of the changing economy. Following the Richard Review, *The Future of Apprenticeships in England - The Reform Implementation Plan*¹ was published, setting out how Government intends to deliver radical changes to apprenticeships to make them more rigorous and responsive to the needs of employers.

As a result of the Richard Review, the Government is reforming apprenticeships to be more rigorous and responsive to the needs of employers.

The Reforms will:

- Put employers in the driving seat by giving them the role of designing apprenticeships so that they are more responsive to the needs of business and by giving them control of the funding so that they become more demanding customers.
- Simplify apprenticeship standards, replacing the existing complex frameworks with short, simple, accessible standards written by employers in a language they understand.
- Increase the quality of apprenticeships through more rigorous testing and grading at the end of the apprenticeship.

Employer-led Trailblazers are leading the way in implementing the new apprenticeships. They are collaborating to design apprenticeship standards and assessment approaches to make them world class.

Over 1000 employers are involved in over 75 sectors with 73 standards approved and published and more than 100 new standards in development. The new apprenticeships are in a broad range of sectors from nuclear to fashion, law, banking and the armed forces.

Specialist Disability Employment Provision

In December 2010, Ministers asked for an independent review to look at DWP employment support available for disabled people, specifically Remploy, Residential Training Colleges and the Access to Work programme. Liz Sayce, the Chief Executive of the disability organisation RADAR, led the review. A key aim of the review was to examine how more disabled people could be supported into work

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/253073/bis-13-1175-future-of-apprenticeships-in-england-implementation-plan.pdf

within the available funding. The Report 'Getting in, staying in and getting on'¹, was published on 9 June 2011.

The Government's response and a separate public consultation were launched on 11 July 2011. The Minister for Disabled People welcomed the central theme of the review, that resources for supporting disabled people into employment should be focused on disabled people themselves rather than on specific institutions. The Government Response and the Consultation can be viewed on-line at www.dwp.gov.uk/sayce-consultation

Disability and Health Employment Strategy

In December 2013, the Department for Work and Pensions (DWP) published 'The disability and health employment strategy: the discussion so far'². This paper set out a range of proposals for improving the suite of Government-funded employment support for disabled people and people with health conditions, including:

- Developing an improved 'Gateway' through which people access DWP's services. The new 'Gateway' focuses on an individual's employment strengths, skills and needs, rather than the benefit they receive or their health condition, enabling us to create a more individualised support package;
- Improving our specialist employment support to ensure we deliver value for money and that providers deliver high-quality, personalised and effective services; and
- Continuing to build our evidence base, both to inform our own future specialist and mainstream offers, and to encourage other commissioning bodies to invest in this area.

Since 2013, DWP has continued to invest in supporting groups that face particularly high barriers to employment:

- DWP has worked with partners and stakeholders to develop the Hidden Impairment National Group (HING), which is helping to improve services for people with Autism and associated Hidden Impairments (including: Attention Deficit Hyperactivity Disorder, Dyslexia, Dyspraxia, Dyscalculia and Speech and Language impairments).
- DWP has also produced the Hidden Impairment Toolkit, which can support employers in identifying appropriate reasonable adjustment solutions for their employees.
- The Government has introduced a new £1.2 million Autism Innovation Fund,

¹ www.dwp.gov.uk/policy/welfare-reform/specialist-disability-employment//

² <https://www.gov.uk/government/publications/the-disability-and-health-employment-strategy-the-discussion-so-far>

which is funding 42 projects to test new ways of supporting people with autism to obtain information and advice, develop independence skills, and find work or apprenticeships. The projects will be evaluated and the outcomes shared to encourage replication in other parts of the country.

- DWP has increased its focus on mental health, launching an enhanced Employment and Wellbeing toolkit in Jobcentre Plus local offices which offers practical support to advisers to help them work with claimants affected by mental health problems.
- The Government has appointed a new special needs Tsar, Lee Scott MP, to focus on helping people with special educational needs make the transition from education into employment.

Employer Engagement

The Government is committed to working in partnership with employers to remove barriers, increase understanding and ensure that disabled people have opportunities to fulfil their potential and realise their aspirations.

DWP has already built wide support for this agenda amongst a range of employers through national employer campaigns such as Employ-Ability, Hire Vision and the Recruitment That Works initiative.

Jobcentre Plus continues to promote employment opportunities for disabled people by making sure employer-facing staff encourage diversity and equality in the workplace, as part of the wider service offer to employers for recruitment, retention and skills support, ensuring opportunities for vulnerable or more disadvantaged customers.

Disability Confident

The Disability Confident campaign is a key element of the employer engagement measures described in 'The disability and health employment strategy: the discussion so far'.

The award-winning¹ campaign works with employers to challenge negative attitudes to disability employment, and promotes equal opportunities for all individuals who can work. It was launched by the Prime Minister in July 2013 at a national event attended by around 300 employers, including FTSE 100 companies, small businesses and disabled entrepreneurs.

A series of seven regional events followed, and to date the campaign has reached over 1,100 employers across Britain and received over 200 Disability Confident employer pledges.

¹ 'Winners of Diversity Awards revealed' <https://www.civilserviceworld.com/articles/news/winners-diversity-awards-revealed>

In July 2014 DWP expanded the campaign with the launch of:

- c. an expanded and updated Disability Confident employer portal with advice and information for employers on obligations and support available to employ disabled people, and;
- d. a Disability Confident toolkit to support MPs and other individuals/organisations wishing to hold their own Disability Confident events.

The Disability Confident campaign has also attracted international interest: #disabilityconfident has been trending around the world in countries including Australia, Germany and the USA and has inspired similar programmes abroad.

WALES

Traineeships

The Welsh Government's Traineeship programme for 16-18 year olds aims to support young people to secure sustained employment by helping them gain confidence and motivation, improve their skills levels through the delivery of NVQs in any chosen occupational area, as well as gaining employability skills and valuable work experience, aiding the transition into employment.

The programme seeks to improve skills levels through the delivery of entry level qualifications up to NVQs Level 1 in their chosen occupational area, and elements of NVQ Level 2 delivery. This includes the delivery of essential skills qualifications to enhance their learning experience.

They also receive valuable work experience and the support and help they need to learn at a pace suitable to them. This can sometimes be with a dedicated employer or through a simulated work environment, depending on the level of support the young person requires.

Apprenticeships

The Welsh Government's Apprenticeship programme offers individuals the opportunity to earn money while they learn, obtain vocational training and build a sustainable career. Apprenticeships are available at all levels in a wide range of occupations at: Foundation (level 2); Apprenticeships (level 3); and Higher Apprenticeships, in certain occupations at levels 4 to 6. Some Higher Apprenticeships may include options to study Higher Education qualifications such as HNC, HND or Foundation degrees.

Apprenticeships are a proven mechanism in the fight against poverty. The wage and productivity returns associated with Apprenticeships, mean they are good for business, and help lift people out of poverty. Apprenticeships provide skills which can last a lifetime, and they also open doors to rewarding careers. Apprenticeships remain easily accessible for young people, via the Apprenticeship Matching Service and pre-entry programmes such as Traineeships and Work Ready.

Young Recruits

The Welsh Government's Young Recruits Programme has been hugely successful and directly supports youth employment by offering a wage subsidy to employers. It was introduced to support the continuation of Apprenticeship training during the economic downturn. It has supported employers offering high quality apprenticeship programmes to recruit and train additional young apprentices aged 16 to 24 years old. The programme offers a wage subsidy of £50 per week for a maximum of 52 weeks. Following completion of their apprenticeship, individuals have developed skills which enable them to proceed in their chosen career.

For financial year 2013-2014, the target of 2,000 places for the Young Recruits Programme was exceeded. The Programme for Government figure has been recorded as 5,427 new places. The increase in the number of places has been facilitated via the additional £20m invested as part of the 2013-2014 Labour/Plaid Cymru budget agreement. Going forward, the Young Recruits Programme will support progression from Jobs Growth Wales and the development of Shared Apprenticeship provision, including working with Small and Medium Enterprises within identified Enterprise Zones.

Careers Wales

The Careers Wales remit was revised in 2013 to increase the focus of services towards the younger age group, up to age 24, as well as supporting the Welsh Government's Youth Engagement and Progression Framework.

Young people at risk of disengagement are identified in the remit as a priority client group. These young people are entitled to an enhanced careers information, advice and guidance service which includes face-to-face guidance interviews, as well as the standard service of telephone and web-based support. Careers Wales provide 'lead worker' support to help unemployed 16-18 year olds re-engage in education, employment or training as part of the implementation of the Youth Engagement and Progression Framework.

Careers Wales has a responsibility for supporting young people with Special Education Needs as one of its priority client groups carrying out Section 140 Assessments (Learning & Skills Act 2000). This means preparing a specific and individualised Learning and Skills Plan identifying learning and training needs support for the young person progressing into further education or training.

Youth Engagement and Progression Framework

The Welsh Government's Youth Engagement and Progression Framework¹ was published in October 2013 and requires an integrated approach from all organisations involved in delivering activity for young people, focussing on the needs

¹ <http://wales.gov.uk/topics/educationandskills/skillsandtraining/youthengagement/?lang=en>

of the individual. Local Authorities are charged with providing the support individuals need to aid their progression through education and training into employment. At the heart of the Framework there are two new actions. The first is the offer of a lead worker within a relevant organisation who can provide continuity of support and contact for the most at risk young people. The second is the development of a proactive Youth Guarantee, which comprises the offer, acceptance and commencement of a suitable place in education or training for a young person making the first time transition from compulsory education at age 16.

It is believed this will provide a clear progression route for all young people, linked to effective information, advice and guidance to help them make a more informed choice and support their progression post 16. Action plans have been received from all Local Authorities in Wales confirming their commitment to implement the milestones within the Youth Engagement and Progression Framework.

NORTHERN IRELAND

Apprenticeships

In June 2013 a new version of Training for Success (TfS) was re-contracted and introduced with the emphasis on the progression of participants at a timescale suited to their individual ability as opposed to set timescales.

TfS 2013 provides a guaranteed training opportunity for all eligible young people aged 16 and 17 who are not in education or employment. There is extended eligibility for those with a disability up to the age of 22 years, and those who qualify under the Children Act (NI) (2002), up to the age of 24.

Programme Led Apprenticeships is due to end soon, with the last remaining participants expected to finish around June 2015.

Apprenticeships NI is a work-based employed provision and is open to all those who have reached the minimum school leaving age and who meet the entry requirements.

Article 9 – The right to vocational guidance

Questions 1 to 3

The position remains as previously described with the following update.

Careers Guidance

The government placed a legal duty on schools in 2012, requiring them to secure independent careers guidance for pupils (aged 13 to 16) in years 9-11 on the full range of options, including apprenticeships. From September 2013, this duty was extended to pupils (aged 12 to 18) in years 8-13 to help more young people get the advice they need at key transition points.

The Department for Education (DfE) published statutory guidance and good practice, and revised this in April 2014¹ to set clearer expectations of schools. The guidance makes it clear that schools should give other providers such as colleges and University Technical Colleges the opportunity to inform pupils about their offer.

In December 2014, the Department for Education announced the creation of a new, employer-led, independent, careers and enterprise company². The company will build on existing good practice ensure it is replicated in every part of the country.

Post 16 Learning

Responsibility for funding post 16 learning in England is shared between the Department for Education (DfE) and the Department for Business, Innovation and Skills (BIS).

In March 2011, an independent review of education for 14 to 19 year olds, the [Review of vocational education](#) made many recommendations including to:

- move to 'per-student' funding instead of 'per-qualification' funding, to make institutions more accountable to learners;
- improve the quality of apprenticeships;
- expand the teaching of useful vocational qualifications and the teaching of English and mathematics; and
- extend the provision of work experience.

The Government then carried out a public consultation to invite opinions on these recommendations [New challenges, new chances: next steps in implementing the further education reform programme](#).

The Government also consulted on [study programmes for 16 to 19 year-olds](#).

1

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/302422/Careers_Statutory_Guidance_-_9_April_2014.pdf

² <https://www.gov.uk/government/news/new-careers-and-enterprise-company-for-schools>

Using the responses to the consultation, the government published its plans, in December 2011, for the FE sector in [New challenges, new chances: further education system and skills reform plan](#). In July 2012, it also published plans in relation to 16 to 18 provision.

In April 2013 'New challenges, new chances' was updated as [Rigour and Responsiveness in Skills](#). This explained the achievements made in reforming the further education and skills system. Other reports and plans on aspects of the system include:

- [Skills for sustainable growth](#), which sets out the national skills strategy for England;
- the [plan for further education](#);
- [Skills funding statement 2012 to 2016](#), which contains our budget for skills and the numbers of learners it will support for the next 2 years, set out
- a strategy for investing £550 million in college facilities in the [FE college capital investment strategy](#);
- Jason Holt's independent report on apprenticeships and small businesses, [Making apprenticeships more accessible to small and medium-sized enterprises: a review by Jason Holt](#);
- Doug Richard's independent report for the government on the future of apprenticeships, [The Richard review of apprenticeships](#);
- plans to set up chartered status for the further education sector, to help institutions celebrate their success and reputation, [Chartered status for the further education sector](#);
- the report by Lord Lingfield on how the further education sector can best serve its users' needs, [Professionalism in further education: final report of the Independent Review Panel](#);
- advice for further education colleges and training providers on 24+ Advanced Learning Loans, [24+ Advanced Learning Loans Student Loans Company learning provider services](#);
- [Skills Funding Agency loans - operational and policy information for further education providers](#);
- Government and our partners' plans to ensure that young people and adults get the advice they need on learning and work, [National Careers Service: the right advice at the right time](#);
- proposals for piloting community learning trusts, [Community Learning Trust prospectus](#);
- plans for engaging 16 to 24 year-olds in education, training and work, [Building engagement, building futures: our strategy to maximise the participation of 16 to 24 year-olds in education, training and work](#);
- a [framework for delivery of traineeships](#), which gives young people, employers and education and training providers information about how traineeships will work in practice

DfE launched a [consultation on changing accountability arrangements for providers of 16 to 19 education and training in England](#) in September 2013. The response, published in March 2014, announced:

- more rigorous minimum standards;

- clearer and more comprehensive performance information about schools and colleges; and
- a set of headline measures giving a clear overview of the performance of a school or college in academic and vocational programmes compared with other institutions nationally.

National Careers Service on line advice and guidance can be viewed via the following link:

<https://nationalcareersservice.direct.gov.uk/Pages/Home.aspx>

The National Careers Council (NCC) is chaired by Dr. Deirdre Hughes, OBE, with 9 members and 3 associate leading experts from business, education and careers sectors. The Council was established in May 2012 by the Skills Minister to advise government on improving careers provision for young people and adults in England. Information on the council and its terms of reference can be viewed via the following links:

<https://www.gov.uk/government/groups/the-national-careers-council>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/357109/ncc-revised-terms-of-reference.pdf

For claimants of Jobseeker's Allowance or Universal Credit who are unemployed and expected to look for work, there are a range of schemes available to develop their skills and experience to help them find work. Individuals are referred to employment schemes under the following primary legislation:

The Jobseekers Act 1995; and
The Employment and Training Act, 1973

Relevant regulations are:

[The Employment and Support Allowance \(Limited Capability for Work and Limited Capability for Work-Related Activity\) \(Amendment\) Regulations 2011 No 228](#)

[The Jobseeker's Allowance \(Scheme for Assisting Persons to Obtain Employment\) Regulations 2013 No.276](#)

[The Jobseeker's Allowance \(Mandatory Work Activity Scheme\) Regulations 2011 No. 688 Parts 1 & 2¹](#)

[Part 1 of the Welfare Reform Act 2012](#)

[Universal Credit Regulations 2013](#)

The Work Programme

The Work Programme is the Government's scheme to help those individuals at risk of long-term unemployment to find and keep jobs. In particular it aims to improve support for those who are harder-to-help and reduce the time that people spend on

¹ <http://www.legislation.gov.uk/uksi/2011/688/part/1/made>
<http://www.legislation.gov.uk/uksi/2011/688/part/2/made>

benefits.

The Department for Work and Pensions (DWP) has dispensed with one size fits all employment programmes and now offers people tailored support through the Work Programme to help them find work.

The Innovative features of the Work Programme include:

- Payment by results – Providers are paid according to the results they deliver, not rewarded for failure.
- Long-term focus – once a claimant is referred to a Work Programme prime provider, they remain with that provider for 2 years.
- Differential pricing – payments up to £14,000 for getting those with the biggest barriers to employment into sustained work.
- Process not prescribed – by adopting a ‘black box’ approach, providers free to innovate and use what works best.

The Work Programme was launched on 10 June 2011 and will run until summer 2017. It is the biggest single payment by results employment programme Britain has ever seen, providing personalised support. 2.1 million people are expected to be referred to the Work Programme between June 2011 and March 2016, at a total cost of £2.8 billion.

People are referred to the Work Programme by DWP, usually after they have been unemployed for between 9 and 12 months and are then supported over a minimum of 2 years. People are assigned to different payment groups depending on factors such as age or benefit type.

Work Programme Prime Providers are free to choose the support they offer based on the individual needs of the participant referred. DWP pays providers to provide support using a payment by results approach. The amount each provider receives depends on its success in getting people into sustained work. The Department pays a different amount depending on the participant's payment group.

Providers, who can be from the private, public or the community and voluntary sectors, choose how to support people, including subcontracting some or all of the support. There are 40 contracts in 18 different geographic areas across England, Wales, and Scotland. Each area has at least two prime providers and participants are randomly allocated between providers in their local area. Currently there are 18 different prime providers and around 700 subcontractors.

Not only does the Work Programme support people into employment, it is also designed with the crucial aim of keeping them there. It encourages long-term private sector employment, not a short term fix.

Published research reports from a national evaluation of the Work Programme can be viewed via the following links:

<https://www.gov.uk/government/publications/work-programme-evaluation-participant-experience>

<https://www.gov.uk/government/publications/work-programme-evaluation-operation-of-the-commissioning-model-finance-and-programme-delivery>

The reports reflect a lot of positive feedback from participants including a general satisfaction with support provided.

- The vast majority (67%) reported that the support offered had been very or fairly useful in helping them find a job or move closer to work;
- Over 70% were happy with the frequency of contact from providers;
- The vast majority (68%) the support matched their individual needs; and
- 64% of those who cited work barriers said the support had helped to overcome those barriers.

Results of the programme - Moving People into Work

The Work Programme has improved on previous welfare-to-work programmes with Jobseeker's Allowance claimants spending less time on benefits compared with previous welfare-to-work schemes.

It is difficult to make direct comparisons with previous programmes, but for roughly similar levels of performance the DWP is paying around £41 million (2%) less for the Work Programme than it would have done for previous welfare-to-work initiatives. The DWP expects to save £450 million to benefit spending between June 2011 and March 2020 compared to the baseline agreed with HM Treasury.

1.57m of people have been on the Work Programme long enough to achieve a Job Outcome (three or six months depending on their Payment Group). 368,000 Job Outcome payments were made to providers up to the end of September 2014, which represents 23.4% of eligible referrals.

Far more people have started work but not been in work long enough to be captured by the statistics – six months in most cases, or three for the hardest to help. Almost 640,000 people have now started a job.

The proportion of each intake to reach 24 months on the programme achieving Job Outcome payments was initially steady but has been on an overall upward trend. For the September 2012 intake this was 27.9% compared to 22.2% for the September 2011 intake. Of those most recent participants to spend 12 months on the programme:

- 1 in 7 found lasting work – above the expected level of over 1 in 9;
- 1 in 5 of those JSA 18-24 claimants found lasting work – above the expected level of over 1 in 7;
- 1 in 6 JSA claimants aged 25 and over found lasting work – above the expected level of over 1 in 9; and
- 1 in 10 ESA new claimants found lasting work – well above the expected level of around 1 in 14.

Sustaining jobs

The Work Programme is as effective as previous programmes in keeping people in work for a sustained period. Between June 2011 and March 2014, contractors were

paid around one million sustainment payments for people remaining in work beyond six months.

When compared, the rate of sustainment payments for Jobseeker's Allowance claimants over 25 years old with the performance of those on New Deal 25 Plus similar levels of performance were found in sustaining jobs beyond the first six months

Jobseeker's Allowance claimants aged 18 to 24 sustain work better than comparable participants in New Deal. Between June 2011 and March 2014, contractors were paid for around 500,000 sustainment payments for people still in work beyond six months for this group. The Work Programme has achieved 27 per cent more sustained months of employment compared to the New Deal.

SCOTLAND Article 9

Question 1

The position remains as previously described with the following update.

Created in 2008, Skills Development Scotland (SDS) is Scotland's national skills agency, providing all-age careers information, advice and guidance, skills, training and funding. The Scottish Government's career information, advice and guidance strategy was published in March 2011¹. Its overarching aim is to drive the redesign and improvement of career information, advice and guidance delivered primarily – but not exclusively – by SDS. Whilst re-asserting the Government's commitment to all-age, universal careers services, it places an emphasis on self-help – through developing the career management skills of individuals and web-based delivery, with face-to-face and more intensive support for those who need it most.

Question 2

The strategy outlines the significant contribution careers services make to sustainable economic growth by helping people make informed decisions about their learning, job opportunities and career options, ultimately, with a view to helping them get, stay and progress in work. To achieve this, careers services need to be independent, high quality, impartial, informed, supportive of equal opportunities and confidential.

SDS is well positioned to act as the strategic lead in the redesign and improvement of career information, advice and guidance, working collaboratively with partners such as schools and colleges, local authorities and other public bodies to build the capacity of the guidance community. The strategy sets out the Scottish Government's expectations of SDS and its partners to work better together to meet the needs of service users and to make the best use of their collective resources.

¹ <http://www.scotland.gov.uk/Publications/2011/03/11110615/0>

The strategy also addresses workforce development in the careers service and plans for supporting continuous improvement across the sector, including through self - and, where appropriate, external - evaluation.

Opportunities for All¹ is an explicit commitment introduced in April 2012 by the Scottish Government to ensure all 16-19 year olds have access to an offer of further learning, training or a Modern Apprenticeship as they move toward and into employment.

It brings together a range of existing national and local policies and strategies as a single focus to improve young people's participation in post 16 learning or training, and ultimately employment, through appropriate interventions and support until at least their 20th birthday. This builds on and adds impetus to existing entitlements and commitments to support youth employment. These actions impact directly on the Scottish Government's National Indicator² to increase the proportion of young people in learning, training or work³

Question 3

The Committee asks the next report to provide information on the number of persons assisted in the educational system and in the labour market, as well as information on expenditure and staffing.

As at 31 December 2014, the number of Full Time Equivalent (FTE) careers staff working with Skills Development Scotland was 689.87. SDS delivered 171,324 Career Information, Advice and Guidance engagements for 80,283 individuals through a mix of group and one-to-one support in 2013-14.

NORTHERN IRELAND

Questions 1 - 3

Career Service

As described in the previous report, in January 2009 the Department of Education and the Department for Employment and Learning jointly published "Preparing for Success" a Careers Education, Information, Advice and Guidance Strategy. The aim of the strategy, which is currently being updated following a recent review, is to develop effective career decision makers leading to increased and appropriate participation in education, training and employment. The key themes are:

- improving careers education;
- improving access to careers information;
- improving careers advice and guidance;
- improving quality; and

¹ <http://www.gov.scot/Resource/0040/00408815.pdf>

² <http://www.scotland.gov.uk/About/scotPerforms/indicators/schoolLeavers>

³ <http://www.gov.scot/About/Performance/scotPerforms/indicator/youngpeople>

- improving professional development.

During 2014 the Department for Employment and Learning and the Department of Education jointly commissioned a formal review of the careers system in Northern Ireland. The employer-led independent panel reported in October 2014 and both Departments are currently considering the report findings and recommendations. During 2015, both Departments will develop a new action plan taking account of the review finding and other key reports on this issue, which will form the second stage of the 'Preparing for Success' strategy.

In Northern Ireland careers guidance services are delivered by the Department for Employment and Learning's Careers Service. This is an all-age service providing free and impartial careers information, advice and guidance to young people and adults of all abilities. The service is delivered by professionally qualified careers advisers based in Careers Resource Centres/Offices, Jobs and Benefits Offices and Job Centres throughout Northern Ireland.

The Careers Service also delivers careers information, advice and guidance in all post- primary schools through formal partnership arrangements.

Careers information and support is also made available via the website:
www.nidirect.gov.uk/careers .

In its Conclusions XIX-1, the Committee asked for information on the number of Careers Service staff and beneficiaries

The number of Full Time Equivalent (FTE) staff within the Department for Employment and Learning's Careers Service is 158.61 (Jan 2015)

The number of interventions, which includes initial and subsequent careers guidance interviews with young people and adults, workshops, group sessions, telephone calls etc. carried out with clients, can be broken down as follows:

1/1/09 - 31/3/09 = 28,094

1/4/09 - 31/3/10 = 142,668

1/4/10 - 31/3/11 = 163,186

1/4/11 - 31/3/12= 136,260

1/4/12 - 31/3/13= 129,828

1/4/13 - 31/3/14= 140,157

1/4/14 - 26/9/14= 58,830

Grand Total = 799,023

Spend for the period January 2009 to date is as follows (£ sterling):

	Jan- Mar 09	FY 09/10	FY 10/11	FY 11/12
Programme	£391,602	£1,231,998	£994,995	£627,678
Frontline Resource	£1,309,278	£4,536,376	£4,942,843	£4,875,333
Capital	£0	£0	£96,000	£0
Consultancy	£10,600	£10,542	£0	£21,000
Total	£1,711,480	£5,778,916	£6,033,838	£5,524,011

	2012/13	2013/14	2014/15 (YTD)
Programme	£559,896	£180,018	£51,829
Frontline Resource	£5,225,406	£5,184,302	£3,901,421
Capital	£0	£1,096	£0
Consultancy	£2,767	£45,034	£16,499
TOTAL	£5,788,069	£5,410,450	£3,969,749

FY – Financial Year: April to March

YTD- Year to date

ARTICLE 10 – The right to vocational training

Article 10, Paragraph 1

The government has introduced a package of reforms to encourage participation beyond compulsory schooling.

Raising the participation age

The age for compulsory participation in education or training in England was raised in 2013:

- Pupils who left year 11 in summer 2013 were required to continue in education or training for at least a further year; and
- Pupils who left year 11 in summer 2014 are the first cohort required to continue until at least their 18th birthday.

Young people can choose vocational or academic options and they can participate through full-time education, a job or volunteering combined with part-time study, or by undertaking an apprenticeship or traineeship.

Latest statistics from the Department for Education indicate that the proportion of 16-18 year olds in education or work based learning (apprenticeships) rose by 2.0ppts, in 2013 to 81.2%. This is the highest figure since consistent records began in 1994.

Delivery of the Youth Contract began in September 2012. The Youth Contract is aimed at providing additional support to eligible young people from the 2012 to 2013 financial year to the end of the 2015 to 2016 financial year to encourage them to re-engage in education or training.

The £180 million 16-19 Bursary Fund was introduced in 2011 to help financially disadvantaged young people with the costs of post-16 participation such as travel, food, materials and equipment.

Voluntary and community sector support, some of which is supported by government funding, is also available for young people, children, to encourage them to engage with education or training or to provide further participation options for those young people who need them.

Vocational education

In 2011, the Secretary of State for Education commissioned Professor Alison Wolf of King's College London to carry out an independent review of vocational education in England.

Key recommendations in the review included:

- incentivising young people aged 14 to 16 to study for the most valuable vocational qualifications and removing incentives to take large numbers of vocational qualifications to the detriment of core academic study;

- introducing principles to guide study programmes for young people on vocational routes post-16 to ensure that they can gain skills which will lead to progression into a variety of jobs or further learning; and, to ensure that those who had not secured a good pass in English and mathematics GCSEs by age 16 continued to study those subjects to achieve them as part of their post 16 study programmes;
- enabling lecturers and professionals in further education to teach in schools, ensuring young people would be being taught by those best qualified to deliver vocational subjects.

As a direct result of these recommendations:

- apprenticeships have been redesigned by employers to meet employers' needs;
- The Department for Education (DfE) has published approved lists of technical and vocational qualifications for 14 to 16 year olds and will report only these qualifications in the key stage 4 performance tables in 2014, 2015, 2016 and 2017;
- DfE has published approved lists of technical and applied qualifications for 16 to 18 year olds and will report only these qualifications in the 16-19 performance tables in 2016 and 2017;
- all 16 to 19 year olds in education are now offered a study programme based on their prior attainment, education and employment goals. Students spend at least half their time studying one or more substantial qualifications such as A levels or technical and vocational qualifications which meet DfE's requirements, alongside other activities such as tutorials or work-experience;
- students who have not yet achieved an A*- C GCSE in English and mathematics by the age of 16 now continue to study these subjects as part of their 16-19 education;
- Sixth Forms and Further Education Colleges are funded, and have their performance reported, in the same way. Funding is on a 'per student' basis giving education providers the freedom to design programmes which best meets students' prior attainment and ambitions;
- Students studying vocational subjects can take substantial technical and applied qualifications and other activities including work experience.
- Ofsted inspections, headline and progress measures in school and college performance table measures, minimum standards and destination measures have all been reformed to hold schools, colleges and other training providers to account for the provision of these reforms and provide transparent information to inform student choice of course and institution.

Study programmes

Since August 2013, all 16-19 year old students have been following a study programme with clear study and/or employment goals reflecting their prior attainment. A four year plan was put in place to embed study programmes. Study programmes include substantial qualifications (which can be A levels or larger technical and applied qualifications) or, where appropriate, a traineeship, or extended period of work experience and employment preparation. Study programmes also include non-qualification activity, such as tutorials or work experience, relevant to the

programme goals. Students who do not achieve an A*-C GCSE in mathematics and English by age 16 will continue to work towards achieving these qualifications as part of their study programme;

The study programme principles are intended to enable all students to take a programme that helps them progress to their next stage whether it be employment, training including apprenticeships or further study, including entry into higher education.

Traineeships for 16-18 year olds are a strand of 16-19 study programmes providing an education and training programme for students who are committed to securing an apprenticeship or other sustainable employment. Traineeships include a high quality work placement, work preparation training and English and mathematics. Training providers and employers have the freedom to bring these elements together in the best way to engage and support individual trainees. Traineeships are at the heart of the government's drive to tackle youth unemployment. They have been available in England since August 2013 and are delivered by education and training providers for young people aged 16-24 (and for young people with a Learning Difficulty Assessment (LDA) or Education, Health and Care Plan (EHCP) up to academic age 25).

Traineeships had 10,400 young people aged 16-23 participating in the first year. The Government has made some refinements to the programme based on early experience of delivery. From March 2014, young people on benefits have been able to study for more than 16 hours per week on a traineeship; and from August 2014 traineeships became available to 24 year olds.

Traineeships are continuing to grow with 5,000 starts in the first quarter of the 2014/15 academic year. From the 2015/16 academic year, the Government is strengthening the focus on positive outcomes, giving providers greater flexibility to deliver work preparation training and bringing greater consistency to the offer for 16 to 18 and 19 to 24 year olds, which includes enabling 19 to 24 year old qualified to a full level 2 to access traineeships from January 2015.

Study programmes, supported by changes to the post-16 education funding system, give schools, colleges and private and charitable providers more freedom to design educational programmes that meet the prior attainment of their students.

From August 2014, the English and mathematics requirement became a 'condition of funding'. This means that all students; starting a new study programme from 1 August 2014 of 150 hours or more, aged 16 to 18, or aged 19 to 25 if they have a Learning Difficulty Assessment or Education, Health and Care Plan, and who do not hold a GCSE grade A*-C or equivalent qualification in mathematics and/or in English by age 16, are required to be studying these subjects as part of their study programme in each academic year. For many, reaching GCSE standard requires progressive stepping stones, for example, through Functional Skills qualifications, and a curriculum that suits their needs. From September 2015 the funding condition will require students with a grade D to study for a GCSE qualification only.

From 2016, a new 16-19 mathematics and English progress measure will be introduced showing the progress of those who did not achieve a Grade C at key stage 4.

Vocational Qualifications

As a result of reforms to vocational education since 2011, students aged 14 to 16 can choose from a variety of high quality, vocational and technical qualifications and build a programme of study which provides them with a comprehensive and respected general education to the age of 16. Lists of technical qualifications for key stage 4 education (for 14 to 16 year olds), which have been judged by the Department for Education as high value and enabling progression, were published in 2012, 2013, 2014. These qualifications are eligible to count in schools' performance tables from 2014.

The introduction of three new categories of technical and applied qualifications for 16-19 year olds, to be reported in performance tables alongside academic qualifications, will make the vocational education system more closely linked to the world of work. Lists of technical and applied qualifications for 16 to 19 year olds, which have been judged by the Department for Education as high value and enabling progression, were published in 2013 and 2014. These qualifications are eligible to count in school and college performance tables from 2015.

Funding

To support the introduction of study programmes, funding is now allocated per student rather than per qualification. New funding rates are based on an average of 600 hours per year of planned activities per student. This provides enough income for providers to enable each student to take a full study programme.

Data from Further Education Colleges' Independent Learner Records from 2013/14 shows that:

- The number of 16 year olds participating in full-time programmes increased by 104,800 from 373,100 to 477,900. The number of 17 year olds increased by 93,000 from 248,000 to 341,000. The majority of these increases were in Further Education Colleges.
- The number of learning aims per student has fallen from 3.38 to 3.25 with most of this reduction taking place in Further Education Colleges and commercial and charitable providers where there were concerns that students were being entered for too many low level qualifications. The greatest reduction was in commercial and charitable providers where the number of learning aims fell from 4.06 to 3.49 qualifications.
- Overall the proportion of students studying at least one A level, or other level 3 qualification as their core aim rises with age, from 79% for 16 year olds, to 96% for 18 year olds (all institution types). This is an increase from an 86% average proportion of 16 to 18 year old students in full-time education in 2012/13.

- More students are studying mathematics and English qualifications with 27,800 more studying English GCSE and 16,622 more studying mathematics GCSE. In addition 5,800 more were studying other English and more 18,000 were studying other mathematics qualifications.
- Between 2009 and 2013, around 40-45% of pupils did not achieve GCSE grades A* to C in English and mathematics by age 16. Source: DfE statistical releases.
- In 2012/13, only 6.5% of the students who did not achieve A*-C in GCSE in English at the age of 16, went on to achieve an A* to C in English and only 7.0% of the students leaving key stage 4 education without A*-C in GCSE mathematics went on to achieve an A* to C in mathematics.

The latest data (based on June 2014 Individual Learner Record data and schools' census data) indicates that:

- The number of 16 to 18 year old students studying English GCSE increased from 52,000 in 2012 to 2013 to 79,800 in 2013 to 2014. This is an increase of 53% from the 2012 to 2013 year end position.
- The number of 16 to 18 year old students studying mathematics GCSE increased from 46,400 in 2012 to 2013 to 63,000 in 2013 to 2014. This is an increase of 36% from the 2012 to 2013 year end position.
- The number of 16 to 18 year old students studying an English stepping stone qualification increased from 190,200 in 2012 to 2013 to 196,000 in 2013 to 2014. This is an increase of 3% from the 2012 to 2013 year end position.
- The number of 16 to 18 year old students studying a mathematics stepping stone qualification increased from 169,000 in 2012 to 2013 to 187,000 in 2013 to 2014. This is an increase of 11% from the 2012 to 2013 year end position.
- On 1 August 2013, the government announced a £30m two-year package of support for the further education sector in England, to increase the numbers of teachers of English, mathematics and students with learning difficulties and/or disabilities in post-16 education, and encourage improved teaching and learning practice. It includes bursaries to attract more graduate teachers into further education and professional development programmes to enhance the skills of existing mathematics and English teachers, so they can teach GCSE.

Sources: Statistics at DfE -

<https://www.gov.uk/government/organisations/department-for-education/about/statistics>

Widening participation in higher education

The Office for Fair Access (OFFA)¹ is an independent Non Departmental Public Body (NDPB) whose role is to ensure that students from poor and under-represented backgrounds are not deterred by fees.

Universities charging tuition fees above the basic level (currently £6,000 per annum for full time courses, £4,500 for part time courses) need to have in place an access agreement. An agreement sets out:

- the fee levels the institution wishes to charge (up to a maximum of £9,000 for full time courses, £6,750 for part time courses);
- the courses to which the higher fees will apply;
- the outreach work to be undertaken by the institution with schools and colleges and communities to help raise the level of attainment, aspirations and applications;
- the work that the institution will do to support student success;
- the bursaries and other financial support the university will make available along with advice on financial issues; and
- the milestones and indicators which a university will decide itself and against which it can measure progress towards its own ambitions of widening participation.

OFFA:

- considers and approves universities' access agreements;
- receives and, where necessary, comments on the report which universities submit about the action they have taken and the investment the university has made;
- considers whether any changes are needed to an access agreement if a university wants to change significantly its levels of tuition fees or the number and range of courses to which higher fees will apply; and
- reviews a university's overall effort and progress in implementing its access agreement.

However an individual university's admission policies and procedures are outside the remit of the access agreement and OFFA.

In the Conclusions on the previous report, the Committee asks for confirmation that equal treatment of nationals of other States Parties is guaranteed, including information on the legal basis for this guarantee.

Please see also the response in respect of Article 10, paragraph 4 below. Any university wishing to charge higher fees for home/EU students must have an access agreement with the Office for Fair Access. Beyond that, universities are autonomous bodies and they are expected to abide by the law. The Office for Fair Access does

¹ <http://www.offa.org.uk/>

not specify what access programmes an institution must undertake, or what bursaries or grants the institution must offer. What it does is to ensure, through access agreements, that the university is making sufficient efforts to attract applications from students from under-represented groups, and in helping them to succeed with their studies.

The Committee refers also to the published statistics on non-continuation rates for students at an institution, included in the previous report, and asks whether any measures are adopted as a result of these surveys.

Universities are working very hard to minimise the number of students who 'drop out' of higher education. Expenditure on student retention can be included in access agreements that universities and colleges have with the Office for Fair Access. OFFA particularly encourages those institutions with an already diverse student body to focus on retention and student success. The proportion of access agreement expenditure being spent on retention is increasing from 15% in 2016/17 (£102m) to 18% in 2019/19 (£131m).

Other work on drop out

Publicly funded Universities receive (2014/15) £275m through a Student Opportunity Fund to reduce drop out, particularly those from disadvantaged groups.

[The Higher Education Funding Council for England](#) (HEFCE) is helping universities to improve their support for students by learning from what works well in other universities. Between 2008-2011, HEFCE and the Paul Hamlyn Foundation funded the '*What Works? Student retention and success programme*' supporting seven projects involving 21 universities which identified, evaluated and disseminated institutional analysis and good practice relating to student retention.

The Higher Education Academy worked with the projects and produced a compendium of good practice: '*Building student engagement and belonging in HE at a time of change – What works? Student retention and success programme*' (HEA, 2012)¹.

Further information on HEFC activity with regard to Student Retention and Success can be viewed via the following link:

<http://www.hefce.ac.uk/whatwedo/wp/current/retention/>

¹https://www.heacademy.ac.uk/resources/detail/what-works-student-retention/What_Works_Summary_Report

Article 10, Paragraph 2

Apprenticeships¹

The National Apprenticeship Service (NAS) has operational responsibility for apprenticeships in England. NAS has a remit to increase the number of apprenticeship opportunities and provide a dedicated, responsive service for both employers and learners. In April 2013, NAS was integrated into the Skills Funding Agency.

Since 2010, there have been over 2.1 million apprenticeship starts, including 440,400 apprenticeship starts in the 2013/14 academic year.

The coalition Government has introduced a number of changes to the current apprenticeship programme. The Government strengthened the pay arrangements for apprentices by bringing them within the National Minimum Wage framework. A new minimum wage rate for apprentices was introduced from October 2010 and applies to Intermediate and Advanced apprentices aged under 19 and those aged 19 and over in the first year of their apprenticeship. The rate increases annually and is currently £2.73 per hour.

New measures for apprenticeships were introduced in November 2011 focusing on three priorities to: raise standards & safeguard quality; simplify & speed up processes for employers; and to increase focus where returns are greatest. The Government also introduced a new financial incentive to help SMEs take on a first apprentice aged 16-24.

To support the raising of standards and safeguarding quality of apprenticeships the Government took steps to ensure that every apprenticeship entails a rigorous period of job-relevant learning and lasts for a minimum of 12 months.

In 2012 the social entrepreneur and jeweller Jason Holt was appointed to head up a review examining what more could be done to help small and medium sized businesses to take on apprentices. The Government responded to the review setting out a number of changes that would be made for small businesses including tailored support from NAS.

The Government has also made modifications to the Specification of Apprenticeship Standards for England (SASE) to allow apprenticeships at Levels 6 and 7.

In June 2012 entrepreneur Doug Richard was asked to undertake a review to ensure that the Apprenticeship Programme meets the future needs of the changing economy. Following the Richard Review, *The Future of Apprenticeships in England - The Reform Implementation Plan*² was published, setting out how Government

¹ <http://www.bis.gov.uk/policies/further-education-skills/apprenticeships>

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/253073/bis-13-1175-future-of-apprenticeships-in-england-implementation-plan.pdf

intends to deliver radical changes to apprenticeships to make them more rigorous and responsive to the needs of employers.

As a result of the Richard Review, the Government is reforming apprenticeships to be more rigorous and responsive to the needs of employers.

The Reforms will:

- Put employers in the driving seat by giving them the role of designing apprenticeships so that they are more responsive to the needs of business and by giving them control of the funding so that they become more demanding customers.
- Simplify apprenticeship standards, replacing the existing complex frameworks with short, simple, accessible standards written by employers in a language they understand.
- Increase the quality of apprenticeships through more rigorous testing and grading at the end of the apprenticeship.

Employer-led Trailblazers are leading the way in implementing the new apprenticeships. They are collaborating to design apprenticeship standards and assessment approaches to make them world class.

Over 1000 employers are involved in over 75 sectors with 73 standards approved and published and more than 100 new standards in development. The new apprenticeships are in a broad range of sectors from nuclear to fashion, law, banking and the armed forces.

Article 10 - Right to vocational training

Paragraph 3 - Vocational training and retraining of adult workers

The European Social Fund (ESF)

The European Social Fund (ESF) provides additional investment to support and enhance Skills Funding Agency activity, to enable disadvantaged people to access and benefit from employment and skills opportunities.

In the ESF programme running from 2007-13, the [Skills Funding Agency](#) is responsible for ESF learning provision to the 19+ age group. It also manages ESF provision as a shared service for the Young People's Learning Agency (YPLA) and local authorities.

For 14-19 ESF provision, the Skills Funding Agency now acts on behalf of the [Education Funding Agency](#) (formerly the Young People's Learning Agency (YPLA)) to secure activity.

Policy round tables

As described in the previous report, in 2011 BIS hosted seven policy roundtable meetings attended by invited representatives from key stakeholder organisations.

The policy roundtables focused on specific areas for reform, including: Access; Learning to support the Big Society; Progression; Infrastructure; Funding; Quality and Workforce Development; and Capturing Impact, audit, & data collection. As a result of these workshops a new framework for Adult Community Learning was piloted and is now being implemented.

Adult learning - Community Learning

'Community Learning' is an important part of the wider BIS-funded learning and skills offer. It engages people who are most disadvantaged and furthest from learning.

[Public funding for Community Learning](#) supports:

- adults who are unemployed, low-skilled or have few qualifications, enabling them to develop the skills and motivation to progress towards formal training and employment
- individuals, families and communities who are socially disadvantaged, in order to improve their confidence, resilience, community engagement and mental/physical health
- local adult education infrastructures across England, so that adults of all ages and backgrounds can take part in non-formal learning, paying according to their means.

BIS contributes £210m a year to support community learning. In 2013/14 657,200 learners participated in Community Learning courses. The Community Learning budget is managed by the Skills Funding Agency. Most provision is delivered or commissioned by Local Authority adult education providers, but also by some FE colleges, large voluntary organisations and other providers.

The budget funds a range of flexible courses, based on national objectives¹ and usually unaccredited. Courses are designed to help people of different ages and backgrounds acquire a new skill, re-connect with learning, pursue an interest, prepare for progression to formal courses and/or learn how to support their children more confidently. It supports wider Government policies on social justice and stronger families, digital engagement, social mobility, inclusive communities, healthy ageing and strengthening civil society.

Community Learning can make a difference to people's work prospects, particularly the people who've had few chances in life. By being flexible, local and accessible it can attract and engage people who are furthest from learning, training and the job market. Courses are delivered in accessible community venues and takes account of individuals' needs and learning styles.

Policy Reform

After a review and national consultation, new community learning objectives were published in [New Challenges, New Chances](#) and introduced in August 2012,

alongside the launch of 15 local Community Learning Trust pilots to test effective strategies for delivering the new objectives.

Since August 2013, Community Learning providers must work in partnership with other learning providers, local people, services and organisations to agree a relevant, customised community learning offer. They must also maximise value for money by using their public funding allocation to:

- lever-in additional funding, e.g. through fee income, sponsorship, grants;
- funding from other government departments and/or commercial sales;
- secure savings, e.g. from contributions in kind, volunteer activities, sharing services and/or pooling resources; and
- use additional funding and cost savings to increase resources or provision for the most disadvantaged people in their communities.

Providing learning programmes reflect the Community Learning objectives, the community learning funding allocation can be used flexibly to meet local needs

Mental Illness

As part of the 2014 Budget announcement, the Government is launching a £20 million initiative to improve mental health. Mental illness impacts the UK economy. The wider economic costs of mental illness in England, including lower tax revenues, higher benefits, sick leave and health and social costs were estimated by the Centre for Mental Health at £105 billion per year in 2009/2010.

Community learning providers, working with local mental health services, will design and deliver courses to help people recover from common mental health problems, including depression, anxiety and sleep disorders. Courses will support up to 80,000 people experiencing mental illness to re-engage with their families and communities and progress to formal learning or return to work.

Research evidence

Research shows that community learning courses deliver a range of valuable outcomes for learners, including the development of softer skills such as employability, parenting skills and/or an increased readiness to take part in further learning.

Wave 1 of a longitudinal study of Community Learning learners¹ showed that a higher proportion of BME learners and other disadvantaged groups took part (18 per cent compared to 13 per cent in the general population), and that the positive impact of Community Learning tended to be greater for these groups. Wave 2² of the longitudinal study builds on positive findings from the same cohort of learners. Nearly all the benefits reported by learners were more prevalent for disadvantaged learners, including people without qualifications, people living in the most deprived neighbourhoods, people from Black and Minority Ethnic communities, people who do

¹ [Community learning learner survey report March 2013 - Publications - Inside Government - GOV.UK](#)

² <https://www.gov.uk/government/publications/community-learning-learner-survey-after-2-years>

not speak English as their first language and those in receipt of out-of-work benefits.

A suite of BIS-commissioned reports published in 2012 included 6 studies assessing the impacts of BIS-funded adult learning:

- Valuing Adult Learning: Comparing Wellbeing Valuation and Contingent Valuation¹
- The relationship between adult learning and wellbeing: evidence from the 1958 National Child Development Study²
- Learning & Wellbeing Trajectories among Older Adults³
- Evidence on the wider benefits of family learning: a scoping review⁴
- Review and update of research into the wider benefits of learning⁵
- The contribution of basic skills to health related outcomes during adulthood: evidence from the BCS70⁶.
- Findings show significant positive impacts on learners' wellbeing, self-confidence and mental health.⁷

The Committee asks that the next report contain up-dated information on the organisation and implementation of continuing vocational training for employed persons, including relevant figures such as the percentage of employees participating in training, gender balance and public and private expenditure for continuing vocational training

Results from the UK Commission for Employment and Skills' (UKCES) Employer Skills Survey 2013 provides a comprehensive picture of skills needs and training investment, including vacancies and skills shortages, employee skill gaps and the recruitment of education leavers and young people. A copy of the Report can be found at:

<https://www.gov.uk/government/collections/ukces-employer-skills-survey-2013>

The Continuing Vocational Training Survey – Findings from a survey exploring the type and amount of vocational (occupational) training provision. BIS research paper number 102. 13 February 2013 - See data table 8 for costs.

<https://www.gov.uk/government/publications/continuing-vocational-training-survey-cvts4-report>

Details of expenditure are also set out in the **Skills Funding Statement** that can be viewed via the following link:

¹ <https://www.gov.uk/government/publications/valuing-adult-learning-comparing-wellbeing-valuation-and-contingent-valuation>

² <https://www.gov.uk/government/publications/the-relationship-between-adult-learning-and-wellbeing-evidence-from-the-1958-national-child-development-study>

³ <https://www.gov.uk/government/publications/learning-and-wellbeing-outcomes-among-older-adults-in-england>

⁴ <https://www.gov.uk/government/publications/evidence-of-the-wider-benefits-of-family-learning-a-scoping-review>

⁵ <https://www.gov.uk/government/publications/review-and-update-of-research-into-the-wider-benefits-of-adult-learning>

⁶ <https://www.gov.uk/government/publications/the-contribution-of-basic-skills-to-health-related-outcomes-during-adulthood-evidence-from-the-bcs70>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278529/bis-14-p172a-skills-funding-statement-2013-2016.pdf

Further Education & Skills: Learner Participation, Outcomes and Level of Highest Qualification Held – Statistical First Release (SFR) 29 January 2015

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/399453/learner-participation-outcomes-and-level-of-highest-qualification-release-jan15.pdf

Key Points:

Provisional data show that for the first quarter of the 2014/15 academic year 1,396,100 adult learners aged 19 and over participated in government-funded further education.

Provisional data show that 573,700 funded Apprentices participated on an Apprenticeship in the first quarter of the 2014/15 academic year.

Provisional data show that there were 147,500 Apprenticeship starts in the first quarter of the 2014/15 academic year.

Provisional data show there were 51,700 learners with a 24+ Advanced Learning Loan in the first quarter of the 2014/15 academic year.

Provisional data show there were 5,000 Traineeship starts in the first quarter of the 2014/15 academic year.

The overall 2013/14 Education and Training success rate for government funded adult learners was 87.6 per cent. Whilst not directly comparable with 2012/13 figures due to methodology changes, there was an increase of 0.7 percentage points compared with 2012/13.

The overall 2013/14 Apprenticeship success rate was 68.9 per cent, a decrease of 3.4 percentage points compared to 2012/13. Decreases were seen for Intermediate and Advanced Apprenticeships but an increase was seen for Higher Apprenticeships. Decreases were seen across all age ranges, in particular for those aged 25+.

A full list of supplementary tables relating to this SFR can be found on the GOV.UK website at <https://www.gov.uk/government/collections/fe-data-library> These tables include breakdowns by age, gender, ethnicity, learners with learning difficulties and/or disabilities, region, local authority, parliamentary constituency, sector subject area and funding stream.

Article 10, Paragraph 4 - Fee rates for Higher Education Courses

ENGLAND

Fee rates for Higher Education Courses

In higher education, full-time student places for “home” and EU students attending publicly funded UK Higher Education Institutions (HEIs) are subsidised by the taxpayer in the form of a teaching grant and via tuition fee loans and grants to students for student support. “Overseas” e.g. those from outside the EU student places are not subsidised and so in practice institutions generally charge the market rate to those students to cover their costs.

From September 2012 the public subsidy has changed and the teaching grant reduced. Eligible full-time students at publicly-funded HEIs are charged up to a maximum of £9000 for tuition. HEIs decide whether to charge students the regulated fee using the Student Fees (Qualifying Courses and Persons) Regulations 2007 (QCP regulations). Students who fall within one of the categories in Schedule 1 of the QCP regulations cannot be charged more than the maximum regulated rate, students who do not fall into any of the categories may be charged fees at a higher rate. The Education (Fees and Awards) Regulations 2007 (as amended) provides that it shall be lawful to discriminate between some or all of those persons described within Schedule 1 to the Regulations and any other person.

Where an institution differentiates between a ‘home’ and ‘overseas’ rate of fee then they must charge the home rate to any student who falls within one of the categories in the Education (Fees and Awards) (England) Regulations schedule. These categories are the same as those listed in Schedule 1 of the QCP regulations.

HEI's are not public bodies. They are independent, self-governing organisations and it is entirely up to institutions to decide who to admit. To allow flexibility in dealing with individual students' circumstances, HEIs may waive or reduce fees where they consider it appropriate. The onus would be on individual student to provide a compelling and persuasive case to their university which would warrant the exercise of this discretion in their favour

Student Finance Package

Students studying undergraduate courses which have been “designated” for student support may apply for tuition fee assistance in the form of a non-means tested loan. Additionally students can apply for a means-tested loan and grant to help with their living costs. There are also supplementary grants available for those students with dependants or those who have additional course related costs due to a disability. HEIs may also offer non-repayable bursaries.

Eligibility for financial support for higher education courses is determined by Student Finance England (SFE) using the Education (Student Support) Regulations 2011. As with the QCP and Fees and Awards regulations, those who fall within one of the categories in Schedule 1 are eligible to apply for some support. However, unlike HEI's, SFE do not have the discretion to award support to a student not listed in the Schedule

From academic year 2012, eligible part-time undergraduate students and those studying by distance learning can apply for a subsidised loan to cover the cost of tuition. A Disabled Students Allowance is also available.

Post graduate students may be eligible for the Disabled Student's Allowance.

Student loan borrowers pay back at a rate of 9% of their earnings above the repayment threshold, which is £16,365 as of 6 April 2013. Repayments are generally collected through the tax system. Someone earning the current average graduate starting salary of £20,000¹ would repay around £6.00 per week.

New students, who began new courses in September 2012 or later, will be subject to a different repayment threshold when they become liable to repay. They will repay at a rate of 9% of their earnings above the repayment threshold of £21,000 a year from the April after when the student has left or completed the course. Part-time students who began courses in September 2012 become liable for repayments from April 2016.

Eligible categories

The position remains as previously described.

Normally, to be eligible for the regulated or home rate of fees, a tuition fee loan and maintenance support, students must have been ordinarily resident in the UK and Islands for the three years immediately preceding the first day of the first academic year of the course, other than wholly or mainly for the purpose of receiving full-time education. Students must also be 'settled' in the UK on this date within the meaning of the Immigration Act 1971. In other words, ordinarily resident here without being subject under the immigration laws to any restriction on the period for which they may stay. There are exceptions to this as follows:

- In accordance with Article 24, paragraph 1 of Directive 2004/38/EC, all EU students pay the same tuition fee and can apply for the same tuition fee support as the nationals of the hosting EU country. Thus, EU nationals (or their family member) who have lived in the EEA, or Switzerland, throughout the three years immediately before the start of the first academic year of the course, can apply for a tuition fee loan and are charged the same regulated rate of fee as a national student. The situation is different with regard to maintenance support. In accordance with Article 24, paragraph 2 of Directive 2004/38/EC, a host Member State is not obliged to grant maintenance aid to citizens of other EU Member states before they acquire the right of *permanent* residence in its territory. However, following a judgment on the Bidar case (C-209/03) in 2005, the European Court of Justice (ECJ) concluded that maintenance support also falls within the scope of the EC treaty. The ECJ supported a residence condition as acceptable to establish a genuine link with

¹ Destination of Leavers from Higher Education (DLHE) 2010/11 survey, Higher Education Statistics Agency, released 21 July 2012: the median salary for 2010/11 first degree graduates (both full-time and part-time) who entered full-time paid employment in the UK was £20,000 (rounded to the nearest £500).

another Member State and eligibility for maintenance support. Therefore, as with home students, EU nationals who have lived in the UK and Islands for three years prior to the start of their course can apply for all aspects of maintenance support.

- European Economic Area (EEA) workers, frontier workers, self-employed persons, persons who retain such status and members of their families are eligible to apply for the full support package if they have been ordinarily resident in the EEA and Switzerland throughout the three years immediately preceding the first day of the first academic year of the course.
- In accordance with Annex 1 of the Swiss Agreement (OJ L 114/6) between the European Community and its Member States and the Swiss Confederation on the Free Movement of Persons, and the Immigration (EEA) Regulations, Swiss employed persons, frontier employed persons, self-employed persons, persons who retain such status and members of their families are eligible to apply for the full support package providing they have been ordinarily resident in the EEA and Switzerland throughout the three years immediately preceding the first day of the first academic year of the course.
- Following the Swiss Agreement, a student who is the child of a Swiss national, who has been ordinarily resident in the territory comprising the EEA and Switzerland throughout the 3 year period preceding the first day of the first academic year of the course, can apply for full support.
- As a result of the ECJ case, Gurol (C-374/03), the child of a Turkish worker may also apply for the full support package. The definition of a Turkish worker is a person who is ordinarily resident in the United Kingdom, who is, or has been lawfully employed in the United Kingdom. The student must have been ordinarily resident in the EEA, Switzerland or Turkey throughout the three year period preceding the first day of the first academic year of the course.
- Those who are recognised as refugees by the Home Office under the 1951 United Nations convention relating to the Status of Refugees and its 1967 Protocol are eligible for full support. They must also have been resident in the UK since being recognised as a refugee by the Home Office but do not need to satisfy any other ordinary residence requirement.
- Those who have been awarded Humanitarian Protection by the Home Office and have been ordinarily resident in the UK and Islands for the three year period preceding the first day of the first academic year of the course may also be eligible for support.

“Visa” nationals, that is those who do not have the right of free movement and who require an entry visa and a work permit to stay for over six months, may be charged fees above the capped rate and may not be eligible for financial assistance for their studies. Non-EU/EEA Charter nationals do not have the right to freedom of movement as workers, as is guaranteed by Article 45 TFEU (ex Article 39 of the Treaty establishing the European Community).

SCOTLAND

Article 10, Paragraphs 1 and 2

The position remains as previously described with the following developments. The Cabinet Secretary for Education and Lifelong Learning has ultimate responsibility for the provision of all education and training in Scotland. National training programmes, including Modern Apprenticeships, are administered by the national skills body, Skills Development Scotland (SDS).

Following a programme of recent mergers, there are 25 publicly funded colleges in Scotland. Twenty three colleges are organised into 13 regions with two colleges funded outwith the regional structure (Sabhal Mor Ostaig (the Gaelic College) and Newbattle Abbey College, an adult residential college) because of their national role. Ten regions have one college, each of which has been designated as a regional college. The three other regions have a regional strategic body to plan and distribute funding to colleges assigned to it. Of the 25 colleges, 20 have boards of management under the Further and Higher Education (Scotland) Act 1992. Of the others, two (in Orkney and Shetland) are under the management of their local authority.

Employability Framework

The Scottish Executive Employability Framework (2006) recognises the need to ensure that the skills needs of Scotland's people are matched with current and future employment opportunities. Since 2009, Jobcentre Plus and Skills Development Scotland have worked more closely to ensure that unemployed people with skills development needs have access to high quality careers and skills advice with onward referral to appropriate training. Further work to align employment and skills services is underway. Young people are a particular priority. Achieving this for the long-term means equipping all of our young people with the skills they need for adult life and work. More Choices, More Chances, our strategy for young people not in employment education or training, describes the way in which this is being achieved at the pre 16 stage. Through developments such as building more effective pathways from schools to positive outcomes by enhancing school and college links, creating new Skills for Work vocational options and undertaking a review of the curriculum to create a greater force on personalisation and choice in learning, the education system is working to improve the employability of all young people.

A number of delivery agents are involved in getting jobless people onto employability projects or services to develop career aspirations. These agents include: Jobcentre Plus; Skills Development Scotland; Further and Higher Institutions; Local Authorities; and the voluntary and private sectors.

Skills Development Scotland's Careers Service also plays a key role in the other vocational programmes outlined in this document such as Modern Apprenticeships, Training for Work, and Get Ready for Work; particularly for young people, including key worker services; linking opportunity (business growth, economic regeneration) to the labour market; and labour market intelligence.

Following the Scottish General Election in May 2007, the new incoming administration published the Scottish Government's Economic Strategy in November 2007¹. That strategy outlined that the Government would bring together the public agencies involved in delivering information, advice and guidance services and skills provision in the new skills body to build improvements around the needs of individuals.

Created in 2008, Skills Development Scotland (SDS) brought together Careers Scotland, Scottish University for Industry (learndirectscotland) and the skills arms of Scottish Enterprise and Highlands and Islands Enterprise. SDS is Scotland's national skills agency is the key provider of career services in Scotland, providing all-age careers information, advice and guidance.

The Scottish Government's career information, advice and guidance strategy was published in March 2011². Its overarching aim is to drive the redesign and improvement of career information, advice and guidance delivered primarily – but not exclusively – by SDS. Whilst re-asserting the Government's commitment to all-age, universal careers services, it places an emphasis on self-help – through developing the career management skills of individuals and web-based delivery, with face-to-face and more intensive support for those who need it most.

The strategy outlines the significant contribution careers services make to sustainable economic growth by helping people make informed decisions about their learning, job opportunities and career options, ultimately, with a view to helping them get, stay and progress in work. To achieve this, careers services need to be independent, high quality, impartial, informed, supportive of equal opportunities and confidential.

The strategy outlines that the key features of effective careers services include:

- accessible, high quality, personalised and impartial career information, advice and guidance, with opportunities and experiences that help people to develop the skills they need to manage their own careers;
- more intensive, face-to-face support - including specialist help - for those whose career development needs are greatest, including Looked After Children and others who need additional support for their learning;
- support for parents and carers so they can help their children to make the right decisions, at key stages of learning; and
- on-going feedback from users to improve service delivery; and state-of-the-art, online resources backed up with professional advice.

The strategy recognises that as the key provider of careers services in Scotland, SDS is well positioned to act as the strategic lead in the redesign and improvement of career information, advice and guidance, working collaboratively with partners

¹ <http://www.scotland.gov.uk/Publications/2007/11/12115041/0>

² <http://www.scotland.gov.uk/Publications/2011/03/11110615/0>

such as schools and colleges, local authorities and other public bodies to build the capacity of the guidance community. It sets out the Scottish Government's expectations of SDS and its partners to work better together to meet the needs of service users and to make the best use of their collective resources.

Scotland's refreshed skills strategy *Skills for Scotland: Accelerating the Recovery and Increasing Sustainable Economic Growth* published in 2010 places individual career development at the heart of balancing skills supply and demand and is a step forward in realigning the skills, learning and work system in Scotland. High quality information, advice and guidance are vital for connecting all individuals with the workplace: and enabling them to progress in their career through on-going decisions in learning and work. The Scottish Government is committed to ensuring career services are available for all but that intensive services are targeted towards those who need it most.

Widening participation in higher education

The position remains as previously described with the following update. The Scottish Credit and Qualifications Framework (SCQF) continues to help people of all ages and circumstances to access appropriate education and training over their lifetime to fulfil their personal, social and economic potential by levelling and credit-rating all mainstream qualifications and a wide range of other sectoral and professional qualifications to allow for progression to further training or study.

The Scottish Further and Higher Education Council (SFC) and the bodies it funds have regard to the educational and related needs (including support needs) of learners and those who may wish to become learners.

SFC's first spending review delivered significant additional resources for further and higher education, providing 21% more funding in real terms since 2004-5 – resulting in an extra £393million for learning, teaching and research in colleges and universities and an extra £276m to build facilities fit for the 21st century. For 2007-8, the SFC allocated a combined budget of £1.6bn with £1bn per annum going to Universities and £600m going to colleges. Despite the difficult economic climate, the combined budget to universities and colleges is also £1.6bn for 2011/12.

NORTHERN IRELAND

Article 10, Paragraphs 1 and 2

Legislation

The position remains as previously described with the following update.

The Education (NI) Order 2006 places a mandatory requirement on Boards of Governors to provide all pupils at grant-aided schools with access to a minimum number of courses at Key Stage 4 and at post-16 – the Entitlement Framework (EF). In both cases at least one-third of the courses must be general (academic) and at least one-third applied (vocational). The remaining one-third is at the discretion of

the school, allowing them to provide a unique and distinctive curricular offer, focusing on the needs of their pupils and in line with each school's ethos.

The Entitlement framework has been phased in over the past three years. From September 2015 schools will be required to provide pupils with access to a minimum of 24 courses at Key Stage 4 and minimum of 27 courses at post-16.

Vocational Higher Education

Foundation Degrees are intermediate, vocationally oriented higher education qualifications designed to address skills gaps at the associate professional and higher technician level. Foundation Degrees are intended to meet the skills needs of employers, as evidenced by engagement with the relevant Sector Skills Councils, meet National Occupational Standards and be flexible in modes of delivery. Another of the aims of Foundation Degrees is to increase participation in HE and stimulate lifelong learning.

Foundation Degrees contain the following "core" elements:

- employer involvement in both the design and delivery of the programmes;
- technical in sector specific skills training underpinned by rigorous academic learning;
- assessed Work Based Learning placements to develop work relevant skills and an understanding of the workplace;
- degrees should be transferable; and
- must provide a route for students to progress to honours degree level.

In academic year 2014/15 there are 66 full-time and 57 part-time Foundation Degree programmes being offered in the Northern Ireland Further Education Regional Colleges and the College for Agriculture Food & Rural Enterprise. These courses are in a wide range of occupational areas including Information and Communications Technology, Engineering, Construction and the Built Environment, Hospitality and Tourism, Culinary Arts, Equine Management, Sales and Horticulture and new technologies such as Energy Environment and Sustainability and Wind Turbine Technology.

In academic year 2013/14 there were 1,493 full-time and 1,153 part-time enrolments on Foundation Degrees up from 851 full-time and 621 part-time enrolments in academic year 2009/10. The Department for Employment and Learning is committed to the further expansion of Foundation Degrees and has given them a key role within the Northern Ireland Skills Strategy – '*Success Through Skills – Transforming Futures*'. This states "*The Department, working closely with industry, will continue to expand Foundation Degrees in key skill priority areas. The qualifications will integrate academic and work related learning. The Department will work with the universities to align the qualifications they offer to the needs of employers.*".

Higher Education

Widening Participation in Higher Education by students from those groups which are

currently under represented, in particular students from disadvantaged backgrounds and those with disabilities and learning difficulties remains one of the Department for Employment and Learning's key strategic goals for over a decade.

During 2011 and 2012 the Department, supported by key stakeholders including other Government Departments, the Universities, Further Education Colleges and the NUS/USI, developed **Access to Success** its regional strategy to widen participation in higher education. The strategy which was launched in September 2012 has a strong focus on the creation of a more accessible sector in which the people who are **most able** but **least likely** to participate are given every encouragement and support to achieve the necessary qualifications to apply to, and benefit from, the higher education that is right for them irrespective of their personal or social background. The development of the regional strategy represents the first inter-institutional and Governmental attempt to address this issue.

Significant progress has been made on a range of measures in the strategy. These include:

- the launch in March 2014 of "Reach Higher" a single, centralised and co-ordinated higher education awareness and aspiration raising campaign to better communicate the benefits of higher education to under-represented sections of the community;
- the introduction of the "Reach" programme through which the Department aims to support the expansion of the range of aspiration and educational attainment raising programmes at school, college, community and the workplace; and
- the introduction of Widening Access and Participation Plans (WAPP)– an amalgamation of Access Agreements and institutional Widening Participation Strategic Assessments into a single document. The Education Student Fees (Approved Plans) Regulations (Northern Ireland) 2005 require that a higher education provider who charges tuition fees higher than the basic amount must submit a plan for approval by the Department which sets out the measures it will take to attract an increased number of applications from groups who are under-represented in higher education. Institutions must produce a WAPP annually 12-18 months in advance of the proposed fee year. The plan must include a summary of the institution's widening participation strategy, a review of its past achievement against regional benchmarks and a detailed programme of anticipated progress each year towards the institution's own widening participation targets.

Apprenticeships

In June 2013 a new version of Training for Success (TfS) was re-contracted and introduced with the emphasis on the progression of participants at a timescale suited to their individual ability as opposed to set timescales.

TfS 2013 provides a guaranteed training opportunity for all eligible young people aged 16 and 17 who are not in education or employment. There is extended eligibility

for those with a disability up to the age of 22 years, and those who qualify under the Children Act (NI) (2002), up to the age of 24.

Programme Led Apprenticeships is due to end soon, with the last remaining participants expected to finish around June 2015.

Apprenticeships NI is a work-based employed provision and is open to all those who have reached the minimum school leaving age and who meet the entry requirements.

During the reporting period, at the end of January each year, total occupancy across Northern Ireland was as follows:

- 2011 - 17, 659
- 2012 - 18, 971
- 2013 - 17, 494
- 2014 - 14, 032

As at the end of January 2014 there were 14, 032 people on provision; 7,025 of which are employed apprentices.

Source: Data extracted from the Department's Client Management System on 31st October 2014

Article 10, paragraph 3

Essential Skills

The Essential Skills suite of programmes is similar to that of the Functional Skills offered in England. Essential Skills qualifications in Communication, Application of Number and ICT are free standing qualifications and are available at Entry Levels 1, 2 and 3, Level 1 and Level 2 and cater for the full range of learners seeking to improve their English, maths and ICT skills. The Essential Skills qualifications are delivered free of charge to learners aged 16 or over. Essential Skills ICT was introduced as a third Essential Skill in August 2009; qualifications are available at Levels 1 and 2 but not at Entry Level. A number of approved Entry Level ICT qualifications are currently funded by the Department and are free to learners.

Essential Skills programmes place a greater emphasis on the application of knowledge in real life situations to allow individuals to work confidently, effectively and independently in life. The Essential Skills qualifications have replaced the Key Skills within the Apprenticeship frameworks in Northern Ireland.

From the start of the Strategy in October 2002 to the end of July 2014 there have been in total 242,693 Essential Skills qualifications achieved and over 122,600 learners.

The Essential Skills in Communication at Level 2 is recognised by both Universities in Northern Ireland as an acceptable alternative to GCSE English (Grade C) for the purpose of General Entry Requirements and the Application of Number is recognised as an acceptable alternative to GCSE Mathematics, subject to the discretion of each Faculty. Essential Skills Application of Number at Level 2 is acceptable in place of GCSE Mathematics (Grade C) for entry to specific courses only, and at the discretion

of the Head of School. For example, it may not be accepted for courses with a high mathematical content.

Essential Skills budget expenditure has risen in 7 out of the last 8 years. Total expenditure since October 2003 is over £60m.

Article 10, paragraph 4

Student finance – tuition fees and student support

The Higher Education (Northern Ireland) Order 2005 provides for the introduction of variable tuition fees, linked to Access agreements, with effect from Academic Year (AY) 2006/07. The Department for Employment and Learning has also introduced new Student Finance arrangements in support of the new tuition fee arrangements. The arrangements in Northern Ireland broadly replicate those introduced for England.

In summary, the following arrangements apply:

Tuition Fees

- HE providers were able to charge fees of up to £3,000 per year to new full time undergraduate students from Academic Year 2006/07; this has been uplifted in line with inflation for Academic Year 2014/15 when a maximum fee of £3,685 will apply.

Deferral of Fees

- full time undergraduate students will not have to pay tuition fees before or during their higher education courses. They will be able to defer payment through a fee loan.

Grants and Maintenance Loans

- new full time students from lower income households will be eligible for a means tested maintenance grant of up to £3,475 and a maintenance loan to meet their living costs.
- less well off students will also be eligible for bursaries from the Higher Education Provider under their Widening Access and Participation Plan. HE providers charging the maximum fee of £3,685 are expected to provide a bursary of at least £368 for students on the maximum DEL grant of £3,475.
- supplementary allowances for students with children, and students with disabilities will continue as at present

Existing students, who started before September 2006, will continue to be subject to the minimum fee of £1,200 in AY 2006/07, uplifted in line with inflation to £1,465 in AY 2014/15. This fee may also be deferred through a fee loan. Continuing students are also eligible for a higher education bursary (maintenance grant) of up to £2,000 per year.

The Committee concludes that the situation in United Kingdom is not in conformity with Article 10§4 of the 1961 Charter on the ground that nationals of other States Parties not EU nationals, residing or working lawfully in the United

Kingdom are not treated on an equal footing with the United Kingdom nationals with respect to fees and financial assistance for higher education.

The position remains as set out above and as described in the statement made by the UK Government representative at the May 2013 meeting of the Governmental Committee, the text of which is set out below, as requested.

Governmental Committee, May 2013 - UK Representative statement

The current system fairly balances the desire to provide access to our world-class higher education system, with the need to ensure that our higher education sector is financially sustainable

Funding for higher education and students is finite, it is therefore necessary to target limited resources.

The Government is committed to ensuring that no eligible full time 'home' student has to pay their tuition fees before they start their course or whilst they are studying at publicly funded UK Higher Education institutions. Depending on their circumstances home students may also be eligible for further maintenance grants and living cost loans.

European Union (EU) nationals and their family members who come to the UK to study are entitled to tuition fee loans on an equal basis to UK nationals where they have resided in the European Economic Area (EEA) and Switzerland throughout the relevant three year period. However, these students are not entitled to living cost loans and grants.

Background

Under legislation applicable to students resident in England, eligibility to pay regulated fees and for student support for higher education is established by a range of eligibility criteria including residency.

A person is personally eligible for support by satisfying criteria based on their residence, immigration and, in some cases, nationality status. The 1960 Anderson Report, which provided the foundation for all subsequent systems of student support, enshrined three principles relating to residence:

- Firstly, a student should be resident in the UK
- Secondly, the student should not have been ordinarily resident solely for the purposes of receiving full time education
- Thirdly, there should be some provision to cover temporary absence from the country.

These principles continue to apply today. A three year ordinary residence requirement was introduced in the 1962 Education Act. The Government believes this remains a fair requirement which clearly demonstrates a substantial residential connection with the UK and recognises an economic contribution to the country.

In specific circumstances, the requirement will be for three years ordinary residence within the EEA and Switzerland; this is in order to facilitate the free movement of workers throughout the (EU), EEA and Switzerland.

Student Support (Fees Loans, Maintenance Loans and Grants)

Funding is generally available for those who can demonstrate a specified connection with the UK and satisfy the other eligibility criteria.

The specified connection consists of a combination of residence, immigration and in some cases nationality requirements.

Student Support (Fee Loans only)

EU nationals and their family members who come to the UK to study are entitled to tuition fee loans on an equal basis to UK nationals where they have resided in the EEA and Switzerland throughout the relevant three year period. However, these students are not entitled to living cost loans and grants.

The rules are set out in Schedule 1 to the Education (Student Support) Regulations 2011.

Fee Status – Home or Overseas

Higher Education Institutions determine the level of fees charged to a student, subject to whether a student is charged fees at the home rate or overseas rate.

Higher Education Institutions (HEIs), as independent, self-governing organisations, determine their own level of fees, usually subject to an upper limit of £9,000 per year¹ for students charged “home fees”. Students can be charged fees at the ‘home’ rate or the higher ‘overseas’ rate, depending on whether they are entitled to home fees under the Education (Fees and Awards) Regulations 2007; whether they benefit from regulated (capped) fees is determined by the Student Fees (Qualifying Courses and Persons) Regulations 2007. One of the eligibility criteria for home fee status is ordinary residence in the UK for the three years immediately preceding the first day of the first academic year of the course (this excludes any periods of temporary employment or absence abroad). This applies to UK nationals as well as to eligible students from outside the UK.

Students who are unable to meet the above criteria may be charged fees at the higher ‘overseas’ rate. However, to allow flexibility in dealing with individual students’ circumstances, HEIs can waive or reduce fees where they consider it appropriate. The onus would be on individual students to provide a compelling and persuasive case to their university which would warrant the exercise of this discretion in their favour, as to do so would mean a loss of income for the institution.

HEIs can charge unregulated fees to students (including UK students) who have an equivalent or level qualification to the course they wish to study, whether the previous qualification was awarded in the UK or abroad. This will enable more students who

¹ For providers funded by the Higher Education Funding Council for England

have no HE qualification at all to benefit from home rate of fee and HEFCE funding.

Article 15, Paragraph 1

Question 1

Legislation

[The Children and Families Act 2014](#)

England

The Children and Families Act 2014 received Royal Assent on 13 March 2014. Part 3 of the Act applies to England only and sets out a new framework for children and young people who have special educational needs and disabilities. This replaces most of Part 4 of the Education Act 1996, for children with special educational needs, and the Learning and Skills Act 2000, for young people in further education with SEN and disabilities, however that legislation will continue to apply for young people with learning difficulty assessments under the Learning and Skills Act until September 2016 and for children with SEN statements until April 2018.

The Children and Families Act 2014 requires local authorities to:

- have regard to the views, wishes and feelings of children, parents and young people as they carry out their SEND functions under the Act;
- promote the integration of educational, health and social care provision where this will promote the well-being of children and young people with SEND;
- jointly commission with health commissioning bodies provision for children and young people with SEND;
- keep education and care provision for these children and young people under review;
- cooperate with their local partners when exercising their SEND functions;
- publish a Local Offer of education, health and care services available to children and young people with SEND from their areas;
- identify children and young people from their areas with SEND and where necessary carry out Education, Health and Care assessments of them draw up EHC plans and arrange the educational provision in the plans (health commissioning bodies are under a new duty to arrange the health provision in the plans);
- offer the parents of children with EHC plans and young people with plans the option of a personal budgets to control delivery of some of the provision in the plans; and
- arrange information on mediation and offer mediation to parents and young people before they register an appeal at the First-tier Tribunal (SEND).

Schools (including academies) and further education colleges are under a duty to “use their best endeavours” to make the special educational provision a child or young person requires.

The Government reformed the special educational needs and disability system under Part 4 of the Education Act 1996 and the Learning and Skills Act 2000 because:

- children and young people's special educational needs were not being identified and addressed early enough;
- parents too often felt they had to battle the local authority to get the provision they thought their children needed;
- local authorities spent over £5 billion each year on meeting children's special educational needs, but outcomes for these children were poor;
- relevant agencies did not work well together in a way which made sense for children, their parents and young people;
- transitions between children's and adult services were poor for those with SEND and there was a cliff edge between provision for children up to the age of 16 and those post 16; and
- young people in further education had weaker rights to appropriate provision than children in school.

The new legislation was informed by 20 pathfinders, covering 31 local authorities and their associated clinical commissioning groups (health). Funding has been provided to help implement the reforms:

- £70 million SEND reform grant plus funding for new burdens on local authorities;
- Up to £900,000 for pathfinder champions 2014-15;
- Increased funding for parent carer forums;
- £30m between 2014-2016 for independent support for parents and young people to help them negotiate the new system;
- From May 2014, the [Nasen gateway](#) provides a one-stop shop of resources for schools;
- For FE: funding bursaries of up to £9,000 for high calibre graduates to train as specialist SEND teachers (2013-14 and 2014-15); and
- Making £1m in grants available for the existing FE workforce to undertake specialist SEND CPD (2013-14).

The Department for Education also has a team of SEND National Advisers to help local authorities prepare for and implement the reforms.

Education

The new *Special educational needs and disability code of practice: 0 to 25 years*¹ (effective from 1 September 2014, revised version dated January 2015 will be effective from 1 April 2015) subsumes previous guidance *Inclusive Schooling – Children with Special Educational Needs* mainly within Chapter 1.

Study programmes

Study programmes apply to all students aged 16-19 including learners with learning difficulties and/or disabilities (LLDD)/Special Educational Needs (SEN).

¹ <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

As with other students, those with LLDD have study programmes tailored to meet their prior attainment and special educational needs. The needs of this group are very wide ranging. In a few cases, the study programme may contain no qualifications. Instead it might be focused on work experience or on other non-qualification activities to prepare students for adult life. Study programmes for these students are likely to include extended work experience and mathematics and English at an appropriate level.

For students who have profound or complex learning difficulties, it may not be appropriate for them to pursue the English and mathematics qualifications recognised by the funding conditions. In this case, these students will be excluded from the funding requirement to study English and mathematics post-16 if they have statements of their SEN needs or in the future Educational and Healthcare plans.

There is a small number of students who are not able to take a GCSE or a stepping stone qualification, for example those with multiple and complex needs. These students can be exempt from studying qualifications but appropriate literacy and numeracy should still be included in their study programme.

An institution may decide that a student with learning difficulties cannot study mathematics or English at GCSE or stepping stone level. In this case, in addition to the student's statement of Special Educational Need, a Learning Difficulty Assessment or an Education Health and Care Plan, the institution must hold an evidenced assessment that the student is not able to study these subjects. This assessment needs to be authorised by an appropriate professional in the institution, such as the head of SEN or Student Support. The assessment should be structured and documented.

There are a range of qualifications accredited by Ofqual available for students at all levels; stepping stone qualifications including Functional skills at the appropriate level (e.g. E1,E2,E3,L1,L2) depending on the students' needs; free standing mathematics qualifications and ESOL qualifications. Institutions can enroll a student on a course for up to 3 years, or longer if the student is in learning to age 25. This range of qualifications gives institutions scope to offer the student opportunities to progress to the appropriate level in mathematics and English.

Pupils with Special Education Needs (SEN)

In January 2014 some 232,200 (or 2.8 per cent of) pupils across all schools in England had statements of SEN.

The percentage of pupils with statements of SEN placed in mainstream schools (nursery, primary, secondary) was 46.3 per cent. The corresponding figure for the proportion of pupils with statements of SEN placed in special schools was 44.4 per cent.

In 2014 there were some 1,260,760 pupils with SEN without statements representing 15.1% per cent of pupils across all schools. This is the fourth successive yearly percentage reduction from 18.3% in 2010.

Special Educational Needs Statistics

<https://www.gov.uk/government/statistics/special-educational-needs-in-england-january-2014>

Statistics by the following categories are set out in the respective Tables 10a and 12 of the National Tables:

Specific Learning Difficulty;
Moderate Learning Difficulty;
Severe Learning; Difficulty;
Profound & Multiple Learning Difficulty;
Behaviour, Emotional & Social Difficulties;
Speech, Language and Communications Needs;
Hearing Impairment;
Visual Impairment;
Multi- Sensory Impairment;
Physical Disability;
Autistic Spectrum Disorder;
Other Difficulty/Disability

The Committee asked for the number of persons with disabilities in higher education, including university as well as the percentage of students with disabilities entering the labour market following mainstream or special education or/and training.

HE students by level of study, sex, mode of study and disability 2012/13

[Higher Education Statistics Authority](https://www.hesa.ac.uk/free-statistics) (HESA) Statistics 2012/13 1st Year Students with disability
<https://www.hesa.ac.uk/free-statistics>
<https://www.hesa.ac.uk/dox/dataTables/studentsAndQualifiers/download/Disab1213.xlsx>

The Residential Training Colleges (RTCs) currently support approximately 800 disabled people per year. The most recent data for RTCs were published in 2012. They showed that for 2011/12 there were around 850 starts at RTCs and 317 subsequent job outcomes.

Work Choice: referrals, starts and job outcomes to December 2014

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/402378/work-choice-statistics-feb-2015.pdf

Article 15, Paragraph 2

Mainstream Employment Provision

Work Programme

As explained in response to Article 1 above, the Work Programme rolled out nationally in June 2011. It is the Government's flagship contracted employment support programme delivered by the private, public, and voluntary and community sectors. Previous schemes did not do enough for disabled people. This is why the Work Programme focuses on giving some of the hardest to help people two years of support, and offers providers higher prices for working with these claimants.

The Work Programme supports a wide array of claimants who are receiving out of work benefits and who are at risk of long term unemployment. This includes both claimants on Jobseeker's Allowance and some claimants on Employment and Support Allowance.

In previous programmes, providers were able to earn most of their income through large service fees regardless of how many people they helped into work. Work Programme providers will be paid for the results they achieve in supporting people into sustained employment. They will also be paid more to support harder to help claimants, such as disabled people, reflecting the increased costs of doing so and making it financially worth while to help all claimant groups.

The Department for Work and Pensions (DWP) knows that some claimants may need more support than others to secure sustainable employment. Therefore, a Work Programme provider can receive up to £6,600 for a person on Jobseekers Allowance and up to £13,700 for an Employment and Support Allowance claimant.

The referral process gives harder to help groups, such as disabled people, access to the personalised, individual support at the appropriate stage in their claim. People with disabilities, who have been claiming Jobseekers Allowance for three months, have the opportunity to volunteer for early access to the Work Programme to ensure they receive it within a timescale that is most appropriate to them.

While Work Programme providers are free to design the support they offer, the DWP will hold them more rigorously to account for their performance than in the past, ensuring that all groups, including disabled people, are supported effectively.

People in the Work Related Activity Group for Employment and Support Allowance (ESA) are not expected to look for work; rather they need to do work-related activity to help them prepare for employment, when they are able to do so. It is not surprising, therefore, that the numbers of people moving from ESA into work are less than the numbers of people moving from JSA into a job.

21,870 ESA claimants have had at least three months in employment. Of these almost 1 in 10 (12,410), ESA New Claimants have had at least three months in work since joining the scheme – this compares to 1 in 25 for the first participants.

The Department knows this Programme can deliver better results for ESA participants. The Department also appreciates that ESA claimants require a great deal of support to get them to the point where they are ready to start work. This is because:

- Nearly a third of people found fit for work after being reassessed for ESA had been on Incapacity Benefit for 10 years or more;
- After so long being without a job, it can be a real struggle to get back into work; and
- Skills that people had might be out of date or people may lack confidence to work.

Although whilst on the Programme ESA claimants are only required to prepare for work, some do move into work when they feel this is right for them. To better improve

the Work Programme for ESA participants, Providers have the freedom to decide what support would benefit participants, and are required to submit clear plans setting out the steps they are going to take to achieve this. The Department is ensuring that actions set out in such plans are being undertaken.

Specialist Disability Employment Provision

The Department for Work and Pensions (DWP) has responsibility for a range of specialist employment provision specifically aimed at disabled people, where the Work Programme or other mainstream provision may not be suitable. These are summarised as below.

Work Choice

Work Choice¹ is an important part of the Government's on-going commitment to disabled people - ensuring they have the same opportunities and chances as everyone else. Work Choice is voluntary and available regardless of any benefits being claimed. It provides support based on individual needs, rather than a 'one size fits all' approach. It runs alongside the Work Programme and Pre-Work Programme Jobcentre Plus Offer, including 'Get Britain Working' employment initiatives.

Work Choice supports disabled people with complex employment barriers and more intensive support needs, providing a seamless service covering all stages of the journey into work including support to enable them to stay in work, (including support for those who wish to move into self-employment) where other DWP employment provision might not be suitable.

Access to the programme is usually arranged through a Disability Employment Adviser (DEA) in a local Jobcentre Plus office.

Work Choice prime providers aim to help around 9,000 disabled people into work per annum. In addition to this, Remploy has a target to deliver an additional 8,500 job outcomes through Work Choice in 2013-14.

Work Choice supports more than 30,000 programme starts per year and over 40% of participants get a job as a result of the provision. This is more than its predecessor employment programmes. In addition to the prime providers, Work Choice is also delivered separately by Remploy in 23 Contract Package Areas across England, Scotland and Wales.

Looking at the performance of cohorts – tracking groups of customers who are referred to the programme in a particular financial quarter and identifying what proportion subsequently find employment:

- For those who were referred to the programme in Q2 2011-12, 26.2 per cent of those who started the programme subsequently went on to find

1

http://www.direct.gov.uk/en/DisabledPeople/Employmentsupport/WorkSchemesAndProgrammes/DG_187696

employment.

- This figure increased to 42.3 per cent for those referred in Q2 2012-13 and increased slightly again to 43.0 per cent for those referred in Q2 2013-14.

The most frequent primary disabilities for Work Choice participants include Conditions Restricting Mobility / Dexterity, Mild Learning Disability, and Mild to Moderate Mental Health condition. These conditions make up over a third of all programme starters.

There is relatively little variation when looking at job outcomes as a proportion of starts for participants with different primary disabilities – between 31.6 per cent (moderate to severe learning disabilities) and 39.4 per cent (long-term medical conditions).

The success of Work Choice depends on effective working with employers to help disabled people access work opportunities and gain the right level of support – from both their employer and Government – to achieve their full potential in work.

Work Choice has a modular approach to helping people find and stay in suitable employment:

Module 1 – Work Entry Support

- Covers finding a job and preparing to enter work.
- This module can last for six to twelve months.

Module 2 - Short to Medium-Term In-Work Support

- Once an individual has found paid employment the service provider will work with the employer and customer to identify the support required for the disabled customer to start work.
- This module can last for up to two years, although we expect that the majority of people will remain on the module for a shorter period.

Module 3 - Longer-Term In-Work Support

- The longer-term supported employment module focuses on helping provide a stable working environment and helping people develop their career.
- There is still some focus to help people move into unsupported employment, where it is appropriate for the individual.
- There is no time limit on this module and so it recognises that, for some people, there will always be a need for them to be supported in the workplace.

Remploy

Remploy is an Executive Non-Departmental Public Body sponsored by DWP which receives annual grant-in-aid funding to deliver the Work Choice programme. It also trades as a Public Corporation and generates income through commercial operations.

Remploy traditionally operated in two businesses: Remploy Employment Services and Remploy Enterprise Businesses.

- Remploy Employment Services currently delivers Work Choice in its national network of more than 60 branches and offices, employing around 850 staff in England, Scotland and Wales. By March 2015, it is estimated that Remploy Employment Services will have supported over 100,000 disabled and disadvantaged people into work since 2010.
- In 2011/12 Remploy Enterprise Businesses provided employment to 2,150 disabled in 54 factories which operated at a loss of £49.5 million.

In March 2012, the Government accepted the recommendation from disability expert Liz Sayce's independent Review of specialist disability employment programmes, 'Getting in, staying in and getting on'. The Sayce review recommended focusing support on individuals through services like Access to Work, rather than specific workplaces or facilities like Remploy, in order to significantly increase the number of disabled people who could be supported to access the labour market.

The Government also accepted the Sayce review recommendation on Remploy that viable businesses should be given the opportunity to exit government ownership or be sold, while non viable businesses or those that could not be sold should be closed.

The commercial process to dispose of Remploy factory businesses began in March 2012 and was completed in December 2013. This resulted in 5 business sales and the continued employment of around 450 employees.

The Government recognized that disabled former Remploy workers who have been made redundant would need extra support to find alternative employment, and so set up the £8 million People Help and Support Package (PHSP). Access to the PHSP provides each ex-Remploy disabled staff member access to a Personal Case Worker, a personal budget and additional support for 18 months after leaving Remploy.

Residential Training

DWP contracts with nine Residential Training Colleges (RTCs) to provide employment-focused training to unemployed disabled adults whose needs cannot be met through any other government funded programmes.

The Residential Training Colleges (RTCs) currently support approximately 800 disabled people per year.

The most recent data for RTCs were published in 2012. They showed that for 2011/12 there were around 850 starts at RTCs and 317 subsequent job outcomes.

In August 2012 the then Minister for Disabled People set up an Independent Advisory Panel to review DWP funded Residential Training Provision. The panel's report was published in July 2013¹ and made a number of recommendations, which the Department is working to address, including:

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225491/residential-

- Recommendation 1 - DWP to revise and re-define criteria for RTC customers.
- Recommendation 4 - DWP to improve the process for RTC referrals.
- Recommendation 9 - DWP should ensure greater geographical reach for RTC support.
- Recommendation 12 - DWP should encourage RTC providers to align themselves with Work Choice and Work Programme.
- Recommendation 15 - DWP should improve the equality of access to residential training.

Access to Work

Access to Work provides practical advice and financial support to already employed, or about to be employed, disabled people above and beyond what an employer could reasonably provide, to help them overcome obstacles resulting from disability.

In 2014, *Access to Work* was extended to include a variety of opportunities that help disabled people to prepare for employment, including Supported Internships, Traineeships and self-directed work experience.

SCOTLAND

Article 15

Education

In accordance with the [Education \(Scotland\) Act 1980](#) the provision of education is the responsibility of local authorities. This includes all aspects of education from the school buildings to the delivery of the curriculum. There are 32 local authorities providing education to 673,530 pupils, by 51,078 full time equivalent teachers in 2569 schools as at September 2013. Education is provided at pre-school, primary and secondary levels in both mainstream and special schools.

Organisation and staffing of Early Childhood Education and Care, Primary Education (ages 5-12) and Secondary Education (ages 12-16 (end of compulsory education); 16-18) are the responsibility of local government councils, which receive government funding and local tax revenues. They make their own decisions about the proportion of their funding to spend on education. There is a small amount of private educational provision in the schools sector.

The provision of free, compulsory education for all within a specified age group (5-16) is fundamental. The principle of provision of free (though not compulsory) education has been extended to children aged 3-5. Another key principle is the broadly based curriculum, which originally was designed to ensure that young people could make progress in a range of occupations. It now prepares them for lifelong learning and, with certification, for the several changes of job that they may well have to face in an era of rapid socio-economic development.

The Education (Scotland) Act 1980 requires that education should fit individual needs, be tailored to "age, ability and aptitude" and aim to develop the "personality, talents and mental and physical abilities of children and young persons to their fullest potential" ([Standards in Scotland's Schools etc Act 2000](#)). Examples of the extension of this principle of appropriateness include concern to ensure that classroom work properly challenges and supports all pupils and increased attention to young people with additional support needs, whether in mainstream schooling or special units ([Education \(Additional Support for Learning\) \(Scotland\) Acts 2004](#) and [2009](#)).

The Equality Act 2010 places duties on local authorities and managers of independent and grant aided schools to actively deal with inequality, this may include, harassment or victimisation of pupils on the basis, or a perceived basis, of their religion or belief, race, sex (gender), disability, sexual orientation, pregnancy or maternity. As part of the [Scottish Government's Equality Outcomes and Mainstreaming Report](#) specific equality outcomes were set for education. The outcomes for education focus on disability, gypsy/travellers, sex and bullying – full details can be viewed via the following link:

<http://www.scotland.gov.uk/Publications/2013/04/2397/4#education>

Additional Support for Learning

The Education (Additional Support for Learning) (Scotland) Act 2004 provides the legal framework for the provision of additional support for learning. The legislation was amended by the Education (Additional Support for Learning) (Scotland) Act 2009. The Act is structured around the concept of support being needed for any reason, and for short or long term periods determined by the individual learning needs of the child or young person. The key duties on education authorities are to identify, make provision for, and review provision for the additional support needs of children and young people for whose education they are responsible.

The Act also places duties on education authorities, (and in certain circumstances health, social work and skills development Scotland) to work to plan and make joint provision for children and young people with complex or multiple additional support needs. Where their needs are significant, require support from education and another partner agency, and will last more than one year, children and young people may have a statutory co-ordinated support plan to bring together all of the support to be provided to meet their learning needs.

The Additional Support Needs Tribunal for Scotland (ASNTS) was established in November 2005 by the Education (Additional Support for Learning) (Scotland) Act 2004 which made provision for the establishment of the Tribunal to hear cases involving children and young people who face the biggest barriers to learning. The ASNTS consider appeals (references) made by parents and young people against decisions of Education Authorities regarding the provision of educational support. Since 18 March 2011, the ASNTS has also considered claims made by the parent or the person where they have the capacity to make a claim against the responsible body that has discriminated against the person because of a disability.

Information on the work and case load of the Additional Support Needs Tribunals for Scotland is set out in its 2013/14 annual report:

<http://www.asntscotland.gov.uk/asnts/files/Annual%20Report%202013-14.pdf>

The Tribunals' published decisions database can be viewed via the following link:
<http://www.asntscotland.gov.uk/asnts/296.25.202.html>

Curriculum for Excellence

Curriculum for Excellence aims to ensure that all children and young people receive the support to ensure that they have access to the curriculum regardless of their circumstances. The quality of the vocational offering has also been the subject of recent developments with the Commission for Developing Scotland's Young Workforce. In its report of June 2014, the Commission made a number of key recommendations around ensuring equality of opportunity for all young people in education and employment, with a particular focus on gender, race, disability and care leavers. The Developing the Young Workforce Youth Employment Strategy published in December 2014 Programme, in response to the Commission, sets out a range of specific actions that will be taken forward in this area and a number of success measures aimed at tackling inequalities and encouraging systemic change. For example some actions which will relate to school education and positive destinations beyond school include:

- A new work experience model for young disabled people introduced and improved approach to careers services for young disabled people implemented 2016-17; and
- Introduction of supported work experience programme for young disabled people 2017-18.

Statistics

In 2013, there were 2,056 primary school, 364 secondary schools and 149 special schools. 6,984 (around 1%) children were in special schools of 673,530 pupils (excluding pre-school). 15,510 pupils were assessed or declared as disabled (around 2.3%). Data on leaver destinations for secondary and special school leavers presents a positive picture in terms of 'positive destinations'. Positive destination: includes higher education, further education, training, voluntary work, employment and activity agreements. In 2011/12 some 85% of pupils with a disability moved into a positive destination on leaving secondary or special school, compared to 81.8% the year before. The figures for non-disabled leavers were 91.3% in 2012/13 and 89.7% in 2011/12.

NORTHERN IRELAND

Article 15, Paragraph 1

The position remains as previously described with the following update. Under the Education (Northern Ireland) Order 1996 as amended by the Special Educational Needs and Disability (Northern Ireland) Order 2005, the statutory responsibility for securing provision for pupils with special educational needs rests with the Education and Library Boards and Boards of Governors of grant-aided schools.

DE is committed to delivering a fully inclusive education system which ensures every learner is given an equal chance and that all pupils are provided with the necessary

support to help them achieve their full potential. Special Educational Needs provision is matched to individual needs. Mainstream schools, Learning Support Centres attached to mainstream schools, and special schools form part of a continuum of provision for children and young people with SEN to ensure their diverse range of needs is met. The Education and Library Boards also operate specialist "outreach" support services for children.

http://www.deni.gov.uk/index/support-and-development-2/special_educational_needs_pg.htm

Information on the Northern Ireland Special Educational Needs and Disability Tribunal can be viewed via the link below:

<http://www.education-support.org.uk/parents/special-education/sendist/>

Northern Ireland Special Education Needs and Disability Tribunal Statistics

Tribunal Service statistics show that the tribunals handled the following caseload in respect of Special Education Needs and Disability:

Special Education Needs and Disability Tribunal	Receipts	Disposals
2011/12	81	79
2012/13	102	98
2013/14	121	114

'Percentage Disposed Within 22 Weeks', or any such timeframe not recorded for 2011/12 and 2012/13, In 2013/14, this was recorded for testing purposes only. Disposals includes Withdrawn, Conceded and Decisions issued

Article 15, Paragraph 2

Special Educational Needs (SEN) and Disability

The position is as previously described with the following update.

In 2014 there were 73,435 persons registered as having Special Educational Needs (SEN), of which 15,977 have a statement. The totals given include pupils within nursery, preschool, primary post primary and special schools settings. There are 39 special schools, 1 hospital school and 87 primary and post primary schools. The number of pupils with SEN achieving a high level of qualifications have surpassed on year.

In 2012/13, 1163 pupils left with 2 or more A levels at A-E grades or equivalent and 1,297 leaving school with 5 GCSE's A – C grades or higher. However, 180 pupils left school with no qualifications. The destination of school leavers with SEN have shown that 265 pupils took up employment with 2565 going on to higher or further education and 1066 taking up some form of additional training with only 200 being unemployed.

Statutory transition arrangements are well embedded in NI schools for all pupils with

statements of SEN. The aim of the transitions process is to provide young people with significant SEN with direct links to post-school multiagency services in education, health, social care, employment and training, and to plan coherently for the change when they move from school to adult life.

Autism

The Autism (Northern Ireland) Act was passed by the NI Assembly in 2011. As required by the Act, a Cross-Departmental Autism Strategy (2013-2020) and initial Action Plan (2013-2016) were produced and launched in January 2014 – to set out how the needs of people with autism, their families and carers are to be addressed throughout their lives. Work is under way to deliver on the Actions contained in the initial Action Plan and it is planned to produce an interim progress report at the end of the financial year 2014-15.

Higher Education

Widening Participation in Higher Education by students from those groups which are currently under represented, in particular students from disadvantaged backgrounds and those with disabilities and learning difficulties, is one of the Department for Employment and Learning's key strategic goals.

Access to Success

The Department has been implementing **Access to Success** its regional strategy to widen participation in higher education which was launched in September 2012. The strategy has a strong focus on the creation of a more accessible sector in which the people who are **most able** but **least likely** to participate, including those with disabilities and learning difficulties, are given every encouragement and support to apply to, and to benefit from, higher education.

Widening Access & Participation Plans

As a condition of charging fees higher than the standard amount higher education providers are required to have in place a Widening Access & Participation Plan, (WAPP) approved by the Department. The WAPP process allows the Department to monitor equality of opportunity and specifically the progress of each institution against its participation, retention and completion targets for students with disabilities. In their Widening Access and Participation Plans all of the HE Institutions and FE Regional Colleges identified students with disabilities as a target group and set out their participation targets for these students for each academic year in the period 2015/16 – 2016/17. The institutions also detailed the additional measures they plan to introduce to support the retention and completion rates of students from disadvantaged backgrounds. Also, the institutions have committed, in their WAPPs to carry out research to identify the additional support needs of students with disabilities and the adjustments required.

Widening Access Premium

The Department pays a widening access premium to the higher education institutions

for students with learning difficulties and disabilities. This premium is allocated based on the proportion of full-time undergraduate students that each institution recruits who are in receipt of Disabled Students Allowance. In academic year 2014/15 this premium is £294,035.

Disabled Students' Allowances

In addition, the Department makes available Disabled Students Allowances (DSA) for disabled students to help pay the extra costs which students may incur whilst studying, as a direct result of their disability, mental health condition or specific learning difficulty. The allowances can help with the cost of a non-medical helper, items of specialist equipment, travel and other course related costs.

The following help is available in academic year 2014/15;

Undergraduate Students

Specialist Equipment Allowance: up to £5,266 for the whole of the course
Non-Medical Helper's Allowance: up to £20,938 a year
General Disabled Students' Allowance; up to £1,759 a year plus:
Reasonable spending on extra travel costs

Part-time Students

Specialist Equipment Allowance: up to £5,266 for the whole of the course
Non-Medical Helper's Allowance: up to £15,703 a year
General Disabled Students' Allowance; up to £1,319 a year plus:
Reasonable spending on extra travel costs

For full-time and part-time postgraduate students there is one allowance of up to £10,469 a year to meet all costs.

Disability Needs Assessments

Through DSA, the Department funds an assessment of support needs for each student who applies for Disabled Students' Allowances. This assessment of needs is carried out by the university or by an accredited assessment centre and identifies the type of additional help the student needs to meet academic / course requirements

Registers of Support Providers

Through DSA, the Department funds a Register of Support Providers in each of the two Northern Ireland universities. These are registers of freelance professional and non-professional support workers who are recruited and trained to assist students with disabilities. The help of support providers is available to all disabled students in the universities and university colleges and also to students on higher education courses in the Further Education Regional Colleges. Disabled students can avail of a range of support provider roles including note takers, proof readers, typists, campus assistant and library assistant.

Employment Support

Employment Support has been closed to new entrants since July 2006 however at the end of December 2014 534 people with disabilities who receive long term support and remain in employment through this programme. The level of funding for the programme was £18m in the period 1 January 2011 to 31 December 2014.

Workable (NI)

Workable (NI) is Northern Ireland's equivalent programme to GB's Stage 3 of Workchoice – a menu of provision for people in GB who have complex health and disability related barriers to employment. Workable (NI) is delivered through contracted provider organisations who have extensive experience in delivering specialist employment programmes designed to support people with disabilities in employment. Between January 2011 and December 2014 the numbers participating on the programme rose from 341 to 560 and overall spend was £8.5m.

Access to work

In Northern Ireland in the period from January 2009 the number of applications for assistance through the programme has increased steadily with the number of programme participants rising from 560 to 685 at 31 December 2014. The total programme cost for the financial period April 2013 to March 2014 was £1.68m.

New Deal for Disabled People (NDDP)

NDDP was a voluntary programme targeted at those with health conditions and disabilities. Customers had to be in receipt of incapacity benefits and the programme was designed to help them find and sustain employment. In Northern Ireland, NDDP closed to new clients on 31 March 2011 and was replaced by Work Connect in September 2012. Between January 2009 and March 2011 when it closed, NDDP had been successful in helping 619 people into work, including 1607 people who had registered with and had received assistance from a NDDP Job Broker.

Work Connect Programme

The Work Connect programme was introduced to assist people with disabilities and health conditions on Employment and Support Allowance/ Incapacity Related Benefits to move into lasting, paid employment. The programme offers a range of supports including pre-employment support and In-Work support to help programme participants prepare for, obtain and sustain employment.

Since the introduction of the Work Connect programme in September 2012, 271 clients have been helped into work. Total resource expenditure, from Sept 2012 to Dec 2014, was: £1,522,742.11.

Condition Management Programme

In Northern Ireland, unemployed clients with health and disability related barriers to

work can avail of the Condition Management Programme (CMP). This is delivered on behalf of the Department for Employment and Learning by teams of Healthcare professionals working on the five regional Health Trusts. During 2014, more than 1108 clients participated in CMP.

Return to Work Credit

Unemployed clients in receipt ESA and IB have been able to avail of Return to Work Credit (RtWC). During the period 1 January 2011 to 31 December 2014 almost 11,500 clients received RtWC, having returned to work. RtWC ceased in Northern Ireland on 31 December 2014.

Ulster Supported Employment Ltd

Ulster Supported Employment Ltd (USEL) is an arms-length body under the control of the Department for Employment and Learning and employs 60 disabled people in a sheltered employment facility based in Belfast.

Question 3 - Statistics

The Office of the Industrial Tribunals and the Fair Employment Tribunal (OITFET) publishes annual data on complaints made to industrial tribunals relating to disability discrimination and the outcomes of disability discrimination complaints. Below are those details for the 2013/14 year:

Disability Discrimination complaints registered: 200
(4.5% of total complaints registered)

Disability Discrimination complaints disposed: 212

Of which;

Successful at Tribunal = 2 (1%)

Unsuccessful at Tribunal = 26 (12%)

Conciliated with the assistance of the Labour Relations Agency = 98 (46%)

Withdrawn = 72 (34%)

Settled between the parties = 14 (7%)

Number of Persons with Disabilities

On-going work to improve data quality and accuracy has uncovered potential issues with the recording of disability. Steps are being taken to resolve these issues.

ARTICLE 18

UNITED KINGDOM

Article 18, Paragraph 1 - Questions 1 & 2

The UK's immigration policies are set out in the Immigration Rules, which themselves derive authority from the Immigration Act 1971. Immigration to the UK is managed by the Home Office. Information for applicants about the UK's arrangements for admitting non-EEA migrants for the purpose of work is available at <https://www.gov.uk/browse/visas-immigration/work-visas>.

Croatian nationals are not subject to the Immigration Rules, but require permission to take up employment in the UK under the Accession of Croatia (Immigration and Worker Authorisation) Regulations 2013. Restrictions on Bulgarian and Romanian nationals' access to the labour market were lifted at the end of 2013, as the accession treaty required.

In the period between 1 January 2011 and 31 December 2014, significant changes to the UK's arrangements for the entry and stay of non-EEA workers are as set out below:

Introduced	Key change
April 2011	<ul style="list-style-type: none">➤ Closed Tier 1 (General) to new in-country applicants.➤ Annual limit of 20,700 places per year applied to Tier 2 (General) limit of 20,700, and minimum skills threshold raised to National Qualifications Framework level 4.➤ Minimum salary thresholds of £24k (up to 12 months) or £40k (over 12 months) introduced for Tier 2 (Intra-Company Transfer) category, and requirement that Tier 2 (ICT) applicants spend minimum of 12 months (the "cooling off" period) outside the UK following expiry of leave introduced.➤ Changes to Tier 1 investor and entrepreneur routes (faster route to settlement, new prospective entrepreneur visa, longer permitted absences and new lower thresholds for entrepreneurs with funding from a specified source).
August 2011	Introduced Tier 1 (Exceptional Talent) route with a limit of 1,000 places, with provision for applicants to be endorsed by the Royal Society, Royal Academy of Engineering, Arts Council and British Academy.
April 2012	<ul style="list-style-type: none">➤ Closed Tier 1 (Post Study Work). Retained provisions for those who graduate in UK to switch into Tier 2 (General) category with no Resident labour market Test requirement➤ Minimum skills threshold for Tier 2 (General) raised to National Qualifications Framework level 6. Resident Labour Market Test requirements for Tier 2 (General) relaxed for jobs paid over £70k or at PhD level.➤ Tier 1 (Graduate Entrepreneur) route introduced for graduates endorsed by a UK Higher Education Institution to establish a business

	<p>in the UK. Annual limit of 1,000 places.</p> <ul style="list-style-type: none"> ➤ New visitor route for “permitted paid engagements” for artists, entertainers, sportspersons, visiting lecturers, examiners, lawyers carrying out advocacy work and overseas air-pilot examiners. ➤ Restricted leave under Tier 5 Government Authorised Exchange (GAE) schemes (internship and work experience) to 12 months. Research, fellowships and training in science & medicine remain at 24 months. ➤ Overseas Domestic workers (ODWs): <ul style="list-style-type: none"> - ODWs in private households only able to come where they are accompanying an employer who is coming to the UK for a short visit of up to 6 months. No right to change employer, extend, sponsor dependents or settle. - ODWs in diplomatic households able to accompany a diplomat for the duration of their employers posting or a maximum of 5 years (whichever is shorter).
December 2012	<p>Tier 1:</p> <ul style="list-style-type: none"> - Lowered English language for Tier 1 (Entrepreneur) from C1 to B1. - Ended switching from Tier 4 into Tier 1 (Entrepreneur) unless migrant has £50k funding from specified source (registered venture capitalist firms, UK Government Departments or listed seed funding competitions). <p>Tier 2:</p> <ul style="list-style-type: none"> - Increased maximum stay for senior ICTs earning £150K or over from 5 years to 9 years - Increased flexibility on Tier 2 “cooling off” period for some migrants who leave the UK before their visa expires and wish to return 12 months later <p>Tier 5:</p> <ul style="list-style-type: none"> - Introduced revised provisions for workers under UK’s international trade (Mode 4) commitments in Tier 5 (GATs contractual service supplier provisions). <p>Youth Mobility (from Jan 2013):</p> <ul style="list-style-type: none"> - Set annual allocations for 2013 for participating countries under YMS - Increases for Australia (from 32,500 to 35,000 places); Canada (from 5,000 to 5,500 places) and South Korea (500 to 1,000 places). -
January 2013	<p>Tier 1 Entrepreneur:</p> <ul style="list-style-type: none"> - Introduction of “genuine entrepreneur” test; - Minimum funds to be held, or investment in the business, to be done on an on-going basis - Leave to be curtailed if the funds cease to be available.
April 2013	<p>Tier 1:</p> <ul style="list-style-type: none"> - New provision for MBA graduates and elite global graduate entrepreneurs to stay on after graduation and switch into Tier 1 Graduate Entrepreneur route (2,000 places);

	<p>Tier 2:</p> <ul style="list-style-type: none"> - Set the Tier 2 limit at 20,700 for the rest of this Parliament. - Changes to the ICT route to make it more business friendly. <ul style="list-style-type: none"> o removed the A1 language requirement for senior ICTs (earning over £152,100 a year) extending after 3 years; o removed cooling off period more for senior ICTs earning £152,100 or more (an inflationary uplift to the previous £150k threshold) o removed the requirement for all ICTs to provide 12 months' payslips to prove they have worked for their sponsoring employer's organisation for the last 12 months. <p>Tier 5:</p> <ul style="list-style-type: none"> ➤ Provision for independent professionals seeking admission in under relevant international trade agreements (e.g. EU-CARIFORUM).
October 2013	<p>Tier 1:</p> <ul style="list-style-type: none"> ➤ Expand Tier 1 (Exceptional Talent) category to make new provision for artists of exceptional promise <p>Tier 2:</p> <ul style="list-style-type: none"> ➤ Remove A1 English language test for ICTs extending beyond 3 years ➤ Allow easier switching from Tier 1 (Graduate Entrepreneur) to Tier 2 General (no RLMT required, applicant must be paid "new entrant" rather than "experienced worker" salary rates). ➤ Waive the rule that Tier 2 (General) applicants cannot own more than 10% shares in the sponsor's business for those earning more than £152,100. ➤ Genuineness test for Tier 2 (Minister of Religion). <p>Tier 5:</p> <ul style="list-style-type: none"> ➤ Genuineness test for all Tier 5 temporary work routes ➤ Selective switching for Tier 4 graduates into Tier 5 GAE work experience scheme, provided it directly relates to degree attained. ➤ Add Hong Kong to the Youth Mobility Scheme (from Jan 2014) ➤ Increase in allocation of YMS places for Australia for 2014 (35,000 to 38,500).
April 2014	<p>Tier 1:</p> <ul style="list-style-type: none"> ➤ Exceptional Talent – Tech City UK added to Designated Competent Bodies ➤ Graduate Entrepreneur – ring-fencing of MBA places removed ➤ Closure of Tier 1 (General) extension (2015) and settlement (2018) applications announced. <p>Tier 2:</p> <ul style="list-style-type: none"> ➤ Five-year grants of leave introduced for Tier 2 (ICT) and Tier 2 (General) <p>Tier 5 (Government Authorised Exchange) route</p>

	<ul style="list-style-type: none"> ➤ New Government Authorised Exchange route for overseas government language placements for up to 24 months. The first scheme approved under this route is for Hanban sponsored Mandarin teachers. ➤ 4 new GAE schemes: BAE systems training scheme; International Student Internship scheme; Serious Fraud Office and London Southbank Mandarin teaching scheme
July 2014	<p>Tier 1:</p> <ul style="list-style-type: none"> ➤ Additional restrictions on switching from Tier 1 (Post Study Work) and Tier 4 to Tier 1 (Entrepreneur).
July 2014	<ul style="list-style-type: none"> ➤ Added a 12 month Mathematics Teacher Exchange scheme with China to the list of approved Tier 5 Government Authorised Exchange (GAE) Schemes.
November 2014	<ul style="list-style-type: none"> ➤ Reforms to Tier 1 (Investor) route, including raising the minimum investment threshold from £1m to £2m. Changes primarily designed to promote economic growth, implementing recommendations of the Migration Advisory Committee. ➤ Tier 5: Updated list of GAE schemes including adding the “Encouraging Dynamic Global Entrepreneurs” scheme, “Scottish Schools Education Research Centre (SSERC) Work Exchange programme with China” and deleting Mandarin Teachers programme schemes which are now covered by Hanban. ➤ Change to the ODW route to prevent workers from making repeat or successive visits to the UK that amount to de facto residency. Linking the ODW requirements to general visitors in this way underlines that ODWs may only come to the UK for a short period to accompany a visitor. It will prevent abuse of the route by workers, but also provide protections against exploitation by abusive employers who manipulate the current visa requirements to keep ODWs in the UK for extended periods.

Statistics on the number of entry clearances issued for the purpose of work over the reporting period can be found in at the spreadsheet “vi_06_q_w” at <https://www.gov.uk/government/statistics/immigration-statistics-april-to-june-2014-data-tables>.

Current fees for applications under the Points Based System are as follows:

Category	Application for entry clearance	In-country application
Tier 1 (Entrepreneur, Investor and Exceptional Talent) – main applicant* and all dependants	£874	£1,093
Tier 1 (Graduate Entrepreneur) – main applicant* and all dependants	£310	£422
Tier 2 (General, long-term ICT) – main applicant* and all dependants	£514 (or £1,028 where applying for more than 3 years stay)	£601 (or £1,202 where applying for more than 3 years stay)
Tier 2 (Shortage Occupation) – main applicant* and all dependants	£428 (or £856 where applying for more than 3 years stay)	£428 (or £856 where applying for more than 3 years stay)
Tier 2 (short term ICT) – main applicant* and all dependants	£428	£428
Tier 5 (Temporary Work and Youth Mobility) – main applicant* and all dependants	£208	£208
*Council Of Europe Social Charter fee reduction applies (£55 reduction per applicant)		

Article 18, paragraphs 3 and 4

Questions 1 & 2

It has remained UK Government policy to reduce the overall level of net migration in order to relieve pressure on jobs, housing and public services and restore public confidence in the immigration system. As part of that policy, the Government has not sought any further liberalisation of non-EEA nationals' access to the UK labour market. Its policy has been to ensure that UK employers continue to be able to recruit skilled workers from overseas to fill vacancies which are difficult to fill from the resident and EEA workforce, and to make improved and targeted provision for high value migrants (entrepreneurs, investors and the exceptionally talented) who will make a significant economic contribution.

It continues to be the position that most migrants admitted under Tiers 1 and 2 of the Points Based System do so on terms which allow them to qualify for removal of the time limit on their stay and any restrictions on their access to the labour market after five years. In the case of investors and entrepreneurs,

provisions have been introduced which provide for an accelerated route to settlement for those who invest at higher levels.

The European Committee of Social Rights' Conclusions on the UK's 31st Report

(i) The Committee has noted from another source that the inflow of foreign workers to the United Kingdom has decreased from 88,000 in 2007 to 52,000 in 2009 and that the stocks of foreign labour force stood at 8% of the total labour force in 2009, and asks whether we agree with those figures.

The inflow figure quoted by the OECD would appear to be broadly correct if it relates only to non-EU nationals. The UK's International Passenger Survey figures suggests that the inflow of all non-UK nationals for work related purposes fell from 198,000 to 142,000 over this period. The figure for stocks appears to be correct.

(ii) The Committee asks for information on work permit refusal rates. Refusal rates for entry clearance applications in relevant categories of the Points Based System between 2011 and 2014 are set out in the following table:

	2011		2012		2013		2014	
	Applications	Refusal rate (%)	Applications	Refusal rate (%)	Applications	Refusal rate (%)	Applications	Refusal rate (%)
Tier 1 (General)	325	9%	22	13%	6	25%	6	%
Tier 1 (Post Study Work)	6831	12%	5236	11%	3	0%	1	0%
Tier 1 (Entrepreneur)	580	23%	978	21%	2430	50%	1908	44%
Tier 1 (Investor)	383	8%	507	7%	603	5%	1294	8%
Tier 1 (Exceptional Talent)	64	77%	114	45%	70	14%	94	4%
Tier 2 (General)	8,459	7%	9,872	4%	12,439	%	16,119	4%
Tier 2 (Intra-Company Transfer) – long term	8,290	3%	10,958	2%	11,800	1%	12,984	1%
Tier(Intra Company Transfer) – short term	11,529	2%	16,515	1%	19,006	1	21,734	0%

The Committee will note that refusal rates in the high volume routes for skilled workers under Tier 2 of the Points Based System are low. This is, at least, partly because applicants under these routes must be sponsored by a UK employer who has been licensed by the Home Office for that purpose. These arrangements both guard against abuse of the system and ensure that those

employers who have been licensed benefit from a predictable and efficient system.

The grounds for refusal of applications under Tier 2 vary. Applications may be refused because for example the applicant does not have a sufficient knowledge of the English language or has insufficient funds to meet maintenance requirements. The Committee comments on the operation of “priority workers” rules. The UK operates such a rule – the Resident Labour Market Test, which applies to most Tier 2 entry clearance applications, although it is waived where the worker is filling a vacancy on the Shortage Occupation List and for vacancies attracting a salary over £153,500. While the operation of the rule does not typically result in refusal of applications, employers are nevertheless required to confirm that they have complied with requirements of the test i.e. they have advertised the vacancy in an appropriate manner.

By contrast, some Tier 1 routes have been characterised by high levels of abusive or speculative applications, and correspondingly high refusal rates – in the Tier 1 (Entrepreneur) category in particular.

(iii) The Committee asks whether self-employed workers fall under the Tier 1 (Entrepreneur) category.

The category is aimed at those coming to the UK to establish a business and is not prescriptive as to the form that business takes. The criteria include, however, a requirement to be investing at least £200,000 into the business and a requirement to have created at least two jobs after three years. So, it is not aimed at those who, for example, would simply be seeking to hire out their personal labour on a contract basis.

(iv) The Committee asks also whether under the immigration tier system the entry clearance visa gives entitlement to both work and residence permits. More specifically, the Committee also wishes to know whether this system has simplified the earlier rules whereby there were two distinct procedures for obtaining work and residence permits.

An entry clearance issued to a Points based System will confer permission both to work and to reside. The migrant makes just one application. The migrant may make an application once they have been issued with a Certificate of Sponsorship by an employer licensed by the Home Office for that purpose. Employers will need to obtain authorisation from the Home Office to issue such a Certificate where the annual limit on the number of such Certificates issued applies. Overall, this represents a simplification of the previous system.

(v) The Committee asks for information about measures adopted to liberalise regulations governing the recognition of foreign qualifications.

The UK's procedures for regulating the admission of overseas workers do not typically involve any consideration of whether the overseas worker's qualifications are ones that are recognised in the UK. Visa procedures generally assume that it is properly for the hiring employer to satisfy themselves that the worker is sufficiently qualified for the employment in question.

The UK is a signatory to the Lisbon Convention on the Recognition of Qualifications concerning Higher Education in the European Region. Signatories are required to appoint a National Recognition Information Centre (NARIC). In the UK this service is provided by UK NARIC, which provides advice on the equivalence of international qualifications to those of the UK, for all levels of education. Individuals, including immigrants, can apply to UK NARIC for a Statement of Comparability, to use when applying for jobs, educational courses and for other purposes. Their website is www.naric.org.uk.

(vi) The Committee has observed that in order to comply with such an obligation, States must, first of all, not set an excessively high level for the dues and charges in question, that is a level likely to prevent or discourage foreign workers from seeking to engage in a gainful occupation, and employers from seeking to employ foreign workers. The Committee notes that fees are high and therefore, it holds that the situation is not in conformity with the Charter.

The fees charged reflect the benefits enjoyed by successful applicants and are in line with those for similar products and services offered by other countries. Our analysis, which is backed up by independent research, has shown that there is no direct relationship between the fees charged for visas and customer behaviour, in deciding whether or not to come to the UK. There is no evidence that fees have affected, or will affect, demand and it would not be in the UK's interest to set fees that result in reduced demand. We believe that we are striking the right balance between providing the resources necessary to control migration for the benefit of the UK, and ensuring that our fees structure does not inhibit the UK's ability to continue to attract migrants who make a valued contribution.

For businesses who are licensed under the system of Sponsorship in the UK and who are required to issue a 'certificate of sponsorship' to a prospective worker, there is no charge for such a certificate where the prospective worker is a CESC national.

(vii) The Committee concludes that the situation in United Kingdom is not in conformity with Article 18§3 of the 1961 Charter on the ground that the foreign worker's residence permit may be revoked if he loses his job and the foreign worker may be obliged to leave the country as soon as possible.

A copy of the text of the statement of the UK Government Representative on this item at the 128th Meeting of the Governmental Committee for the Social

Charter, in 2013, is set out below for information. The Government has nothing to add to the information previously provided.

.....
128th Governmental Committee 30/9/13 - 4/10/13 - UK Article 18, Paragraph 3

The Committee concludes that the situation in United Kingdom is not in conformity with Article 18§3 of the 1961 Charter on the ground that the foreign worker's residence permit may be revoked if he loses his job and the foreign worker may be obliged to leave the country as soon as possible.

Speaking note

- The United Kingdom has noted the Committee's conclusion. The UK does not however consider that the particular arrangements to which the Committee has drawn attention constitute a breach of its obligations under Article 18(3);
- The UK's labour migration policies have evolved in response to changing circumstances. Recent accessions to the EU have given rise to a significant liberalisation of access to the labour market for nationals of the 2004 accession states, and while nationals of the 2007 and 2013 accession states are subject to transitional restrictions, these afford them priority over non-EEA workers;
- At the same time, labour migration policies in respect of non-EEA workers have evolved in the light of both the greater availability of workers from an expanded EU labour market and the changing economic and labour market context following the financial crash. In this context, the Government has sought to apply a more selective policy and to apply upper limits on the number of non-EEA nationals admitted to the UK for the purpose of work;
- The UK's Points Based System nevertheless continues to make provision for nationals of countries outside the European Economic Area to be admitted to the United Kingdom for the purpose of work where they are coming in circumstances which meets a clear economic need and, where such a test is appropriate, where a suitably qualified worker from the resident or EEA labour market is not available to fill the vacancy;
- These provisions are not so tightly drawn as to prevent non-EEA nationals engaging in gainful occupation in the UK and the numbers admitted under these arrangements are far from insignificant. The UK issued 142,000 visas to non-EEA workers and their dependants for the purpose of entry to the UK as a worker in year ending March 2013, of which 70,000 were for the purpose of skilled work under Tier 2 of the Points Based System;
- The UK considers it appropriate that the extent to which those admitted under its arrangements for non- EEA workers have unconditional access to the labour market should depend on the purpose for which they have

been admitted. Some workers admitted under the Points Based System – for example, those admitted under the Tier 1, the Exceptional Talent category, on the basis that they are leaders in their field and should be at liberty to take employment at their choosing;

- Where, however, a worker has been admitted to fill a particular vacancy, the UK considers it appropriate to regard them as having been admitted to the labour market on a partial and conditional basis, and that their permission to remain should be linked to their continued engagement in the specific employment for which they have been admitted;
- It would tend to undermine the purpose of these arrangements if workers who had been admitted to the UK to fill a specific vacancy were then at liberty to leave that employment and seek alternative employment, leaving the vacancy in question unfilled;
- In addition, a significant proportion (around two-thirds) of those admitted to the UK as skilled workers are intra-company transferees who have been admitted to the UK because their overseas employer needs to transfer personnel with company-specific skills to an establishment in the UK. There is no reason why such a transfer should give rise to an entitlement to access the wider labour market if the employment is terminated prematurely;
- The UK does not, however, automatically deprive a worker of the possibility of remaining in the UK as a worker if the employment for which they were admitted is prematurely ended. In such cases, the UK's normal practice is to curtail any unexpired permission to remain for the purpose of the original employment and to then grant a new extension of stay of 60 days during which the worker may seek alternative employment and apply for authorisation of the new employment.
- The UK considers these arrangements to be sufficient and proportionate. If, as the Committee suggests, it is necessary to provide such a worker with opportunity to find alternative employment that would meet the criteria for a new authorisation, it would seem reasonable to assume that alternative employment would be found quickly given that such authorisation would be given only for work where the required skills are in short supply.
- These arrangements also constitute a liberalisation of the position which existed before the Points Based System was introduced (when a period of grace of 28 days applied, as opposed to the current 60 day period).

European Social Charter

Isle of Man

Report for the Period 1/1/2011 to 31/12/2014

Articles 1, 9, 10, 15 and 18



Isle of Man
Government

Reiltys Ellan Vannin

Cabinet Office

Oik Coonceil ny Shirveishee

March 2015

Article 1

Article 1, paragraph 1

Question 1

1. National employment policy and the legal framework are, in general, as previously described. A key aim set out in the Department of Economic Development's business plan for 2014/15, is to "maintain the total unemployment rate below 3%".

Question 2

2. The measures taken to implement policy in this area are, in general, as previously described.

Question 3

3. The table below sets out the number of persons registered as unemployed in each month during the period 2011 to 2014, segregated by sex.

		<u>J</u> <u>a</u> <u>n</u>	<u>F</u> <u>e</u> <u>b</u>	<u>M</u> <u>a</u> <u>r</u>	<u>A</u> <u>p</u> <u>r</u>	<u>M</u> <u>a</u> <u>y</u>	<u>J</u> <u>u</u> <u>n</u> <u>e</u>	<u>J</u> <u>u</u> <u>l</u> <u>y</u>	<u>A</u> <u>u</u> <u>g</u>	<u>S</u> <u>e</u> <u>p</u> <u>t</u>	<u>O</u> <u>c</u> <u>t</u>	<u>N</u> <u>o</u> <u>v</u>	<u>D</u> <u>e</u> <u>c</u>
20 11	Males	59 2	61 4	62 6	60 1	58 3	60 4	63 3	59 0	63 7	66 9	69 6	71 3
	Females	26 4	25 3	26 5	24 2	22 3	24 2	25 7	24 0	25 3	24 1	27 5	26 6
	Total	85 6	86 7	89 1	84 3	80 6	84 6	89 0	83 0	89 0	91 0	97 1	97 9
20 12	Males	79 5	75 7	73 5	75 7	68 8	69 9	69 5	67 5	70 2	75 2	71 6	74 1
	Females	30 5	29 8	29 6	28 0	26 8	29 3	32 2	31 7	31 2	31 3	29 8	27 9
	Total	11 00	10 55	10 31	10 37	95 6	99 2	10 17	99 2	10 14	10 65	10 14	10 20
20 13	Males	84 4	84 9	85 5	79 3	75 2	72 2	72 6	70 4	70 6	72 8	77 9	80 7
	Females	33 2	33 2	35 3	31 5	32 0	33 4	32 9	32 4	31 6	33 6	33 8	35 2
	Total	11 76	11 81	12 08	11 08	10 72	10 56	10 55	10 28	10 22	10 64	11 17	11 59
20 14	Males	81 5	81 3	76 3	69 1	61 4	62 2	62 2	60 5	57 8	60 4	61 1	62 2
	Females	36 7	33 3	29 8	29 5	27 6	29 6	31 2	29 9	28 1	26 2	25 3	26 0
	Total	11 82	11 46	10 61	98 6	89 0	91 8	93 4	90 4	85 9	86 6	86 4	88 2

4. At the end of December 2014 registered unemployment stood at 882, consisting of 622 males and 260 females, an unemployment rate of approximately 2% of the economically active resident population.

Article 1, paragraph 2

Questions 1, 2 and 3

Work permit legislation

5. The Control of Employment Act 1975 together with the Regulations and Orders made under the Act provide the statutory framework under which the Department of Economic Development operates and enforces the Isle of Man's work permit system. In 2014 the [Control of Employment Act 2014](#), which re-enacts and updates the law regarding work permits received Royal Assent, though the legislation is not yet in operation. For further information see the Isle of Man Government's report in respect of Article 18.

Prohibition of discrimination in employment

6. In 2014 the Isle of Man Government's Cabinet Office brought forward a new Equality Bill which is based, with some modifications, on the UK's Equality Act 2010. The Bill is intended to provide comprehensive protection against any discrimination in both employment and the provision of goods and services on the following grounds:
 - age;
 - disability;
 - gender reassignment;
 - marriage and civil partnership;
 - pregnancy and maternity;
 - race;
 - religion or belief;
 - sex;
 - sexual orientation.
7. To date a Bill has been drafted and a consultation process has taken place. It is intended that the Bill will enter the Legislative Branches later in 2015.

Prohibition of forced labour: Prison work

8. The position in the Isle of Man is unchanged. The Island's statutory Custody Rules 2001 continue to be based on the Prison Rules 1999 which apply in England and Wales.

Prohibition of forced labour: Existence of forced labour in the domestic environment

9. While there are no specific measures to combat any problems raised by domestic work and work in family enterprises, some legislation such as

the Minimum Wage Act 2001 and the Annual Leave Regulations 2007 extends to such workers.

10. The homes of private persons who employ domestic workers may be subject to inspection by the Department of Economic Development's team of employment inspectors. In such cases the inspection of a private home will be limited to the designated work spaces.
11. Domestic workers who are foreign nationals are allowed to change employer provided the new employer gives them an appropriate contract of employment.

Workers' right to privacy

12. The Human Rights Act 2001 incorporated the European Convention on Human Rights into domestic law. Article 8 of the Convention provides a *Right to respect for private and family life*.

Article 1, paragraph 3

Question 1

13. The legal framework is, in general, as previously described.

Question 2

14. During 2014, changes were made to the provision of Jobcentre services to enhance the service provided to clients. Resources previously allocated to the 'Job Club' have been redirected to permit the expansion of vocational skills training for clients seeking to improve their IT skills, with enhanced provision of certificated programmes such as the European Computer Driving License (ECDL).

Question 3

15. The number of job vacancies held on file by the JobCentre in the months January and July during the period 2011 to 2014 are shown in the table below.

Year	JobCentre vacancies – through January	JobCentre vacancies – through July
2011	577	575
2012	452	460
2013	528	684
2014	570	629

Article 1, paragraph 4

Question 1

16. There is no legal framework in this respect.

Question 2

17. The position with regard to vocational training remains as previously described.

Question 3

18. The apprentice training programme has remained a consistent and robust programme in terms of overall numbers and successful completion. The total numbers of apprentices registered with the Department of Economic Development, as at 1 September 2011, 2012, 2013 and 2014, were, respectively, 394, 429, 451, and 415. During that period, the success rate of those apprentices who commenced their training and successfully completed the qualification has remained at approximately 90%.

Article 9

Question 1

19. In general, the position with regard to vocational guidance remains as previously described.

Question 2

20. The Employment & Skills Group, part of the Department of Economic Development (DED), provides an all age vocational guidance service. Careers and Employment advisors provide a range of impartial information, advice and guidance with regard to education or employment options. They facilitate referrals to other agencies as appropriate and can access support from both Government and external agencies. Careers advisors are professionally qualified. Additional specialist support is available to those with a recognised, diagnosed disability.
21. The Department of Education and Children (DEC) continues to work closely with the DED in respect of providing careers guidance to young people by allowing access to secondary schools and Isle of Man College for the careers advisers' service. The DEC organizes, on behalf of the DED, the annual Employment and Skills Event held each November. This event is open to all secondary schools and the Isle of Man College as well as members of the public. The event brings together a range of Isle of Man employers and enables the young people to find out the opportunities for training which are available.
22. The DEC supports the work to engage with those 'Not in Employment, Education or Training' through the work of the Youth Service and the IOM College.

Question 3

23. Vocational guidance is provided by a team of 4 full-time equivalent staff. Direct spending in this area is approximately £250,000 per annum. Guidance is provided both within the JobCentre and around the Island at secondary schools and the Isle of Man College. Advice and guidance is also provided in the Isle of Man Prison. The Department of Education and Children also provides a range of careers education within the established curriculum.
24. The DEC supports students wishing to undertake courses leading to degrees. Since 2014 students contribute to the cost of the course fees £2,500 per year. Students are able to obtain a loan for this amount from the DEC. The loan is repayable when the student's income reaches an agreed amount, currently £21,000 per annum. Those studying for degree level courses at the IOM College, currently don't pay this contribution to course fees.

Article 10

Article 10, paragraph 1

Question 1

25. There is no specific legal framework and Government policy remains, in general, as previously described.

Question 2

26. The position regarding the Department of Economic Development's Training Services remains unchanged, however, links with the International Business School have concluded, due to its closure since the previous report.
27. The framework concerning financial support, remains as previously described.
28. The Department of Economic Development (DED) and the Department of Education and Children (DEC) have established a dedicated facility for engineering training, which seeks to increase the numbers of trainees in that field from 18 annually to 36 annually. The £1million centre, which was the result of a partnership between the Isle of Man Government and the private sector, was officially opened in the October 2014.
29. Although there is no university as such in the Island, the Isle of Man College offers some further and higher education courses.
30. The Education (Student Awards) Regulations 2012, as amended in 2013, made provision for the contribution by all undergraduate students of £2,500 towards the cost of Tuition Fees. In May 2014 these Regulations were revoked and replaced by the [Education \(Student Awards\) Regulations 2014](#). Amongst other changes, these new Regulations allow the DEC to make available to all students, undertaking their first degree, a loan of £2,500 each year of their studies. This loan will become payable in agreed instalments when their income exceeds £21,000. Students who reach the academic requirements, currently 200 UCAS points are supported.
31. There has been a significant reform of university tuition funding and maintenance grants. For all off-Island undergraduate and postgraduate degree courses students are required to make an annual contribution of £2,500 towards their tuition fees. Where the student/contributors' total gross income exceeds £100,000 per annum, an additional contribution is required. This means-tested contribution is set at 35% of that part of gross income above £100,000 to a maximum contribution of £6,500 per student. There is provision to give loans in respect of some or all of the non-means tested element of the tuition fees contribution.
32. As well as having tuition fees paid (with the exception of a student contribution payable, as specified by the Student Award Regulations), 30% of students qualify for maintenance grants.

Question 3

33. In the financial year 2013/14 the budget of the DED's Employment & Skills Group, covering the Department's vocational training responsibilities, including apprenticeships, was approximately £2.4 million.
34. Approximately 3,000 persons undertake full-time or part-time vocational training each year.
35. Currently, approximately 1108 undergraduate and 76 post graduate students are supported by the Department of Education and Children to study for higher education qualifications at UK or overseas education institutions, at the Isle of Man College of Further and Higher Education (318 at the IOM College) or by distance learning.

Article 10, paragraph 2

Question 1

36. There is no specific legal framework and Government policy remains, in general, as previously described.

Question 2

37. The Department of Economic Development administers a number of training schemes that provide financial assistance to individuals and organisations in support of vocational training. Access to such Schemes is available to all individuals and organisations resident in the Isle of Man. The Vocational Training Financial Support Scheme (VTFSS) is the primary source of assistance towards vocational training and exists to ensure that funding is directed to priority areas. Organisations or individuals applying for financial assistance under this Scheme are asked to provide 'business case' information so that benefits to the individual, organisation and ultimately the economy can be established.

Question 3

38. Vocational programmes are available in Accounting, Agriculture, Art and Design, Banking, Bricklaying, Building Studies, Business Studies, Carpentry and Joinery, Catering, Ceramics, Civil Engineering, Company and Trust Studies, Electrical and Electronic Engineering, Financial Studies, Gas Fitting, Hairdressing and Beauty Therapy, Health and Social Care, Hospitality Studies, Insurance, Information Technology, Management Studies, Mechanical Engineering, Media Studies, Motor Vehicles, Nursery Nursing, Office Technology, Painting and Decorating, Photography, Plumbing, Supervisory Studies, Teaching and Training, Telecommunications and Textiles. As a result of continuing high levels of employment, and skilled labour shortages in many sectors of employment, over 1,800 students study vocational courses on a part-time basis and 660 students are studying vocationally based courses

full-time or on block.

Article 10, paragraph 3

Question 1

39. There is no specific legal framework and Government policy remains, in general, as previously described.

Question 2

40. The steps taken to implement the policy framework remain as previously described.

Question 3

41. The Isle of Man College encompasses the Training Centre and other 'off campus', training facilities for adults. Additionally, there is a specialist Energy Assessment Centre, but due to its specialism, its operation limited in scope and number. Responsibility will pass to the Isle of Man College this year, and the Centre's future can then be fully reviewed.
42. Some training can also be provided directly at the Department of Economic Development's JobCentre, including IT skills, and job search related skills.
43. Additionally there are numerous private sector providers, including some which may be based in the UK, but which attend the Island to provide training. Numbers of people in private training facilities are not monitored.
44. Sheltered employment based training is available for adults with special needs at two centres, Eastcliffe and "Next Step".

Article 10, paragraph 4

Question 1

45. There is no specific legal framework and Government policy remains, in general, as previously described.

Questions 2

46. The policy has remained generally unchanged from that previously reported.

Question 3

47. Most of the Department of Economic Development's Schemes provide financial assistance of up to 50%, which can be towards course fees,

travel, and accommodation. Apprenticeship funding remains 100% of the course fees. The training element for apprenticeships is normally taken as part of the working week, following consultation with the particular employer's representatives, and feedback from apprentices.

48. The numbers of applications for financial support in 2014 was 1,117, covering approximately 3,000 individuals. The numbers receiving 100% financial support was 403. The total number attending the Isle of Man College for vocational courses in 2014 was 1,823, in addition to privately trained individuals.

Article 15

Article 15, paragraph 1

Question 1

49. The Government no longer intends to bring the Disability Discrimination Act 2006 into operation. That Act would have dealt with any discrimination on the grounds of disability in the provision of goods and services, but not employment which it had been planned to deal with by way of a further Bill (which would have dealt with discrimination in employment on a number of grounds including disability). This piecemeal approach to dealing with discrimination and equality issues has now been abandoned and the Government is now in the process of bringing forward a single Bill, based on the UK Equality Act 2010 which will deal with discrimination in both employment and the provision of goods and services on nine separate grounds including disability. Further information on the Bill is provided in the Isle of Man Government's report on Article 1 paragraph 2.
50. In April 2013, following a restructuring of the Isle of Man Government, the former Department of Health, and Department of Social Care, were merged to form the new Department of Health and Social Care. Additionally, the former Department of Social Care's responsibilities as regards to Social Security, and benefit payments, were transferred to the Treasury.

Question 2

51. The resources and locations of the provision of training opportunities and general employment support to people with disabilities have, in general, remained consistent with the information previously provided.
52. Following the merger of the former Departments of Health, and of Social Care, to form the Department of Health and Social Care, responsibility for assisting disabled people in work, and into work is now shared between the Department of Economic Development, the Treasury, and the Department of Health and Social Care.
53. The Department of Education and Children (DEC) endeavours, wherever possible, to ensure those with learning difficulties are supported in their education development.
54. A programme of enabling wheelchair access to all educational buildings has been ongoing for some time.
55. The Isle of Man College in 2014 opened a new facility to cater for those young people with more complex needs. Courses are offered in life skills and some vocational course such as catering are also offered. The new facility houses a small café which is operated by the students. Through the DEC's Disability Support scheme, students who meet the academic criteria to obtain a place at Higher Education are given financial support to cover the cost of additional help while studying, this can range from the purchase of additional equipment to the provision of a support worker.

The assessment of the needs is carried out in conjunction with the Disability Employment Service of the DED.

Question 3

56. In 2013/14 the Department of Economic Development's Employment (Persons with Disabilities etc.) Scheme 1999 had a budget of approximately £130,000 specifically to assist individuals with disabilities and their employers find and retain employment through the provision of funding for training, specialist equipment, modifications to buildings etc.
57. The average spend per client in the years has been:
- 2011 £997.98
- 2012 £482.61
- 2013 £518.57
- 2014 (figures not yet available).
58. The highest level of support in that time was an individual who received £6,500 for support.

Article 15, paragraph 2

Question 1

59. As advised in respect of Article 15(1) the Government is presently in the process of introducing an Equality Bill to deal with discrimination in employment and in the provision of goods and services on the ground of disability.

Question 2

60. As stated under Article 15(1), the services of the JobCentre are available equally to all persons, whether or not they have a disability. The Department's general training schemes are also open to people with disabilities. If a person has a disability or health problem that is likely to last for 12 months or more, that affects the kind of work that he or she is able to do, the Department of Economic Development's Disability Employment Service will try to assist with obtaining suitable employment.
61. From 31 January 2012, the Disability Working Allowance has been replaced by a new benefit called [Employed Person's Allowance](#) (EPA). EPA is available (amongst other qualification criteria) to single persons or members of a couple who:
- have an illness or disability that puts them at a disadvantage in getting a job;
 - are starting to work, or are already working, for at least 16 hours per week;

- are receiving certain incapacity or disability benefits, or have been at a certain point in the past.
62. The Department of Social Care's service delivery, Learning Disability Strategy, Adults Strategy: Living Life to the Full and the Mental Health Strategy all focus on promoting independence and emphasise the central importance of work.
63. A new supported employment service for people with learning disabilities has been developed with Mencap (a Charity that works with people with a learning disability).

Question 3

64. The Department of Economic Development's Disability Employment Service currently has approximately 400 active clients. The total number of registrations annually is as follows (figures not yet available for 2014).

	2011	2012	2013
Additions	4	6	6
Autistic Spectrum Disorder	9	9	11
Learning Disability	5	7	6
Learning Difficulties	15	19	22
Mental Health	27	41	62
Physical	45	51	56
Sensory Loss	5	7	6
Other	15	10	21
	125	150	190

65. The Department of Social Care supports 48 people in employment of which 24 are in voluntary employment.
66. The Manx Workshop for the Physically Disabled (sheltered employment) has 8 employees. Crossroads Caring for Carers supports 3 people in employment. Next Step and the Star Club provide support and vocational training for people with mental health issues. Star Club has 90 people registered and Next Step 80 people.

Article 18

Article 18, paragraph 1

Question 1

67. The Control of Employment Act 1975 together with the Regulations and Orders made under the Act provide the statutory framework under which the Department of Economic Development operates and enforces the work permit system for persons who are not “Isle of Man workers” who are from within the European Economic Area and Switzerland. In 2014 the [Control of Employment Act 2014](#), which re-enacts and updates the law regarding work permits received Royal Assent though the legislation is not yet in operation.
68. The Act makes a number of changes, including the following:
- A person will become “an Isle of Man worker” (which means he or she will be able to work on the Isle of Man without a work permit) if he or she has at any time been ordinarily resident in the Island for an unbroken period of at least 5 years. At present persons can lose Isle of Man worker status if they leave the Island.
 - The Department of Economic Development will have more flexibility to grant exemptions or to remove existing exemptions from the requirement for work permits. For example, the Department has a new power to exempt, subject to any conditions, a person working in a specified capacity if it considers the employment of that person to be in the national interest.
 - Currently the Department must grant a one year permit on application to anyone who is married to, or the civil partner of, a work permit holder or an exempt person. The permit is renewable annually provided that the spouse or civil partner still holds a permit or is an exempt person and the couple are still married or civil partners. Under the new Act the spouse or civil partner of a permit holder or exempt person will be able to apply for a one year permit themselves with the permit not being limited to any particular employment.
 - A person with a relevant criminal conviction will no longer be entitled to use any exemption. Similarly the spouse of a permit holder or of an exempt person will no longer have an automatic entitlement to a permit if he or she has such a conviction. However, such a person will still be entitled to apply for a permit using the normal procedure.
 - The Department has wider regulation making powers as to the matters to be taken into consideration when deciding whether or not to grant a permit.
 - Maximum financial penalties for offences are increased from £2,500 to £5,000 and for aggravated offences from £5,000 to £7,500. In addition, the Department may impose a fixed penalty for an offence of working, or employing a person, without a work

permit, or failing to comply with a condition of a work permit or exemption, as an alternative to prosecution subject to maximum of £1,000. A fixed penalty may also be imposed for a contravention of the regulations.

Question 2

69. There have been no substantial changes to the administration of the work permit system since the Government's previous report. However, all recommendations which concern the administration of work permits in the "Review of the Administration of Work Permits" referred to in the previous report have now been implemented. In particular the Department of Economic Development intends to launch a fully online application process later in 2015, to assist workers applying for work permits.

Question 3

70. The following table shows statistics of new work permits and renewals issued under the Control of Employment Act 1975 for employees and self-employed persons from 1st January 2011 to 31st December 2014. The table also shows information as to the number of permits which were refused over this period.

Year	Total no. permits issued	New permits: employed	Renewals: employed	New permits: self-employed	Renewals: self-employed	Applications initially refused	Refusal upheld
2011	5321	2421	2933	239	328	50	49
2012	5081	2070	2569	178	264	75	75
2013	4240	1745	2159	123	213	99	99
2014	3842	1662	1891	130	159	66	66

71. The table above clearly shows a significant decline in work permits issued during the period since the Government's previous report. This is due to a number of factors, including an increase in the number of exempted short term employments, and a reduction in the number of vacancies since the previous reporting period.

72. Workers from outside the European Economic Area and Switzerland are not subject to Control of Employment legislation but to UK Immigration legislation which has been extended to the Isle of Man. Where employers seek to employ such workers they are required to be licensed by the Department of Economic Development under the Points Based

System of Immigration. The employer must subsequently obtain a Certificate of Sponsorship (CoS) to appoint each worker, and the worker can use this certificate to apply for a visa, which enables him or her to both enter and work in the Island.

73. During the period 2011 to 2014, the following numbers of documents were issued under the Points Based System.

PBS	Licences		CoS		Visas	
Year	Tier 2	Tier 5	Tier 2	Tier 5	Tier 2	Tier 5
2011	46	0	130	0	54	1
2012	16	1	149	2	76	0
2013	9	0	166	0	57	1
2014	33	1	166	1	55	0

Article 18, paragraph 2

Question 1

74. The legal framework is, in general, as previously described.

Question 2

75. The Control of Employment Act 2014 will amend Section 21 of the Employment Act 2006 to make it illegal for an employer to receive from a worker, or deduct from the employee's wages, a fee for a permit issued under the new Act.

Question 3

76. Since 2011, the fee for a work permit, £50, has remained unchanged.
77. The fees for entry clearance under the Points Based System are in line with those in the United Kingdom.

Article 18, paragraph 3

Question 1

78. Forthcoming changes to Control of Employment legislation are as set out in the report to Article 18(1).

Question 2

79. The administrative arrangements are, in general, as previously described.

Article 18, paragraph 4

Question 1

80. The legal framework is, in general, as previously described.
81. Isle of Man residents may freely leave the Island in order to take gainful employment in another country. However, those individuals may be subject to work and/or immigration controls in the other country.

Question 2

82. The position remains as previously described.
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