



19 novembre 2007

RAP/Cha/United Kingdom/27(2007)1

CHARTRE SOCIALE EUROPEENNE

27ème Rapport national sur l'application de la Charte
Sociale européenne

soumis par

LE GOUVERNEMENT DE ROYAUME-UNI

(pour la période du 1^{er} juin 2004 au 31 mai 2006)
sur les articles 1, 9, 10, 15, 18

Rapport enregistré au Secrétariat le 19 novembre 2007

ARTICLE 1 - The right to work

Article 1, paragraph 1

QUESTION A

EMPLOYMENT POLICY

Economic and employment policy – overview

1. The United Kingdom has ratified ILO Convention No.122. A copy of the report covering the period 1 June 2004 to 31 May 2006 is attached at **Appendix 1A**.
2. There were 29.03 million people in work in October-December 2006, just under 75% of the working age population. ILO unemployment, currently at 5.5% of the labour force, is near to its lowest level for 30 years while claimant count unemployment continues to fall and is now below 940 thousand people.
3. In the most recent quarterly release, economic growth in the UK was 3.0% year on year. Inflation was at the top of the Bank of England's target inflation band of 3.0%.
4. The long-term unemployment rate is down from 28% in 2000 to some 23.3% currently, though much still remains to be done in strengthening labour market policy to assist other disadvantaged groups such as ethnic minorities, lone parents and the disabled.

Skills Strategy - the Leitch Review of Skills

5. In 2004, Lord Leitch was asked by the Government to identify what the UK's optimal skills mix would need to be in 2020 to enable the nation to maximise economic growth, productivity and social inclusion and to consider the policy implications of achieving the level of change required. Lord Leitch's final report was published in 2006 and the Government has accepted the analysis and is committed to achieving the ambitions for 2020¹.
6. *World Class Skills: Implementing the Leitch Review of Skills in England* sets out how, working with our partners, Government will deliver its ambition, building on the existing Skills Strategy and FE reform programmes.
7. Further information on the UK's skills strategy is included below in that part of the Report covering Article 10.

¹ http://www.hm-treasury.gov.uk/independent_reviews/leitch_review/review_leitch_index.cfm

New Deal

8. Since its launch in 1998, and up to November 2006 (latest data available), the New Deal has helped over 1.76 million people into work. This figure includes more than 732,000 young people into work through New Deal for Young People (NDYP) and more than 286,000 long-term unemployed adults through New Deal 25 plus (ND25 plus).

9. NDYP is mandatory for people aged 18-24 who have been claiming Jobseeker's Allowance (JSA) for six months. ND25 plus is mandatory for people aged 25 and over who have been claiming JSA for 18 out of the last 21 months.

10. When they join New Deal, people on the mandatory New Deals (NDYP and ND25 plus) enter a Gateway period of up to four months. During this time, they receive intensive help from a Personal Adviser to support them into work.

11. People on NDYP who are still claiming JSA at the end of the Gateway are referred to one of four Options: the Employment Option; the Voluntary Sector Option; the Full Time Education and the Training Option; the Environment Task Force Option. The Employment Option has achieved a higher proportion of job entries than the other three options but those joining it are more likely to be job-ready than those joining the other options.

12. People on ND25 plus who are still claiming JSA at the end of the Gateway take part in the Intensive Activity Period (IAP). The IAP is designed to give people the skills and experience they need to move into work. IAP lasts for a minimum of 13 weeks up to a maximum 52 weeks. It is currently mandatory for people aged 25-49 to undertake 30 hours of IAP per week. People aged 50 or over can choose whether or not to participate. The DWP is piloting mandatory participation in ND25 plus for people aged 50-59 who have been claiming JSA for 18 out of the last 21 months and, subject to outcomes from the pilot, will decide whether to extend this nationally.

13. IAP includes: Basic Employability Training (BET), self-employment support, Education and Training Opportunities (ETO), and flexible packages of support, which can combine work experience/placements, work-focused training and help with motivation and soft skills. Flexibility underpins the IAP to ensure participants get the help they need to improve their chances of getting back to work.

14. Those who are still claiming JSA after the IAP enter Follow-through, a 6-week period of intensive job matching and weekly interviews. Follow-through also offers a range of provision for those who still need further help to have a reasonable chance of securing employment. For those requiring additional support, Follow-through can be extended for up to 13 weeks to allow the jobseeker to access further provision similar to that available in the IAP.

15. Work Focused Interviews were introduced nationally for some lone

parents from April 2001. They were extended in stages to all lone parents making new or repeat claims to Income Support (IS), and from April 2004 to all lone parents with an existing claim to IS.

16. Lone parents making a new or repeat claim for IS are expected to attend a Work Focused Interview before an IS payment is made, unless the interview is deferred or waived.

17. Between April 2001 and March 2006 (latest available data), 1.76 million initial lone parent Work Focused Interviews have been booked and, in the same period, 1.62 million initial interviews have been attended.

18. Lone parents can choose to join New Deal for Lone Parents (NDLP) and receive more intensive help to support them into work. Since October 1998, and up to the end of November 2006 (latest available figures) nearly half a million (497,630) lone parents have been helped into work through NDLP.

19. Since 29 April 2005, New Deal Plus for Lone Parents has been running in areas within England (North London, South East London, Bradford, Dudley and Sandwell (now known as the Black Country) and Leicestershire). It was extended to South East Wales (Cardiff and Vale sites) and Edinburgh, Lothian and Borders on October 2006.

20. The pilots will run until March 2008 and their aim is to find out in time for the next Spending Review (SR) whether a concentrated package of measures combining 'good affordable childcare availability, with work focus and strong financial incentives' meets the needs of lone parents and helps them move closer to the labour market or into work.

21. The help offered through New Deal Plus for Lone Parents includes the In Work Credit (IWC) which was introduced from April 2004 in 22 pilot areas (including parts of London). It helps eligible lone parents leave benefits for full time employment by paying an extra £40 a week for the first twelve months in work. In London it is available to all eligible parents (not just lone parents).

New Deal for Partners (NDP)

22. New Deal for Partners is a voluntary programme which aims to help those partners who want to work by offering them opportunities to break down barriers to employment. So far, it has helped more than 6,000 people into work. Partners of people claiming JSA and some other benefits are eligible to join NDP with 'day one' access.

23. We are offering greater support to partners of benefit recipients by rolling out mandatory Work Focused Interviews.

New Deal 50 plus

24. New Deal 50 plus is a voluntary programme designed to help long-term

unemployed and economic inactive people over 50, who have been claiming specified related benefits for 6 months or more, back into paid employment. People who have been claiming JSA for 6 months are eligible to join the programme.

25. Up to the end of November 2006 (latest available data), a total of 170,190 people had been helped into work through New Deal 50+. This includes 98,040 people who were helped into work up to March 2003 with the help of the new Deal 50 plus Employment Credit which was subsumed within the 50 plus element of the Working Tax Credit from April 2003.

New Deal for Disabled People (NDDP)

26. NDDP is a voluntary programme targeted at those with health conditions and disabilities. Customers must be in receipt of incapacity benefits and the programme is designed to help them find and sustain employment. NDDP has been extended to March 2008. However, the programmes will be subsumed by provider-led Pathways provision in 15 Districts from December 2007. Provider-led Pathways Phase 2 is due to commence in April 2008 and will include a further 16 Districts. From April 2008, in the remaining 19 Districts, decisions are still awaited on the future of NDDP. Provider-led Pathways providers will offer a voluntary service similar to NDDP to eligible customers as part of their contracted provision

27. Up to the end of November 2006, NDDP had been successful in helping 134,160 people into work, including 101,720 people who had registered with and had received assistance from, a NDDP Job Broker. The DWP is evaluating all aspects of the way NDDP operates and expect to publish outcomes in 2007.

New Deal for Skills

28. New Deal for Skills (NDfS) is a package of measures aimed at improving the skills of individuals where lack of skills is the main barrier to the person securing or sustaining employment. A key focus is to improve joint working between the DfES¹, the Learning and Skills Council (LSC), the Department for Work and Pensions (DWP) and Jobcentre Plus (JCP) to improve their effectiveness in raising the skills levels of individuals both in and out of work.

29. NDfS builds on recommendations in the National Employment Panel (NEP) reports *Welfare to Workforce Development (2004)* and *Enterprising People, Enterprising Places (2005)*. In the number of existing Skills Coaching pilots in JCP districts is to be doubled to 16 with a specific focus on helping low-skilled women return to work in response to the Women and Work Commission Report *Shaping a Fairer Future* (February 2006).

¹ Following machinery of Government changes the work of the former Department for Education & Skills (DfES) has been divided between the newly formed Department for Innovation, Universities and Skills and the Department for Children, Schools and Families. DfES was active during the Reporting period and references are therefore retained.

30. NDfS comprises four elements:

- **Skills Coaching** - provides individually tailored support to help unemployed people develop the skills necessary to sustain and progress in employment. Skills Coaching trials began in April 2005 and are currently being tested with Income Support / Incapacity Benefit / Jobseekers Allowance (JSA) customers in 19 JCP trial districts;
- **Skills Passport** - helps individuals and employers by identifying, planning and recording skills and qualifications. This is currently being tested within the Skills Coaching trial areas;
- **Adult Learning Option (ALO)** - offers full-time training for benefit recipients with qualifications below Level 2; includes a training allowance which does not affect entitlement to benefits; and
- **Welfare to Work Agenda** – a joint DWP & DfES strategy to improve the employability of low skilled benefit recipients, particularly those below Level 2, and provide support into sustainable employment. The Agenda also takes forward recommendations by the NEP (an employer-led body which provides independent advice to ministers on the design, delivery and performance of the UK Government's labour market policies and programmes, on this theme).

NORTHERN IRELAND

31. The New Deal programmes operate in Northern Ireland on a similar basis to that described above.

GREAT BRITAIN

Building on New Deal (BoND)

32. DWP remains committed to the BoND principles of customisation, localisation, and flexibility. The City Strategy is taking these forward and pathfinder areas have been asked to develop plans which set out how they would use greater responsibility for delivery to improve the effectiveness of local provision. They have also been asked what support they need from government to achieve this. The Government is considering how to develop these principles, get the best value for money, and fulfil its child poverty ambitions within the Spending Review 07 settlement resources.

Measures to help ethnic minorities

Area Initiatives and Communities Division

33. The Department for Work and Pensions (DWP) has an objective that no-one should be seriously disadvantaged in their employment prospects because of their ethnicity. This objective is underpinned by a Public Service Agreement (PSA) target to raise the ethnic minority employment rate, and significantly narrow the gap between the ethnic minority employment rate and the overall rate, by 2008.

34. DWP met its SR02 ethnic minority employment target PSA by reducing the employment gap between ethnic minorities and the rest of the population by 1.9 percentage points. Since the SR04 PSA baseline of the second quarter of 2005, the ethnic minority employment rate has risen by 2.0 percentage points. This means that the Department is on course to meet its SR04 target to reduce the difference between the ethnic minority employment rate and the overall rate. However, we need to be mindful of the volatility of single quarter figures. The latest estimate of the gap with the overall employment rate is 14.2 percentage points, which represents a significant decrease in the gap of about 1.6 percentage points since the PSA baseline was established.

35. Progress Reports are published on the Ethnic Minority Task Force website¹. The Strategy Unit report recommendations have been met and the Task Force is now taking forward work which in the light of change over time goes beyond the Strategy Unit's recommendations. The Task Force's work continues to be reported to the Cabinet by the Secretary of State for Work and Pensions.

36. DWP's Area Initiatives and Communities Division continues to support the work of the Task Force and deliver the DWP ethnic minority strategy. Future Task Force work will be based around four main priority areas:

- **City Strategy** - ensuring local employment initiatives deliver job outcomes for ethnic minorities;
- **Employer Engagement** - working with the DTI², NEP and Confederation of British Industry (CBI) to encourage greater employer engagement and enterprise to combat discrimination
- **Procurement** - using public procurement to improve the workplace diversity and the equality of government suppliers;
- **2012 London Olympic and Paralympic Games** - developing plans for procurement, skills and volunteering to enable more local people, including ethnic minority communities, to benefit from the 2012 Games.

37. The DWP contributes to the Task Force objectives through:

- Jobcentre Plus procurement, using government spending power to increase government capacity to support employers in improving workforce diversity;
- focusing resource and effort in areas of high International Labour Office (ILO) unemployment and higher numbers of ethnic minorities;
- creating more flexibility to allow managers to develop local responses to the needs of ethnic minority groups;
- increasing Jobcentre Plus capacity to tackle employer discrimination and promote the recruitment of ethnic minorities; and

¹ www.emetaskforce.gov.uk.

² Following machinery of Government changes the Department for Trade and Industry has been replaced by the Department for Business, Enterprise and Regulatory Reform (BERR). DTI was active during the Reporting period and references are therefore retained.

- developing strategies to reach people who are not currently using mainstream employment services.

Progress so far in key priorities

Focusing resources and creating greater flexibility in service delivery

38. Where people live affects whether or not they can find work. Ethnic minority people tend to live in deprived areas with associated housing, transport and employment problems. There is also a large disparity in employment rates of different ethnic groups and also different barriers to work.

39. There is also a large disparity in employment rates of different ethnic groups, for example the overall employment rate (4th quarter 2006) was 74.1% but the Bangladeshi rate was only 44.7%. There are also differences in the barriers to work faced by different ethnic minority groups: for some, English is their first language but others are handicapped by lack of fluency.

40. Since 2001-02 Jobcentre Plus has used its target structure to seek to increase performance in areas with high ethnic minority populations. From April 2004 it focused on the 270 wards with three times the national average ethnic minority population and one and a half times the national unemployment rate. In the two years 2004-05 and 2005-06, Jobcentre Plus exceeded planning assumptions for job entries in these areas by over 20%. In 2006-07 Jobcentre Plus' target structure and measure of performance changed. This year, performance against the end year assumption in the 1043 "Disadvantaged Group Wards" (these wards subsume the 270 wards) is in line with national rates.

41. The Ethnic Minority Outreach Programme ran from 2002 to September 2006. It offered support tailored to the needs of the local community and to jobless people in areas with high concentrations of ethnic minority groups. The service was delivered by providers from the private, voluntary and community sectors in Jobcentre Plus Districts with one or more of the 270 target wards, the evaluation report is available on the DWP website¹.

42. The Ethnic Minority Flexible Fund was a two-year programme that ran from April 2004 to March 2006. It allowed Jobcentre Plus District Managers in areas with target wards to use their local knowledge to implement ideas that resolved some of the local issues preventing ethnic minority people from getting work, keeping work and progressing in employment.

43. The lessons from both Ethnic Minority Outreach and the Ethnic Minority Flexible Fund have, with those from the Action Teams for Jobs programme, been used to inform the new Deprived Areas Fund (DAF) that will operate in 1,043 wards in Great Britain from Spring 2007.

• ¹ Ethnic Minority Outreach: An evaluation. Policy Studies Institute (2005).
<http://www.dwp.gov.uk/asd/asd5/rports2005-2006/rrep229.pdf>

Tackling other barriers: employer discrimination

44. There is strong evidence that discrimination¹ plays a significant role in limiting the achievements of ethnic minority groups. The two year Specialist Employment Advisers (SEA) programme allowed Jobcentre Plus to increase its capacity to tackle employer discrimination and work with employers to improve its performance in placing people from ethnic minority communities into work. The lessons from this initiative have been used by Jobcentre Plus which now provides a national centre of excellence that offers advice on diversifying the workforce to employers using their services.

45. As part of our drive to help people in disadvantaged communities to secure and sustain employment, we are testing an employer-led initiative in three cities. ***“Fair Cities”*** is an initiative, based on an American model, involving employers and local partners to increase employment opportunities for ethnic minority communities and, at the same time, meeting employers’ recruitment and skill needs. An interim evaluation of the Fair Cities pilots was published in May 2007².

Reaching inactive clients

46. A new programme ***“Partners’ Outreach for Ethnic Minorities”*** provides training and job search support to ethnic minority partners in low income households in the most deprived areas of our main cities. The focus of this initiative is particularly on Pakistani, Bangladeshi and Somali women who do not work or claim benefits and whose partners are on a low income. This group also have highest rates of economic inactivity amongst ethnic minority groups.

47. DWP has published a number of research reports in the last two years that inform our policy development. These include studies to identify where people are and the geographical factors that effect their employment chances, barriers that face those with the lowest employment rates and, work to identify the ‘ethnic penalty’ and factors in employer behaviour that make it harder for people from ethnic minority backgrounds to succeed in the labour market:

- ***Barriers to employment, a survey of Pakistani and Bangladeshi inactivity and unemployment:*** The study employs qualitative interviews with ethnic minority groups to identify and explore perceived barriers to entering employment. Final report: June 2006 (IES, Sussex)³
- ***Barriers to employment for Pakistanis and Bangladeshis (second wave):*** This project will build on the findings of the Barriers to Employment project and is designed to support policy initiatives for encouraging ethnic minority women, particularly Muslim women, to enter the work force. The project will analyse cultural factors faced by women in the home and their community for entering work, and the resources

¹ <http://www.dwp.gov.uk/asd/asd5/rports2005-2006/rrep341.pdf>

² <http://www.dwp.gov.uk/asd/asd5/rrs2007.asp#faircit>

³ www.dwp.gov.uk/asd/asd5/rports2005-2006/rrep360.pdf

available for 'bridging' the divide between community and employment. Final report: Spring 2007 (PSI)¹.

- ***Ethnic minority populations and the labour market- An analysis of the 2001 Census:*** Census data are used to provide a summary of the experiences of ethnic minority groups in the labour market. Areas of particular interest are the extent to which geographical and local neighbourhood factors impact on employment of ethnic groups. Final report: May 2006 (Manchester and Sheffield Universities).²
- ***Talk on trial: Job interviews, language and ethnicity:*** Recordings of real job interviews are examined to show how interaction between interviewers and candidates is managed in job interviews. The study aims to establish whether ethnic minority candidates are systematically disadvantaged in such interviews. Final reports May 2006 (KCL).³
- ***Developing good interview practice for recruiting and promoting ethnic minorities:*** The project will build upon the 'Talk on trial' project to investigate current employment practices particularly in relation to promotion of ethnic minorities within organisations. Outputs will be in the form of a report, guidance and DVD-training package for interviewers. Final report: Spring 2007 (KCL).
- ***Ethnic penalties in the labour market, employers and discrimination:*** The research focuses on how employment penalties vary across different employer types and investigates whether the variations can be linked to other measures that point to discrimination. Final report: May 2006 (Oxford University).⁴
- ***Developing positive action policies:*** This research will provide a range of strategy and policy options designed to increase ethnic minority employment rates and allow DWP to identify good practice in terms of the implementation of these policies. The project will comprise a literature review of positive action policies and expert interviews in the USA, Canada and Europe, with particular reference to Northern Ireland and the Netherlands. Final report: July 2006 (Bristol).

48. The DWP's Area Initiatives and Communities Division is also sponsoring three projects in HM Treasury's Invest to Save Budget (ISB) Round 7 series (2005-06 – 2007-08). ISB projects are designed to enable higher risk innovative ideas to be trailed. The Treasury funds 75% of each project with those running them providing the remaining 25%. All are led by voluntary sector organisations. ACID sponsorship includes ensuring the projects fit within Government strategy and disseminating good practice and mainstreaming it. The three ethnic minority employment projects are:

¹ <http://www.emetaskforce.gov.uk/research.asp>

² <http://www.dwp.gov.uk/asd/asd5/rports2005-2006/Report333.pdf>

³ <http://www.dwp.gov.uk/asd/asd5/rports2005-2006/rrep344.pdf>

⁴ <http://www.dwp.gov.uk/asd/asd5/rports2005-2006/rrep341.pdf>

- **WorkOut:** engaging serving prisoners nearing release in London and, through a highly supportive programme of training, personal development and work, helping them to get and keep employment and so reduce re-offending. So far over 90% of clients placed into work have sustained their employment. They also work to support prisoner's families, keep them together and, through the stability of work, lift children out of poverty.
- **Narrowing the Gap:** a regional project based in Yorkshire that focuses on the barriers faced by inactive Pakistani and Bangladeshi people who are mainly Muslims. One strand concentrates on breaking down employer reluctance to employ Muslims, another on encouraging men into non-traditional jobs and the third using role models to help women to aspire to jobs commensurate with their qualifications and skills. The project has developed DVD training material for each strand that reflects the influence of the oral tradition in these societies.
- **Building Futures – the jobs ecosystem:** links the ability of the specialist voluntary sector to engage with inactive people in their communities with the verve of a private sector employment agency with a range of employer contacts to help people into work and build capacity. Advancement and sustainability are key with a 'career health check' after 6 months employment to help people to move up and on from entry-level jobs. This project that operates in five London Boroughs is set to over-achieve its targets.

49. Since 1998, the table below shows the numbers of people from ethnic minority groups helped into work through the New Deals and other programmes:

New Deal for Young People	100,940 (to August 2006)
New Deal 25 plus	35,420 (to August 2006)
New Deal for Lone Parents	35,870 (to August 2006)
New Deal 50 plus	8,700 (to August 2006)
New Deal for Disabled People	6,280 (to August 2006)
New Deal for Partners	290 (to August 2006)
Employment Zones	20,530 (to October 2006)

Notes:

NDYP, ND25plus and NDLP data relates to individuals into work from the start of each programme to the end of August 2006.

NDDP data relates to individuals who have gained a job either through an NDDP Job Broker or through Jobcentre Plus from the start of the programme to the end of August 2006.

ND50+ data relates to the number of clients receiving the New Deal 50plus Employment Credit up to March 2003 and the number of recorded job entries gained through the ND50+ programme from Management Information from April 2003 to the end of August 2006.

NDP data relates to individuals into work from April 2002 to the end of August 2006. Although New Deal for Partners started in May 1999, these figures refer to the period from April 2002 onwards as prior to this, NDP data was collected clerically and an ethnicity breakdown is not available.

Programmes to help other disadvantaged groups

Work Preparation (previously Employment Rehabilitation)

50. Work Preparation is an individually tailored, work-focused programme, which enables disabled people to address barriers associated with their disability and prepare to access the labour market with the confidence necessary to achieve and sustain their job goal. Work Preparation can also be used to help people who are at risk of losing their job because of their disability, by helping them to overcome difficulties that are affecting their work.

51. Although each customer has specific needs, the broad areas which are addressed during the Work Preparation programmes can be grouped to include:

- Occupational decision making;
- Job-finding behaviours; and
- Job-keeping behaviours.

52. Work Preparation, which is operated under section 2 of the Employment and training Act 1973, is delivered through contracted providers from the private, voluntary and public sectors. They arrange individually tailored programmes aimed at achieving goals that have been agreed by Disability Employment Advisers and their customers.

Work Preparation performance and spend

Year	Starters	Job entries	Spend
2004/05	8,200	1,600	£12.8m
2005/06	8,030	1,620	£12.1m

Access to Work

53. Access to Work is designed to assist disabled people who are in, or are about to start, paid employment (including self-employment), by providing practical support and helping to meet additional costs associated with overcoming work-related obstacles resulting from disability.

54. In order to qualify the person must:
- meet the Disability Discrimination Act definition of disability;
 - be at least 16 years of age (no upper age limit);
 - live and work in Great Britain;
 - be working, or have an agreed start date; and
 - be in paid employment (no limitation on hours applies).

55. Access to Work provides funding for the additional costs resulting from

disability and each period of support will normally last a maximum of three years.

56. Access to Work helped around 28,500 people at a cost of £59.7m in 2005-06.

Workstep

57. Statistical information for the Workstep Programme is in the tables below. (They do not include Remploy figures as these are shown in a later table). The Workstep numbers helped annually exceed 16,000 per year if new joiners are taken into account.

Participants

WORKSTEP (excluding Remploy)		
	2004-05	2005-06
Spend (£m)	69.0	69.2
Average occupancy	13.201	13.215

Remploy

58. Remploy is a Non Departmental Public Body (NDPB) and company limited by guarantee, sponsored by the Department for Work and Pensions. It is the largest provider of the Workstep programme and Britain's largest employer of disabled people. Remploy was founded in 1945 and currently supports around 5,000 disabled people employed in 83 factories. Last year it also helped over 5,000 disabled people into mainstream jobs with employers through its Employment Services business.

Remploy	2004-05	2005-06
Grant-in-aid (£m)	116.0	119.3
Total number of disabled people supported on Workstep (at 31 March)	8,836	8,147
Within factory businesses	5,581	5,570
In mainstream employment	3,255	2,577

Pathways to Work

59. The Welfare Reform Green Paper, '*A new deal for welfare: Empowering people to work*', set out the Government's proposals for welfare reform. The Government's strategy is to support, encourage and enable people on incapacity benefits to move into work, and so become and remain independent. The Pathways to Work programme is an initiative aimed at improving opportunities for people on incapacity benefits.

60. The Pathways to Work programme was first piloted in seven geographical areas, rolled out in two phases from October 2003 and April 2004. Coverage has now been expanded. The first phase of the expansion

commenced from October 2005, the second phase commenced from April 2006 and the third phase from October 2006. The most recent phase took place in December 2006 and means that Pathways is now available to around 40% of the national incapacity benefit caseload. From April 2008, Pathways will be rolled out to the remainder of the country delivered by organisations from the private and voluntary sector.

Welfare Reform

61. The Welfare Reform Act 2007 contains provision for a further key element of the Government's Welfare Reform proposals - the creation of the new Employment and Support Allowance, which will replace incapacity benefits from October 2008. The availability of Pathways to Work across the country from April 2008 will underpin and support the introduction of the new benefit.

Ex offenders

62. DWP is working in partnership with the Ministry of Justice, NOMS, Probation, Prison Service, DfES, LSC and others to take forward a cross government commitment to reduce re-offending. The Home Office, DfES and DWP Green Paper, [Reducing Re-offending through Skills and Employment](#)¹ was published in December 2005.

63. The [Reducing Re-offending through Skills and Employment: Next Steps](#)² document was launched in December 2006 and sets out how government departments will work together to realise the Green Paper vision. It reports on the good progress already being made as well as setting out the way forward.

64. The document sets out our proposals to drive forward three priorities:

- engaging employers through the reducing re-offending Corporate Alliance;
- building on the new offender learning and skills service, including a 'campus model'; and
- reinforcing the emphasis on skills and jobs in prison.

65. There is now a major programme of cross Government work and the Next Steps Action Plan, including two [test bed](#)³ regions, will be embedded into the work of DfES, Home Office, and DWP.

66. Additionally, the rollout and development of the National Employment Panel's EXit to Work project (the Job Developer Pilot) will become fully operational in April 2007. EXit to Work aims to offer more and better jobs for offenders, with increased retention by providing a wrap around pre- and post-placement support service for employers who are willing to work with, and/or

¹ <http://www.dfes.gov.uk/offenderlearning/index.cfm?fuseaction=content.view&CategoryID=3&ContentID=11>

² <http://www.dfes.gov.uk/offenderlearning/index.cfm?fuseaction=content.view&CategoryID=3&ContentID=16>

³ <http://www.dfes.gov.uk/offenderlearning/index.cfm?fuseaction=content.view&CategoryID=3&ContentID=18>

employ, ex-offenders.

67. EXit to Work will be delivered through six of the ten National Employment Panel Ltd's Employer Coalitions (Birmingham, London, Merseyside, Greater Manchester, North East and South Yorkshire).

68. Current DWP and Jobcentre Plus help for offenders includes:

- **New Deal** - offenders are entitled to early entry, from day one of their claim, to the New Deals, including the New Deal for 18-24 year olds, thereby giving them access to help with finding a job and dealing with their barriers to employment.
- **Freshstart** - involves pre-arranging a new jobseeker interview to claim benefit (Jobseeker's Allowance) at the prisoner's local Jobcentre Plus office, on release. As well as speeding up the process for receiving benefit, the individual is exposed at the earliest opportunity to jobs and the prospect of engaging with mainstream provision, to which, in most cases, they will have early entry status.
- **Employment and Benefit Surgeries (EBS)** - prison based EBS Jobcentre Plus advisers work in co-operation with the Prison Service and other agency staff to address the key employment and benefit needs of prison inmates during both the entry and pre-release stages of their period in custody.
- **Jobcentre Plus targets** - currently offenders are rated at 8 points in the target structure, thereby giving staff the incentive to provide maximum help and support.
- **Progress2work** and **Progress2workLinkUP** - special programmes aimed at helping clients with particular difficulties - drug misuse (progress2work) and the homeless, offenders, alcohol misuse (progress2workLinkUP) in approximately half of Jobcentre Plus Districts deal with the barriers to work that they face. Both programmes are run by specialist providers who have established expertise in dealing with the issues faced by these client groups.

Action Teams for Jobs

69. Action Teams for Jobs helped jobless people in employment deprived areas into work on an outreach basis. Between June 2002 and the end of June 2006 they helped more than 170,000 jobless people into work. Action Teams finished at the end of September 2006, as part of the review of programmes, following the rollout of Jobcentre Plus.

Deprived Areas Fund (DAF)

70. Building on the success of Action Teams, and other community-based initiatives, DAF has been phased in from January 2007. DAF provides

Jobcentre Plus with the flexibility to decide how funding could add value locally against a continued central objective of increasing the employment rate in local areas. Funding has been allocated at a district level, to enable Jobcentre Plus District Managers to exercise greater discretion over how the funding should be utilised in their area.

Employment Zones (EZs)

71. In spring 2000, 15 EZs were first introduced in the spring of 2000 in areas of persistently high unemployment and were subsequently extended to new client groups in 2004, when the five London Zones were merged into three areas. There are now 13 EZs. EZ funding is output-related, heavily weighted towards getting people into jobs and remaining in them.

72. In October 2003, EZs were extended also to new client groups including: lone parents; pension credit volunteers; young people who would otherwise have returned to New Deal or EZ programmes (Young Person returners); and JSA clients who qualify for early entry onto EZ provision due to circumstances which make it harder for them to get work ('early entrants').

73. EZs are about meeting the needs of individuals. They use a 'work first' approach and aim to help participants overcome barriers to work such as debt, transport and housing problems and achieve sustained employment. Since EZs started in April 2000 82,240 jobs have been gained. Of those moving into work through the programme, around 80 per cent have moved into sustained employment lasting 13 weeks or more.

City Strategy

74. Thirteen areas granted City Strategy pathfinder status were announced by DWP SoS in July 2006. Two London pathfinder areas were announced in April 2006. The City Strategy will initially focus on areas that are currently furthest from the government's aim of 80 per cent employment. In these areas, a consortium of local partners will join up to re-shape the delivery of employment and skills services. They will align their efforts and resources to improve outcomes for disadvantaged individuals.

75. DWP has made £5m available to kick-start the work of the consortia, helping to build capacity, bring together partners, and produce delivery plans.

The cities and towns covered are:

Birmingham city-region	Greater Manchester
Blackburn	Nottingham
Dundee	Rhyl
Edinburgh	South Yorkshire
Glasgow	Tyne and Wear
Heads of the Valley	East London [Greenwich; Hackney; Newham
Leicester	Tower Hamlets and Waltham Forest.]
Liverpool	West London* [Brent, Ealing, Hammersmith
	and Fulham, Harrow, Hillingdon and Hounslow].

ISLE OF MAN

76. For a number of years the Isle of Man has maintained very low levels of unemployment, typically from less than 1% up to 1.5% of the Island's economically active population, and this continues to be the case.

77. The Government Strategic Plan 2007 – 2011 which has recently been published sets out the Isle of Man Government's strategic priorities for the life of the current administration. The Plan contains four strategic themes, the first of which is "Income, Employment and the Economy". This theme is encapsulated by the statement:

"To raise the standard of living of all the people of the Island through the ongoing development of a successful economy and the sharing of its benefits with all in our community."

78. One of the main aims within the strategic theme relates specifically to maintaining full and rewarding employment, and to achieve this aim the Government intends to:

- *Provide a Work Permit System that ensures its operation is more responsive and effective in supporting employment and growth of the economy;*
- *Encourage more family friendly working practices to increase the proportion of the economically active population taking up employment;*
- *Encourage and facilitate an increase in more flexible work practices, such as home working, both in the public and private sectors;*
- *Expand the range of appropriate employment opportunities for people with a disability to include vocational training, job placements, voluntary community work and permanent employment;*
- *Ensure that the Benefit System does not discourage the taking up of employment.*

79. A further aim within the theme of "Income, Employment and the Economy" concerns education and training for the Island's workforce, with the Government stating that it will:

- *Continue to co-operate with the business community to identify and plan for future skill needs from within the resident population;*
- *Encourage the provision of opportunities to meet the career aspirations of individuals;*
- *Encourage people to pursue learning opportunities and the development of life skills to attain meaningful employment and fulfilling lives;*
- *Put greater emphasis on the importance of partnerships between parents and teachers in ensuring young people maximise their potential;*
- *Reform and develop our further and higher education facilities to match more effectively the skill needs of the economy;*

- *Introduce measures and initiatives to maximise the effectiveness and efficiency of Government's workforce.*

80. The next set of Government Department Plans to be published in spring 2008 will set out specific policies and measures to implement the overall priorities set out in the Strategic Plan. However, it is worth emphasising that even prior to the publication of the new strategic document the Department of Trade and Industry (DTI) has continued to invest in measures to assist people into employment. For example, in 2006/07 the DTI spent £267,330 on its Vocational Training Strategy and £153,334 on its Employment Disabilities Scheme.

81. The DTI also continues to run a Small Business Start-up Scheme; a Business Support Scheme; a Financial Assistance Scheme as tool to encourage existing businesses to adopt new technologies and practices and for new businesses to develop on the Island; and grants and loans to cover items such as large capital investment, expansion and training costs.

QUESTION B

UNITED KINGDOM

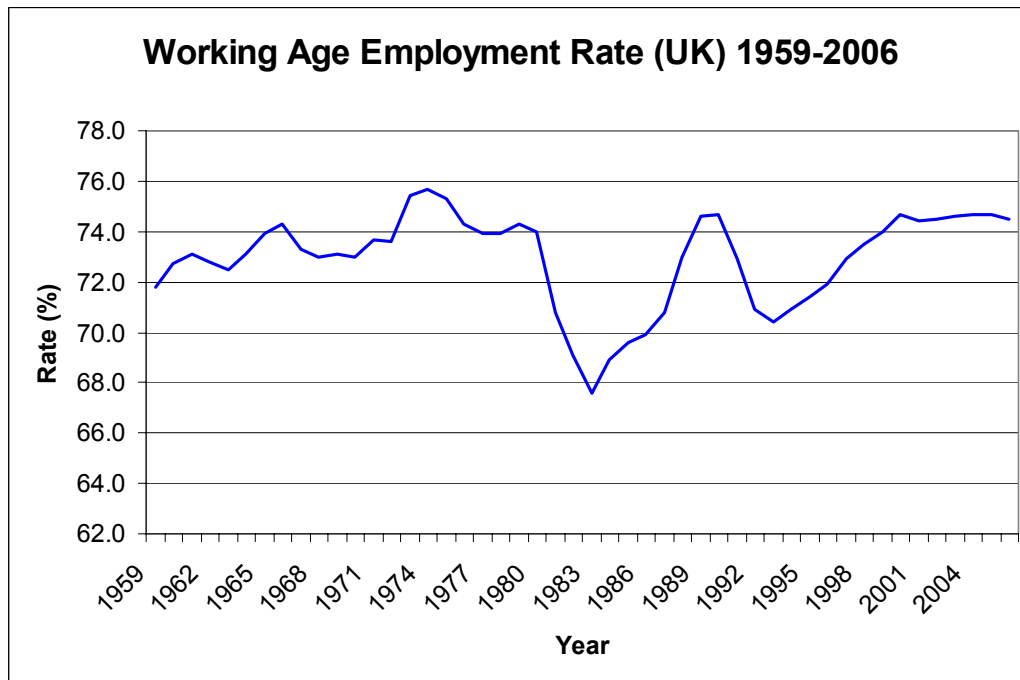
Statistical Analysis of Employment Trends

Working Age Employment

82. The employment rate of working age people (16-59/64) was 74.3% in October to December 2006, one of the highest figures on record. The rate is down 0.3 percentage points in the last year but has risen over 2 percentage points in the last ten years. The number of people in work is at its highest ever level – 29 million.

83. The largest fall in the employment rate between January-March 2005 and October-December 2006 was 1.9% points in the East, while there was a rise of 0.7 points in the East Midlands. London had the largest increase in employment level, with a 132,666 rise. In the East, the level of employment fell 10,963.

UK working age employment rate (%) 1959-2006



Working age employment by region

UK working age employment by region (rates and levels; seasonally adjusted)

Working age	Oct-Dec 2004		Oct-Dec 2005		Oct-Dec 2006		Change 2004-2006	
	Level (000's)	Rate	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
Employment								
North East	1,092	69.8	1,105	70.1	1,133	71.2	3.8	1.4
North West	3,092	74.1	3,058	72.9	3,075	73.0	-0.5	-1.1
East Midlands	1,998	76.1	2,039	77.2	2,031	76.5	1.7	0.4
Yorks & Humber	2,296	74.5	2,311	74.4	2,309	73.8	0.6	-0.7
West Midlands	2,426	74.9	2,394	73.4	2,407	73.2	-0.8	-1.7
East	2,619	78.8	2,599	77.5	2,600	77.1	-0.7	-1.7
London	3,424	69.3	3,480	69.3	3,555	69.7	3.8	0.4
South East	3,898	79.1	3,906	78.8	3,919	78.7	0.5	-0.4
South West	2,346	78.7	2,334	77.8	2,369	78.4	1.0	-0.3
Wales	1,279	72.3	1,275	71.8	1,281	71.8	0.2	-0.5
Scotland	2,373	75.1	2,391	75.4	2,423	76.1	2.1	1.0
Northern Ireland	723	69.2	726	68.7	741	69.5	2.5	0.3

Source: UK Labour Force Survey

Employment by gender and age

84. The employment rate for working age males was 78.8% in Oct-Dec 2006, compared with 69.9% for females. The employment rate for females fell by 0.2 points between Jan-Mar 2005 and Oct-Dec 2006, compared with a 0.5 point fall for males. The level of employment increased by 130,000 for males and by 72,000 for females over the same period.

85. Employment rates vary between a high of 80% for those aged 35-49 and a low of 34.3% for those aged 16-17 in Oct-Dec 2006. The largest increase in the employment rate between Jan-Mar 2005 and Oct-Dec 2006 was 1.3 points for those over State Pension Age, while there was a fall of 4.8 points for those aged 16-17. For employment levels, the largest increase was 175,000 for those aged 35-49. The employment level for those aged 25-34 fell 94,000 over the same period, reflecting a falling population in this age group.

UK employment by gender and age – (seasonally adjusted)

Working age	Oct-Dec 2004		Oct-Dec 2005		Oct-Dec 2006		Change 2004-2006	
Employment by gender	Level (000's)	Rate	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
Males	15,103	79.3	15,133	78.8	15,260	78.8	+1.0	-0.5
Females	12,485	70.2	12,507	69.8	12,572	69.9	+0.7	-0.3

Employment by age	Level (000's)	Rate	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
16-17	649	41.4	562	35.6	569	36.0	-12.3	-5.4
18-24	3,518	66.5	3,505	64.8	3,610	65.3	+2.6	-1.2
25-34	6,284	80.1	6,280	80.5	6,208	80.0	-1.2	-0.1
35-49	10,790	82.3	10,898	82.2	10,987	82.2	+1.8	-0.1
50-59/64	6,347	70.4	6,396	70.5	6,458	70.8	+1.7	+0.4

Source: UK Labour Force Survey

Type of employment

86. The proportion of all workers in full-time employment was just under 74.1% in Oct-Dec 2006 and this share has remained broadly constant over the past two years.

87. Of all those in employment, 13% are self-employed and 6.1% are temporary employees. The level of self-employment rose by 172,000 between Jan-Mar 2005 and Oct-Dec 2006. Temporary employment levels rose by 37,000 over the same period.

88. Most people in temporary employment are on fixed-term contracts, at 42.1% of total temporary positions in Oct-Dec 2006. This is down 0.4 points on the proportion in Oct-Dec 2004. There was a decrease in the proportion of

seasonal workers (0.3 points) and agency temps (0.4 points) and a rise in the number of casual workers (1.2 points) and other non-permanent workers of 1.8 points. In Oct-Dec 2006 53% of temporary workers were women and 47% men. Fixed term contract is the commonest form of temporary working for both men and women.

UK working age temporary employment by type
(level; not seasonally adjusted)

Type of Temporary Work	Oct-Dec 2004	Oct-Dec 2005	Oct-Dec 2006	Change (% and points)
	Total (000's) and type (% of total)			
Total	1,505,447	1,380,798	1,498,007	-0.5%
Seasonal	7.2%	6.4%	6.9%	-0.3
Fixed Contract	44.4%	45.5%	42.1%	-2.3
Agency Temping	17.6%	17.5%	17.3%	-0.4
Casual	19.5%	19.7%	20.7%	+1.2
Other non-permanent	11.3%	10.8%	13.1%	+1.8
Male:	702,392	638,136	692,928	-1.3%
Seasonal	7.6%	5.4%	7.0%	-0.6
Fixed Contract	41.9%	45.4%	41.1%	-0.9
Agency Temping	21.1%	20.6%	19.0%	-2.0
Casual	19.6%	19.8%	18.8%	-0.7
Other non-permanent	9.8%	8.8%	14.0%	+4.2
Female:	803,055	742,662	805,079	0.3%
Seasonal	8.2%	8.6%	8.6%	+0.4
Fixed Contract	55.9%	53.9%	54.8%	-1.1
Agency Temping	17.6%	17.6%	20.1%	+2.5
Casual	23.3%	23.3%	28.4%	+5.1
Other non-permanent	15.1%	14.8%	15.7%	+0.6

Source: UK Labour force Survey

Employment by sector of activity

89. 79.9% of total workforce jobs were in the service sector in September 2004, while 11.4% were in manufacturing. By September 2006 these shares had changed to 80.6% and 10.4% respectively.

90. The largest increase in the level of workforce jobs between September 2004 and September 2006 was in other services (8%). Construction (7.5%), public administration & health (4%), finance & business services (6.1%), Transport and communications (2.7%) and agriculture and fishing (2.5%) also

saw increases over the period. The level of workforce jobs in manufacturing fell by 5.9% over the same period, continuing the long-run trend decline in employment in this sector.

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

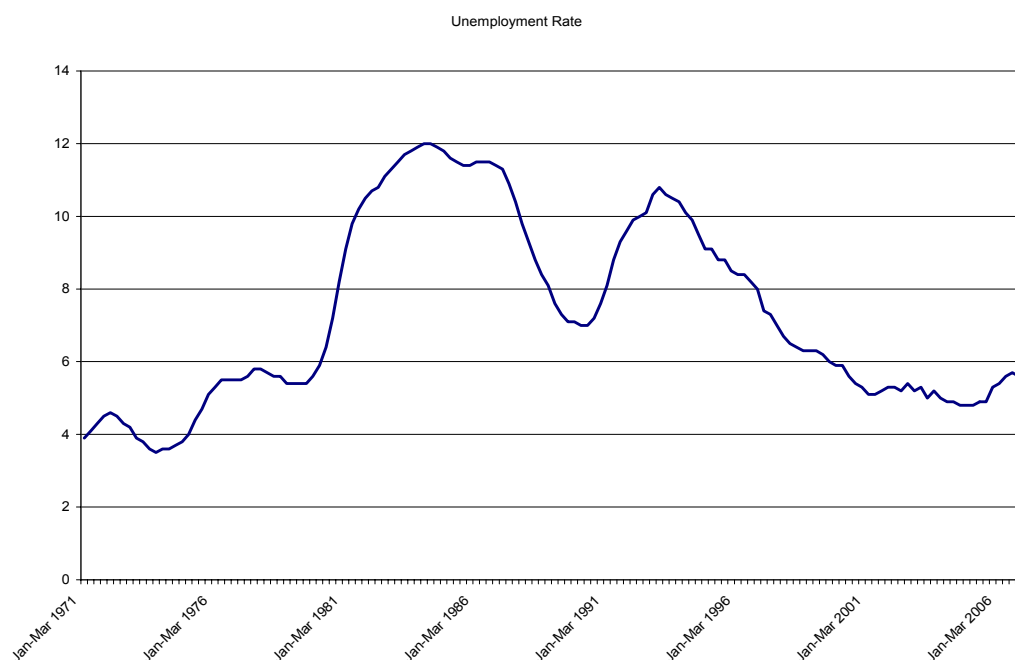
Workforce jobs	September 2004		September 2005		September 2006		Change 2004-2006 (% level)
	Level (000's)	% of total	Level (000's)	% of total	Level (000's)	% of total	
Total	30,689	-	31,142	-	31,494	-	2.6
Agriculture and fishing	432	1.4%	443	1.4%	443	1.4%	0.0
Energy and water	176	0.6%	167	0.5%	173	0.5%	0.0
Manufacturing	3,489	11.4%	3,328	10.7%	3,283	10.4%	-0.9
Construction	2,057	6.7%	2,152	6.9%	2,211	7.0%	0.3
Distribution, hotels and restaurants	7,074	23.1%	7,101	22.8%	7,052	22.4%	-0.7
Transport, and communication	1,829	6.0%	1,859	6.0%	1,879	6.0%	0.0
Finance and business services	6,057	19.7%	6,294	20.2%	6,425	20.4%	0.7
Public admin, education and health	7,693	25.1%	7,859	25.2%	7,997	25.4%	0.3
Other services	1,882	6.1%	1,939	6.2%	2,032	6.5%	0.3
Total services	24,534	79.9%	25,053	80.4%	25,384	80.6%	0.7

Source: Workforce jobs

Unemployment

91. There were nearly 1.7 million people ILO unemployed in the UK in Oct-Dec 2006, or 5.5% of the labour force. The unemployment rate has risen by 0.3 points over the last year and 0.9 points over the last two years. However, as the chart below shows the unemployment rate is still close to its lowest level for a quarter of a century.

UK ILO UNEMPLOYMENT RATE (%) 1971-2006



Regional unemployment

92. Unemployment rates in the period Oct-Dec 2006 vary between 8.1% in London and 3.9% in the South West, a range of 4.2 percentage points. The largest rise in the unemployment rate between Oct-Dec 2004 and Oct-Dec 2006 was 1.9 points in the West Midlands, whilst in Scotland there was a fall in the unemployment rate of 0.5 points. The largest fall in the level of unemployment over this period was in Scotland and the largest rise was in the East Midlands.

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

Working age	Oct-Dec 2004		Oct-Dec 2005		Oct-Dec 2006		Change 2004-2006	
ILO unemployment	Level (000's)	Rate	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
North East	75	6.5	78	6.6	80	6.6	6.7	0.1
North West	151	4.7	159	5.0	177	5.4	17.2	0.7
East Midlands	89	4.2	102	4.8	128	5.9	43.8	1.7
Yorks & Humber	114	4.7	135	5.5	151	6.1	32.5	1.4
West Midlands	123	4.8	139	5.5	172	6.7	39.8	1.9
East	106	3.9	128	4.7	127	4.7	19.8	0.8
London	269	7.3	282	7.5	313	8.1	16.4	0.8
South East	146	3.6	176	4.3	182	4.4	24.7	0.8
South West	81	3.3	99	4.1	97	3.9	19.8	0.6
Wales	58	4.3	67	5.0	73	5.4	25.9	1.1
Scotland	146	5.8	134	5.3	135	5.3	-7.5	-0.5
Northern Ireland	36	4.7	35	4.6	33	4.3	-8.3	-0.4

Source: UK Labour Force Survey

Unemployment by gender and age

93. The unemployment rate for males (5.8%) exceeded that of females (4.1%) in Oct-Dec 2006. Over the last two years unemployment has risen amongst both men and women.

94. Unemployment rates by age vary from 24.8% for those aged 16-17 to 3.0% for those aged 50 and over. The unemployment rate rose for every age group although the smallest rise was 0.2 points for those aged 50 and over.

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

Working age	Oct-Dec 2004		Oct-Dec 2005		Oct-Dec 2006		Change 2004-2006	
Unemployment by gender	Level (000's)	Rate	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
Males	829	5.1	916	5.6	964	5.8	+16.3	+0.7
Females	583	4.2	638	4.6	723	5.1	+24.0	+0.9
Unemployment by age								
16-17	171	20.8	187	25.0	188	24.8	+9.9	+4.0
18-24	425	10.8	472	11.9	503	12.2	+18.4	+1.4
25-49	611	3.7	672	3.8	766	4.4	+25.4	+0.7
50 and over	205	2.8	223	2.9	231	3.0	+12.7	+0.2

Source: UK Labour Force Survey

Unemployment by ethnic origin and gender

95. Unemployment rates vary between 14.5% for black or black British and 5.1% for whites at Oct-Dec 2006, a range of 9.46% points. The only fall in the unemployment rate between Oct-Dec 2004 and Oct-Dec 2006 was 0.4% points to 10.7% for those who are in a non-specified ethnic group. All other ethnic groups showed a rise in unemployment or remained the same, with the largest rise amongst the mixed ethnic origin group and the black or black British group, at 2.8% points. All ethnic groups showed a rise in the level of unemployment, with the largest arising amongst 'other ethnic groups' with nearly a 50% increase from 30,000 to 45,000 people ILO unemployed.

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

Working Age	Oct-Dec 2004		Oct-Dec 2005		Oct-Dec 2006		Change 2004-2006	
ILO unemployment by ethnic origin	Level (000's)	Rate (%)	Level (000's)	Rate (%)	Level (000's)	Rate (%)	Level (%)	Rate % pt
Total	1,338	4.7	1,465	5.1	1,589	5.5	+18.8	+0.8
White	1,121	4.4	1,206	4.8	1,285	5.1	+14.7	+0.7
Mixed	22	11.2	27	13.4	29	14.0	+29.8	+2.8
Asian or Asian British	87	8.5	109	9.8	120	10.1	+37.6	+1.6
Black or Black British	68	11.7	77	13.0	99	14.5	+45.1	+2.8
Chinese	10	9.3	9	8.3	11	10.7	+17.7	+1.4
Other Ethnic Group	30	11.1	37	11.0	45	10.7	+49.3	-0.4
Males:								
White	656	4.8	700	5.1	744	5.5	+13.4	+0.7
Mixed	13	13.0	17	16.6	18	17.3	+36.9	+4.3
Asian or Asian British	49	7.6	67	9.8	58	8.0	+19.6	+0.3
Black or Black British	39	13.4	42	14.1	49	14.7	+26.0	+1.3
Chinese	5	10.2	5	8.6	5	11.4	+5.4	+1.2
Other Ethnic Group	18	11.3	27	14.3	28	11.4	+55.6	+0.1
Females:								
White	464	3.9	506	4.2	541	4.5	+16.5	+0.7
Mixed	9	9.5	10	10.2	11	10.9	+19.9	+1.4
Asian or Asian British	38	9.8	42	9.9	61	13.4	+60.4	+3.6
Black or Black British	29	10.0	35	11.9	49	14.4	+70.7	+4.3
Chinese	5	8.6	4	8.0	6	10.3	+31.1	+1.7
Other Ethnic Group	12	10.8	10	6.8	17	9.6	+40.0	-1.1

Source: UK Labour Force Survey

Unemployment by duration

96. Just under 60% of ILO unemployed persons were unemployed for less than 6 months in Oct-Dec 2006. Between Oct-Dec 2004 and Oct-Dec 2006 unemployment rose at all durations. The largest rises were amongst the long-term unemployed – as a result long-term unemployment as a share of the total started to rise.

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

Working age	Oct-Dec 2004		Oct-Dec 2005		Oct-Dec 2006		Change 2004-2006 (% level)
	Level (000's)	% of total	Level (000's)	% of total	Level (000's)	% of total	
Total:	1,411	-	1,554	-	1,687	-	-
Less than 6 months	912	64.6%	974	62.7%	1,010	59.9%	10.7%
6-12 months	220	15.6%	249	16.0%	280	16.6%	27.3%
Over 1 year	279	19.8%	332	21.4%	396	23.5%	41.9%
Over 2 years	131	9.3%	162	10.4%	185	11.0%	41.2%
Males:							
Total:	829	-	916	-	964	-	
Less than 6 months	494	35.0%	535	34.4%	530	31.4%	7.3%
6-12 months	143	10.1%	143	9.2%	168	10.0%	17.5%
Over 1 year	192	13.6%	238	15.3%	266	15.8%	38.5%
Over 2 years	98	6.9%	119	7.7%	127	7.5%	29.6%
Females:							
Total	583	-	638	-	723	-	
Less than 6 months	418	29.6%	439	28.2%	481	28.5%	15.1%
6-12 months	77	5.5%	105	6.8%	112	6.6%	45.5%
Over 1 year	87	6.2%	94	6.0%	130	7.7%	49.4%
Over 2 years	33	2.3%	43	2.8%	58	3.4%	75.8%

Source: UK Labour Force Survey

ISLE OF MAN

97. The table below sets out the number of persons registered as unemployed in each month during the period 2003 to 2006, segregated by sex.

		<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>
2003:	Males	165	182	196	167	172	188	227	264	207	228	249	249
	Females	98	102	97	82	64	85	105	105	94	101	85	78
	Total	263	284	293	249	236	273	332	369	301	329	334	327
2004:	Males	289	303	269	266	270	226	241	274	275	287	317	349
	Females	97	113	107	97	94	89	110	116	103	136	135	138
	Total	386	416	376	363	364	315	351	390	378	423	452	487
2005	Males	394	408	386	405	392	366	406	379	399	404	426	431
	Females	149	144	156	156	164	151	176	190	178	159	163	160
	Total	543	552	542	561	556	517	582	569	577	563	589	591
2006	Males	448	454	430	389	362	358	394	394	370	385	378	389
	Females	174	192	185	174	183	186	208	206	201	219	190	188
	Total	622	646	615	563	545	544	602	600	571	604	568	577

98. As at 30th June 2007 a total of 594 persons were registered employed, consisting of 364 males and 230 females. This total represents approximately 1.4% of the economically active resident population.

99. Of the 364 males registered as unemployed, 175 had been unemployed for less than 3 months, 138 for between 3 months and 1 year, and 51 for more than a year. In relation to the 230 unemployed females, 112 had been unemployed for less than 3 months, 88 for between 3 months and 1 year, and 30 for more than a year.

QUESTION C

GREAT BRITAIN

JOB VACANCIES

100. The level of current vacancies, as calculated from a survey of employers, decreased by 43,400 (6.7%) from Oct-Dec 2004 to Oct-Dec 2006. The largest increase in current vacancies between Oct-Dec 2004 to Oct-Dec 2006 occurred in finance and business services (5%) and the largest fall was in distribution, hotels and restaurants (2.1%).

UK current vacancies by industry (level)

SIC92 sections	Dec-04		Dec-05		Dec-06		Change	
	Levels (000's)	% of total	Levels (000's)	% of total	Levels (000's)	% of total	Levels (000's)	% of total
All vacancies	645.4	-	596.8	-	602.0	-	-43.4	6.7%
Energy and water	2.9	0.4%	2.9	0.5%	3.7	0.6%	+0.8	+0.2
Manufacturing	60.9	9.4%	49.9	8.4%	48.8	8.1%	-12.1	-1.3
Construction	21.6	3.3%	22.4	3.8%	19.8	3.3%	-1.8	-0.1
Distribution, hotels & restaurants	195.3	30.3%	173.5	29.1%	169.3	28.1%	-26.0	-2.1
Transport & communications	44.2	6.8%	36.8	6.2%	40.7	6.8%	-3.5	-0.1
Finance & business services	142.7	22.1%	139.5	23.4%	163.5	27.2%	+20.8	+5.0
Education, health & public admin	144.3	22.4%	142.3	23.8%	132.7	22.0%	-11.6	-0.3
Other services	33.4	5.2%	29.5	4.9%	23.5	3.9%	-9.9	-1.3
Total services	559.9	86.8%	521.6	87.4%	529.7	88.0%	-30.2	+1.2

Source: ONS Survey of Job Vacancies, seasonally unadjusted

101. The largest numbers of current vacancies arise in organisations of 2500+ employees, with 180,300 vacancies in Dec 2006. The fastest growth in current vacancies occurred in organisations with over 2500+ employees (2.6%) between Dec 2004 and Dec 2006, while organisations with 1-9 employees saw the largest fall at 1.2%.

UK current vacancies by size of enterprise (number employed)

	Dec-04		Dec-05		Dec-06		Change	
	Levels (000's)	% of total	Levels (000's)	% of total	Levels (000's)	% of total	Levels (000's)	% of total
All	645.4	-	596.8	-	602	-	-43.4	
1-9	95.9	14.9%	88	14.7%	82.2	13.7%	-13.7	-1.2
10-49	96	14.9%	87.8	14.7%	82.9	13.8%	-13.1	-1.1
50-249	95.3	14.8%	80.6	13.5%	82.3	13.7%	-13	-1.1
250-2499	181.5	28.1%	164.4	27.5%	174.3	29.0%	-7.2	0.8
2500+	176.7	27.4%	176.1	29.5%	180.3	30.0%	3.6	2.6

Source: ONS vacancy series, seasonally adjusted

NORTHERN IRELAND

102. 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.

Job Vacancies by Standard Occupational Classification 2000 (SOC2000) notified to JobCentres: 2001-2006 calendar years.						
Calendar Year	2001	2002	2003	2004	2005	2006
Major SOC2000 groups						
Managers & Senior Officials	1,654	1,814	1,834	2,581	2,861	3,217
Professional Occupations	815	927	610	1,118	1,223	1,252
Associate Professional & Technical Occupations	1,822	1,523	2,741	3,419	5,515	5,457
Administrative & Secretarial Occupations	6,269	6,181	5,203	6,691	7,400	8,216
Skilled Trade Occupations	5,502	4,860	4,939	5,598	6,140	6,551
Personal Service Occupations	4,639	4,509	4,728	5,098	4,947	5,615
Sales & Customer Service Occupations	10,690	11,166	12,636	16,817	19,256	21,140
Process, Plant & Machine Operatives	3,134	3,728	4,666	5,031	5,258	5,278
Elementary Occupations	14,257	13,595	13,183	15,791	15,444	15,727
Not Known	66	110	103	63	68	69
Total	48,848	48,413	50,643	62,207	68,112	72,522

Footnotes:

- 1 Vacancies are classified by Standard Occupational Classification 2000 (SOC 2000).
- 2 All figures are derived from the DEL Client Management System (CMS).
- 3 Figures as at 5th January 2007
- 4 The calendar year is defined on the basis of 'Date Raised.'
- 5 The above figures do not account for positions 'added' or 'cancelled.'
- 6 The above total may not match exactly with the Vacancy Headline Figures in Table 2. This is because the figures above are reported with the caveats highlighted at points 4 & 5 above. Table 1 is based on specific reporting periods and also account for 'added' and 'cancelled' positions.
- 7 Figures above are provisional and may subject to future revision or adjustment.

ISLE OF MAN

103. The number of job vacancies held on file by the JobCentre in the months January and July during the period 2003 to 2006 are shown in the table below.

Year	JobCentre vacancies – end of January	JobCentre vacancies – end of July
2003	404	468
2004	495	704
2005	283	245
2006	237	201

104. The nature of job vacancies in the Isle of Man continues to be broadly comparable with the sectoral breakdown of the Island's economy, which in 2006 was:

Agriculture and Fisheries	2%
Manufacturing	5%
Construction	8%
Insurance, Finance, etc	23%
Tourism, catering & misc services	14%
Public Administration	7%
Professional & Scientific Services	20%
Transport & Communication (inc. IT)	9%
Other services	12%

Article 1, Paragraph 2

QUESTIONS A & B

Eliminating Discrimination in Employment

GREAT BRITAIN

Sex discrimination

1. Directive 2002/73/EC amended the 1976 Equal Treatment Directive (76/207/EEC) which established the EC principle of Equal Treatment for men and women with regard to access to employment, vocational training, promotion and working conditions. This Directive was published on 5 October 2002 for implementation by Member States by 5 October 2005. The Directive updated the law covering equality between men and women in the workplace to take into account changes to the EU Treaty and developments in European case law since the original Equal Treatment Directive was published. However, as the law in the UK was already well advanced, changes required by the Directive were relatively few. Nevertheless, the Government welcomed the opportunity the Directive gave to update and clarify the law.

2. The Employment Equality (Sex Discrimination) Regulations 2005¹, effective from 1 October 2005, made a relatively small number of amendments to the Sex Discrimination Act (1975) and the Equal Pay Act (1970) to ensure that the approach to sex discrimination in Britain is compatible with the Equal Treatment Directive. For instance, the regulations amend the Sex Discrimination Act 1975 to make explicit the fact that discrimination on the grounds of pregnancy and maternity leave, sexual harassment and harassment on the grounds of sex are unlawful. This was already the case but the British courts had previously to rely on case law alone.

3. The Government takes the view that a greater awareness by employers and individuals of their responsibilities and rights should lead to less discrimination in the workplace. The amendments made to legislation should make rights and obligations easier for individuals and employers to understand.

4. In line with the Directive, the Government:

- a) encourages employers and those responsible for vocational training to promote measures to prevent all forms of discrimination on grounds of sex, in particular harassment and sexual harassment in the workplace;
- b) in accordance with national law, national traditions and practice,
 - i) promotes social dialogue between social partners to foster equal treatment;

¹ <http://www.opsi.gov.uk/si/si2005/20052467.htm>

- ii) encourages the social partners to conclude collective agreements laying down anti-discrimination rules; and
 - iii) encourages employers to promote equal treatment for men and women in the workplace; and
- c) encourages dialogue with appropriate non-governmental organisations which have, in accordance with national law and practice, a legitimate interest in contributing to the fight against discrimination on grounds of sex with a view to promoting the principle of equal treatment.

5. From April 2007 all public authorities at both national and local levels have a statutory duty under the Equality Act 2006 to pay due regard to the need to eliminate unlawful sex discrimination and harassment between women and men and to promote gender equality. The duty requires public bodies to demonstrate that they treat men and women fairly. The duty applies to their functions as employers as well as their policy making and service provision functions. Public authorities are required to draw up and publish gender equality schemes setting out how they will meet this duty. Employees, trade unions and service users must be consulted on the gender equality schemes. Public authorities must report on their progress against the scheme each year and review it every three years.

6. The Government promotes dialogue between the social partners by funding initiatives, research and guidance. UK tradition and practice does not include promotion by the government of collective agreements as a model preferable to any others for employer-employee dialogue on equality or any other grounds, and it would be inconsistent with that tradition and practice for the government to do so now. However, the statutory Advisory, Conciliation, and Arbitration Service, now known simply as "Acas", offers advice on a range of dialogue methods including collective bargaining.

7. The Women and Work Commission was established as an independent Commission to consider the wide ranging influences that have contributed to the gender pay gap and to make recommendations on how they might be addressed. One of its four key themes was 'improving workplace practice'. The Commission considered the general factors shaping women and men's labour market experience such as access to employment, occupational segregation, the experience of full-time and part-time work, progression in the workplace as well as discrimination in the round. The Chair of the Commission was a representative of the non-governmental organisation, the Women's National Commission, and its membership comprised representatives from the trade unions, large and small businesses and their representative bodies, education and skills, local government and public sector employers and the voluntary sector.

8. The Commission presented their report, *Shaping a Fairer Future*, to the Prime Minister in February 2006. The report proposed a wealth of practical ideas and contained 40 recommendations covering skills, training, part-time work etc. The Government has recently issued an update on progress in implementing the Commission's recommendations in their report *Towards a*

*Fairer Future*¹. It describes the comprehensive and co-ordinated programme of action across government and how government is working closely with a wide range of organisations which have an interest – including employers, trade unions, and the voluntary sector – many of whom play a key role in tackling the issues.

9. Examples of the actions being taken include improvements to careers information, advice and guidance in order to inform career choice and development, thus addressing one of the causes of occupational segregation; improvements to targeted initiatives to support disadvantaged women to secure sustainable employment and to progress in work; extension of the right to request flexible working which from 6 April 2007 has made 2.65 million people with caring responsibilities eligible to request flexible working; funding to encourage more use of part-time working in senior positions; exchanges of employer good practice; initiatives to increase the numbers of women setting up in business; and support for trade unions to work with employers to resolve problems and promote equality in the workplace.

10. The Government regularly consults the Equal Opportunities Commission, the Women's National Commission, which is an "umbrella" body for women's non-governmental organisations, and a wide range of other non-governmental organisations on issues related to combating sex discrimination.

Age Legislation

11. Since last reporting on this provision, the Government has completed implementation of the age provisions of Council Directive 2000/78/EC in relation to Great Britain. The Employment Equality (Age) Regulations 2006², that implemented the bulk of the Directive's provisions on age, came into force on 1 October 2006. The remaining provisions relating to occupational pensions – the Employment Equality (Age) (Amendment No. 2) Regulations 2006³ – came into force on 1 December 2006. The implementation of the age regulations followed extensive consultations involving a wide range of stakeholders.

12. The regulations protect employees and people in vocational training from unlawful discrimination, harassment and victimisation. They apply throughout the employment relationship and in certain circumstances after the employment has ended.

13. The "Acas" good practice guidance to inform employers and individuals of their new rights and responsibilities under the new legislation, and separate DTI guidance on the occupational pensions aspects of the legislation, were launched at the Opportunity Age conference held in April 2006. The objective

¹ http://www.womenandequalityunit.gov.uk/women_work_commission/

² The Employment Equality (Age) Regulations 2006. SI No. 2006/1031
<http://www.opsi.gov.uk/si/si2006/20061031.htm>

³ The Employment Equality (Age) (Amendment No. 2) Regulations 2006. SI No. 2006/2931
<http://www.opsi.gov.uk/si/si2006/20062931.htm>

of the conference was to reinforce the DTI's response to the demographic challenge and reduce age discrimination in the workplace. The full range of social partners was represented.

14. *Age Positive*, which was originally launched in 1999, is an ongoing campaign to raise the awareness of the cost benefits of a mixed age workforce, the business benefits of age diverse practices and preparing employers for the new legislation. This is a well-regarded government campaign which is designed to encourage employers, particularly small and medium employers, to change ageist practices and culture and to provide opportunity and choice for their older workers.

15. The *Age Positive* campaign is supported by the *Age Partnership Group* (APG) 'Be Ready' National Guidance Campaign, which was launched May 2005 and was funded to run through to October 2006. Designed as an intensive activity and awareness raising campaign, it was developed to support the ongoing work of the *Age Positive* campaign through the distribution of practical information and guidance materials to all employers employing one or more employee throughout England, Scotland and Wales. This highly successful campaign has used media and direct mailings to create interest and raise awareness, for example, the campaign has provided basic information to over 1.4 million employers through direct mail and received over 160,000 requests for additional materials. An evaluation of over 1,650 organisations who received the products showed that 9 out of 10 rated the materials as good or better with a quarter describing them as excellent.

16. The success of both the campaigns is partly due to the ongoing support and guidance from the members of the three separate *Age Partnership Groups*, which consist of between 20-25 external organisations, representing England, Scotland and Wales. Each organisation was selected because of their commitment to addressing age-related issues in employment and representing the different needs of small, medium and large employers.

17. Although the proactive media activity has ended for both campaigns following the implementation of the age legislation in October 2006, the *Age Positive* work will continue in some format until the establishment of the Commission for Equality and Human Rights

18. The DTI's communications activity also focussed on employers, through the placement of ministerial articles in the trade press (in particular targeting small and medium-sized businesses and the human resources sector). To help individuals understand their new rights, DTI launched a publicity campaign to communicate the introduction of the age regulations. This programme ran until March 2007.

19. In addition, DTI provided funding for projects, delivered by non-governmental organisations, to develop further guidance for individuals to increase awareness of their new rights under the age regulations.

WALES

20. The Government of Wales Bill was introduced to Parliament in December 2005 and received Royal Assent in July 2006. Following the elections in May 2007, the new Government of Wales Act 2006 came into effect. This new Government of Wales Act (GOWA 2006) will continue our duty to promote equality of opportunity.

21. Section 77 of the GOWA 2006¹ requires Welsh Ministers to make appropriate arrangements with a view to securing that their functions are exercised with due regard to the principle that there should be equality of opportunity for all people. After each financial year Welsh Ministers must publish a report containing a statement of the arrangements made for this purpose together with an assessment of how effective those arrangements were in promoting equality of opportunity.

22. Prior to the separation of the National Assembly for Wales into two separate bodies (the Assembly Commission and the Welsh Assembly Government) the National Assembly for Wales operated an Equality of Opportunity Committee whose purpose was to ensure that effective arrangements were in place in order to promote the principle of equality of opportunity for all people in the exercise of its functions and the conduct of its business.

23. The Committee had a strong interest in seeing that a dialogue with groups representing minority and disadvantaged interests took place at all levels within the National Assembly. In order to help to achieve this, the Equal Opportunities Commission, the Commission for Racial Equality, the Disability Rights Commission, Stonewall Cymru and the Welsh Language Board had standing invitations to attend meetings of the Committee as advisers.

Equality Schemes

Race Equality Scheme (RES)

24. The Welsh Assembly Government launched its revised Race Equality Scheme (RES) in March 2005. RES aims to develop and implement long-term positive change in its work to eliminate any unlawful racial discrimination, promote race equality and promote good race relations. RES is underpinned by corporate and Department Action Plans for Welsh Assembly Government Departments. These plans set out what they will do to achieve the scheme's aims.

Disability Equality Scheme (DES)

25. The Disability Discrimination Act 2005 introduces a new positive duty on the public sector to promote equality of opportunity for disabled people.

¹ http://www.opsi.gov.uk/ACTS/acts2006/ukpga_20060032_en_6#pt2-pb5-l1g77

The Welsh Assembly Government engaged and involved disabled people in the development of its Disability Equality Scheme (DES) which formally launched on 14 November 2006. Since the publication of the scheme the Welsh Assembly Government has established a Critical Friends network in order to continue a regular and meaningful dialog with disabled people. The network includes disabled people and representatives from disability organizations.

Gender Equality Scheme (GES)

26. The Sex Discrimination Act 1975, as amended by the Equality Act 2006, came into force on the 6 April 2007 and places a general duty on public authorities in Wales to:

- promote equality of opportunity between men and women; and
- eliminate unlawful sex discrimination and harassment.

27. However, the specific duties do not apply to public authorities operating wholly and exclusively in Wales. The Welsh Assembly Government plans to develop its own specific gender duties in order to reflect both our own commitment to gender equality and the specific policy context in Wales. The Welsh Assembly Government has developed a Gender Equality Scheme and Action Plans which was launched on 26 March 2007.

Single Equality Scheme

28. RES, DES and GES will continue to run until April 2008, when a Single Equality Scheme will be launched with departmental action plans covering race, disability and gender issues as well as age, sexual orientation, religion and belief. The Single Equality Scheme is to form part of a mainstreaming approach in which all equality issues will be considered as part of routine business.

Work undertaken to underpin the legislation

29. The Strategic Equality and Diversity Unit is responsible for strategic support and guidance to Welsh Assembly Government colleagues on equality and diversity. Every portfolio area has responsibility to promote equality of opportunity under s77 of the Government of Wales Act 2006. Aspects covered include:

- Adoption of the Social Model of Disability;
- Mainstreaming Equality Strategy;
- Equality Audit;
- Equality Champions Network;
- Race Equality Scheme; (see above)
- Disability Equality Scheme; (see above)
- Gender Equality Scheme; (see above)
- Equality Impact Assessment;
- Equalities Evidence Base Review; and a Multi-strand approach.

NORTHERN IRELAND

Fair Employment and Treatment

30. There is no substantial change to the information previously provided.

31. As far as Employment Rights are concerned, there have been the following developments. The Work and Families (NI) Order 2006 introduced a range of new and improved rights for working parents, such as:

- extending Statutory Maternity and Adoption Pay and Maternity Allowance by up to six months;
- introducing a power to provide new 'Additional Paternity Leave and Pay' for fathers; and
- extending the right to request flexible working to wider groups, e.g. carers from April 2007.

Such provisions are expected to have a positive impact on promoting equal opportunities in the workplace for groups with caring responsibilities in NI, the majority of whom are women (according to the 2001 NI Household Panel Survey, 19% of adult women in NI have caring responsibilities, compared to 13% of adult men).

Education

32. The Education (Northern Ireland) Order 2006 gave effect to the revised Northern Ireland school curriculum from August 2006, with the detail, i.e. the curriculum minimum content, to be phased in from September 2007 by The Education (Curriculum Minimum Content) Order (Northern Ireland) 2007. The revised curriculum includes a new area of citizenship, which will be compulsory from Year 1 onwards. Citizenship will provide young people with opportunities to explore issues such as diversity, inclusion, how discrimination can arise and ways of promoting good community relations.

Age legislation

33. The Employment Equality (Age) Regulations (Northern Ireland) 2006¹ implement the age strand of the European Employment Directive (2000/78/EC) in Northern Ireland. The Regulations were made on 13 June 2006 and came into operation on 1 October 2006 (1 December 2006 in relation to the occupational pension aspects of the Regulations). They mirror very closely the corresponding Age Regulations in Great Britain.

¹ <http://www.opsi.gov.uk/Sr/sr2006/20060261.htm>

Sex Discrimination

34. Equality is a devolved matter in Northern Ireland, which has its own sex discrimination and equal pay legislation corresponding to that in Great Britain.

35. Directive 2002/73/EC amending the 1976 Equal Treatment Directive (76/207/EEC) which established the EC principle of Equal Treatment for men and women with regard to access to employment, vocational training, promotion and working conditions was implemented in Northern Ireland by the Employment Equality (Sex Discrimination) Regulations (Northern Ireland) 2005¹ which came into operation on 5 October 2005. These Regulations correspond to those made in Great Britain. They made a relatively small number of amendments to the Sex Discrimination (Northern Ireland) Order (1976) and the Equal Pay Act (Northern Ireland) 1970 to ensure that sex discrimination in Northern Ireland is compatible with the Equal Treatment Directive. For instance, the regulations amend the Sex Discrimination (Northern Ireland) Order 1976 to make explicit the fact that discrimination on the grounds of pregnancy and maternity leave and sexual harassment and harassment on the grounds of sex are unlawful. This had previously been the case but the courts had to rely on case law.

36. In line with the Directive, the Northern Ireland administration, working through the Equality Commission for Northern Ireland (a non-Departmental public body), has adopted the following methods:

- d) encourages employers and those responsible for vocational training to promote measures to prevent all forms of discrimination on grounds of sex, in particular harassment and sexual harassment in the workplace;
- e) in accordance with national law, national traditions and practice,
 - i) promotes social dialogue between social partners to foster equal treatment;
 - ii) encourages the social partners to conclude collective agreements laying down anti-discrimination rules; and
 - iii) encourages employers to promote equal treatment for men and women in the workplace; and
- f) encourages dialogue with appropriate non-governmental organisations which have, in accordance with national law and practice, a legitimate interest in contributing to the fight against discrimination on grounds of sex with a view to promoting the principle of equal treatment.

37. The Northern Ireland administration regularly consults the Equality Commission for Northern Ireland and a range of non-governmental organisations on issues related to combating sex discrimination.

¹ <http://www.opsi.gov.uk/Sr/sr2005/20050426.htm>

UNITED KINGDOM

In its Conclusions XVIII-2, the Committee asks whether nationals of States Parties to the Charter and revised Charter not members of the EEA may be employed in the civil service by virtue of an Alien's certificate in jobs not involving the exercise of public authority or inherently connected with the protection of the public interest or national security and if so under what circumstances.

38. The Government would explain that there are ongoing developments described below on which the Committee will be informed when implemented, but the position generally continues to be that an alien (i.e. a person who is neither a Commonwealth citizen nor a British protected person nor a citizen of the Republic of Ireland), may be employed in any non-reserved post in a civil capacity under the Crown if a certificate in respect of his or her employment has been issued by the responsible Minister under the Aliens' Employment Act 1955. Under section 1(1)(b) of this Act, an alien may be employed in any civil capacity under the Crown if a certificate in respect of his or her employment is issued by the responsible Minister with the consent of the Cabinet Office on behalf of the Minister for the Civil Service. The responsible Minister must be satisfied that section 1(2)(a) or section 1(2)(b) of the Aliens' Employment Act 1955 is met for the employment to be lawful. This means that the Minister is satisfied that either no suitably qualified person who satisfies the nationality rule is available for employment in that service or that the alien possesses exceptional qualifications or experience fitting him/her for such employment.

39. Before considering the employment of an alien, the department or agency must attempt to recruit a person eligible under the nationality rules. Only if this fails may an alien be recruited in accordance with the normal rules governing recruitment to the post.

40. If a certificate of employment is signed by the responsible Minister, the alien will be given a conditional (nationality) appointment which is valid for a maximum of five years. If the alien subsequently becomes eligible for permanency (e.g. through naturalisation), the appointment may be converted to a permanent one. Only 67 aliens' certificates were in force during 2005-6. Information on 2006-7 is currently being collated.

41. However, the Committee may wish to note that the Crown Employment (Nationality) Bill is currently before Parliament, but has yet to be enacted. The provisions of the Bill, when enacted, would extend to relaxing the nationality rules to allow all nationals the opportunity to apply for employment in the Civil Service on the basis of fair and open competition and selection on merit.

42. In the meantime, the European Communities (Employment in the Civil Service) Order came into force on 7th March 2007. The Order amends previous legislation (the Aliens' Employment Act 1955 and EC (Employment in the Civil Service) Order 1991) to clarify the criteria for reserving posts to UK nationals only. The effect is that 70,000 posts (mostly in HM Revenue and

Customs) which were previously restricted to UK nationals are now open to EEA, Swiss and Turkish nationals and certain of their family members, and citizens of the Commonwealth. As a result some 95% of all Civil Service posts are now available, in addition to UK nationals, to non-UK nationals falling within the categories described above.

QUESTION C

43. The position continues to be as previously described

QUESTIONS D - G

Prohibition of Forced Labour

44. The government has ratified ILO Conventions 29 and 105 on the abolition of forced labour. Copies of the UK compliance Reports on both Conventions for the period 01/06/2005 to 31/5/2007 are attached as **Appendices 1B** and **1C**. The position remains generally as described therein and in previous reports.

ISLE OF MAN

QUESTON A

45. The position remains generally as previously described with the following update.

46. The Employment Act 2006 re-enacts the existing right, in the Employment Act 1991, of employees not to be dismissed on grounds of their religious belief or related reasons, but removes the one year qualifying period that was previously necessary to claim unfair dismissal on such grounds. The 2006 Act also classifies dismissal on the grounds of sexual orientation as unfair dismissal.

47. Now that the work of bringing the 2006 Act in force has been completed, the Department of Trade and Industry has begun work on new anti-discrimination in employment legislation. The Department intends to carry out an initial public consultation on the Employment Equality Bill (formerly called the Employment Discrimination Bill) before the end of 2007. It is intended that in addition to prohibiting discrimination in employment on a number of grounds the Bill will also update and amend the Employment (Sex Discrimination) Act 2000.

QUESTION B

48. There is no substantial change to the information previously provided. In seeking to develop anti-discrimination legislation and practice the Department of Trade and Industry maintains a policy of full public consultation with all relevant bodies.

49. The Department employs an Equality Advisor to advise both employers and employees on best practice in respect of equality at work.

QUESTION C

50. Protection against discrimination on the grounds of trade union membership has been set out in Isle of Man law for a number of years. However with the enactment and coming into force of the Employment Act 2006, that protection has been strengthened and widened.

51. Under the Employment Act 1991, as amended, applicants were protected against discrimination at recruitment on grounds related to trade union membership or activities etc. As of 1st May 2007, under the 2006 Act that protection has been extended to cover discrimination on grounds of the applicant's *past* trade union membership and activities.

52. Under the 1991 Act employees were protected against both action short of dismissal and dismissal for exercising their right to be, or not to be a member of a trade union, to take part in union activities etc. Under the 2006 Act from 30th September 2007 the existing right has been extended to cover some other types of trade union activities such as use of trade union services. The right has also been extended to cover all workers, not just employees. Workers are protected against any detriment for exercising trade union rights and dismissal of an employee on these grounds will be automatically unfair.

53. In addition, from 30th September 2007 inducements by employers to workers to be, or not to be, trade union members or involved in union activities, or not to have their pay or conditions negotiated by collective bargaining, have been made unlawful. A worker who is offered an unlawful inducement may be awarded a payment of £2,500. Workers are protected against any detriment for refusing an inducement, and dismissal of an employee on this ground will be automatically unfair.

54. A copy of the Employment Act 2006 is provided with this report for information.

Prohibition of forced labour

QUESTIONS D-F

55. There is no substantial change to the information already provided. There is no forced or compulsory labour as specified in Article 2 of ILO Convention No. 29 permitted in the Isle of Man.

QUESTION G

56. There is no substantial change to the information previously provided and the Custody Rules 2001 continue to set out the relevant provisions. It is worth noting, however, that a new prison is scheduled to become operational in spring 2008. It is hoped that this new facility will be able to offer a greater degree of work and training opportunities to those inmates who wish to engage in such activities.

ARTICLE 1, Paragraph 3

QUESTION A

GREAT BRITAIN

The Provision of Free Employment Services

Operation and placement activities

1. All Jobcentre Plus districts produce local Employer Engagement Plans which make use of the knowledge of local office staff to identify those employers who are best placed to help its customer group. The Plans are supported by national data on the types and volumes of jobs offered in each locality.

2. This allows local offices to target employers with whom they can generate the most effective and efficient relationships by filling their jobs and providing opportunities for priority claimants. Typically such employers might:

- provide high volumes of vacancies in occupational areas;
- have diversity policies which complement Jobcentre Plus's own objectives;
- have agreed with Account Managers to consider specifically recruiting from among our priority customers; or
- represent new and expanding business interests in the area.

3. In addition to the standard service provided to all employers, including convenient access to Jobcentre Plus services, vacancy display on a highly rated website and access to a customer pool of over 5m people, local Jobcentres have discretion to offer additional help where this will support the engagement of key employers. The main factor for deciding additional support is that the vacancies offered match the needs identified in the district Engagement Plan.

4. Additional support as part of this District 'Employer Offer' could include the offer of programmes such as: Work Trials; New Deals; the provision of interview facilities and access to information and labour market advice.

5. The Annual Report and Accounts of Jobcentre Plus show the following:

- From April 2004 to March 2005 – 1,117,097 jobless people were placed into work by Jobcentre Plus out of 3,284,916 jobs notified showing a placement rate of around 34%.
- From April 2005 to March 2006 – 861,295 jobless people were placed into work by Jobcentre Plus out of 2,978,048 jobs notified showing a placement rate of around 30%.

6. The seasonally adjusted claimant unemployed count (12 month average) is as follows:

Year	All	Men	Women
April 2004 to March 2005	861,700	639,700	222,000
April 2005 to March 2006	944,700	697,300	247,400

Source: <http://www.statistics.gov.uk/STATBASE/tsdataset.asp?vlnk=430&More=Y>

QUESTION B

The Organisation of Public Employment Services

Further development of Jobcentre Plus

7. The Jobcentre Plus Implementation Programme is one of the Government's biggest change programmes to date. The Programme will complete on time and within its £2.2bn budget, delivering a completely refreshed delivery network to support new delivery processes.

8. Jobcentre Plus was formed in April 2002, inheriting the delivery networks of the former Employment Service and those parts of the former Benefits Agency delivering services for people of working age. The accommodation and logistics were largely unsuitable for the delivery of modern services with new business processes and communication channels being introduced. A programme was developed for the refurbishment and replacement of the offices of the former Benefits Agency and Employment Service. However, this was more than just an estates programme. The change has encompassed new business processes, improved IT, the introduction of a contact centre network and investment in learning and development for staff to equip them to deliver the new service.

9. Additionally, as Jobcentre Plus moved to new delivery channels, making its services accessible over the telephone and Internet, there is no longer a need for a Jobcentre in every High Street. In many areas we have been able to enhance the new service delivery arrangements through a flexible approach to service delivery in conjunction with partner organisations. This includes, for example, the location of touch-screen Jobpoints, telephones in Local Authority premises and the delivery of some information and advisory services through third party premises.

10. The Implementation Programme is now virtually complete, with only a handful of sites remaining. As of 14 June 2007, 855 Jobcentre Plus offices have been rolled out across the country. Claimants make initial contact by telephoning a contact centre to make a claim for a Jobcentre Plus benefit. Claim forms are constructed from information gathered over the phone and an appointment is then made for the customer to see a personal adviser in the nearest Jobcentre Plus office.

11. The handling of benefit claims has been restructured through the centralisation of processing work from several hundred dispersed sites to some 77 larger Benefit Processing Centres by 2008 using new standardised processing to provide a more consistent service.

Vacancy handling and filling

12. The average time required to fill a Jobcentre Plus vacancy was 41 days in 2006. However, from May 2006 Jobcentre Plus introduced changes to its vacancy handling procedures. Vacancies notified to Jobcentre Plus now have a closure date agreed with the employer and are automatically withdrawn on the closure date unless the employer advises that a later date is required. There is no longer an operational need to follow up vacancies and record whether they have been filled. Consequently, it is no longer possible to monitor whether vacancies have been filled or to analyse average durations for the filling of such vacancies.

QUESTION C

Co-ordination of Public and Private Employment Services

13. Jobcentre Plus continues to work collaboratively with the private recruitment sector. It has now developed a formal partnership with the Recruitment and Employment Confederation (REC) to promote public and private sector collaboration across the industry. The REC is the trade association for the UK's private recruitment and staffing industry, with a membership of more than 8000 businesses and over 6000 recruitment consultants (between 60-70% of the industry), bound by a code of professional practice.

14. Jobcentre Plus is committed to working with the REC, its members and other private recruitment agencies to increase the range, quantity and quality of vacancies available. By working together to fill agency vacancies with priority customers, Jobcentre Plus and the recruitment sector is able to achieve more than acting independently.

15. As part of this work, a joint Jobcentre Plus/REC diversity charter has been developed as a means of raising recruitment standards and challenging poor practice. The charter consists of a diversity accord between Jobcentre Plus and the REC, a pledge for individual recruitment businesses to sign, together with a diagnostic self-assessment tool, and supporting toolkit. The Diversity Charter is an important collaboration across public and private sectors and was awarded 'The Social Initiative of the Year' at the Trade Association Forum Good Practice Awards 2006.

16. Jobcentre Plus meets with the REC on a quarterly basis and is developing a joint forward action plan. Further examples of recent collaboration have included a series of regional workshops between Jobcentre Plus operational staff and REC officials to promote joint work at a local level; the delivery of a presentation by Jobcentre Plus to the REC's

Diversity Forum and support for a diversity award as part of the REC's Temporary Workers Week 2007.

17. Jobcentre Plus accepts vacancies from private recruitment agencies via its contact centre network – Employer Direct and online through EDon (Employer Direct online). Jobcentre Plus does not keep records of the number of vacancies notified to Jobcentre Plus by private agencies, but estimates that this accounts for around 30% of all vacancies placed.

18. The conditions governing the operation of employment agencies are contained within the Employment Agencies Act 1973, and subordinate regulations, most significantly the Conduct of Employment Agencies and Employment Businesses Regulations 2003. Although Jobcentre Plus, as part of the Department for Work and Pensions, has crown exemption from these regulations, it has sought legal advice on how best to conduct its operations within the spirit of the legislation.

QUESTION D

Participation of Representatives of Employers and Workers in the Organisation and Operation of Employment Services

19. Meeting employers' needs is central to the Department's objective of helping people move from benefits into sustained work. Employers are under no obligation to place vacancies with Jobcentre Plus. In order to encourage and engage them effectively, it is considered essential to give them a voice in determining the design and delivery of recruitment services. This is also reflected in the Employer Engagement Strategy that has introduced a clear focus on building relationships with employers at a national, regional, and local level through the establishment of a National Sales Team. Where relationships have been established, the National Sales Team encourages employers to employ those people who are particularly disadvantaged in the labour market. Jobcentre Plus consults its employer customers regularly through surveys and sector specific market research. Information gathered is passed on to the Jobcentre Plus National Sales Team to influence Jobcentre Plus products and policy.

20. Employer representative groups (e.g. Sector Skills Councils) contribute to the development of employment services policies through their involvement in Local Strategic Partnerships, Regional Strategic Partnerships, the National Employer Panel, the new Commission for Employment and Skills and the Learning and Skills Council.

21. Jobcentre Plus consults regularly with a wide range of organisations representing the interests of its customers, particularly those customers most disadvantaged in the labour market. Liaison is typically with specialist advocacy/rights groups and occurs at all levels of the business (district, region and national). At a national level, as well as consulting/communicating through the range of Departmental forums (e.g. DWP Annual Forum; DWP Policy and Strategy Forum; DWP Disability Forum) Jobcentre Plus meets

every two months with members of its own Customer Representative Group Forum:

- Child Poverty Action Group;
- Citizens Advice;
- Disability Alliance;
- Local Government Association;
- MIND;
- National Association of Welfare Rights Advisers;
- One Parent Families;
- RETHINK;
- Royal National Institute for the Deaf (RNID);
- Royal National Institute for the Blind (RNIB);
- Social Security Advisory Committee; and
- Trade Union Congress (TUC).

22. The key objectives of the Forum are to:

- Share information on current Jobcentre Plus operations, performance and future plans and to take soundings from members;
- Give members a forum for raising issues and concerns on the Jobcentre Plus benefit delivery system and to make suggestions for improvements;
- Provide a mechanism for resolving issues either at the forum meetings or through other supporting processes; and
- Ensure that any key messages from this Forum are disseminated down to local level.

23. The Forum has been in operation now for 6 months and its Terms of Reference are under review.

QUESTION E

Provision of Legislation or Administrative Guarantees

24. The position remains generally as previously described. Jobcentre Plus has standards of service its customers can expect, which are set out in a leaflet titled 'Our Service Standards'. The standards include commitments to:

- answer the phone within 30 seconds;
- endeavour to see customers on time if they have an appointment; and
- reply within 10 working days to those customers who write.

25. The Service Standards also contain a commitment to treating all customers as individuals in giving them the service they need.

NORTHERN IRELAND

QUESTION A

26. Through its portfolio of programmes and services, the Department for Employment and Learning (DEL) aims to deliver a high quality, customer focused service and to improve employability and thereby increase employment.

27. In the past the Department's client group typically comprised of people actively seeking work. Welfare reform has concentrated efforts on those furthest from the labour market who are on social security benefits. This includes people with significant barriers to employment due to health problems, complex personal circumstances, or poor vocational, academic and employment skills. The needs of clients and the suitability of programmes and services are under continual assessment and the Department monitors closely the developments and outcomes in GB to assess their relevance to the Northern Ireland situation.

28. "JobCentreOnlineNI", which came into operation on 17th January 2001, is a web-based service that displays on the Internet all vacancies received by the Department's network computer system (CMS).

29. Touch screen kiosks located in JobCentres/Jobs & Benefits offices, which display vacancies using the same system, have also been available since November 2000.

30. On 7 June 2004, the Department launched "EmployersonlineNI" providing an electronic medium through which employers can now notify and manage their own vacancies and the job applications received from jobseekers in response.

QUESTION B

31. The Department is currently engaged with the Social Security Agency in a major programme of co-location of Jobcentres and Social Security Offices to create new Jobs & Benefits offices. These co-located offices provide a joined-up work-focused benefits service. Currently 25 Jobs & Benefits offices have opened and a procurement exercise continues to secure sites for the final 10 offices.

32. The Frontline Service Review Project aims to introduce a new fully integrated front line model to all Jobs & Benefits offices within the network. The intention is to have highly skilled advisers who are be fully equipped to assist the full range of client employability needs - from those who are more job-ready and able to re-enter the labour market quickly, to those at the other end of the scale who need significant help in addressing their employability needs before applying for jobs. The new delivery model will be introduced on a phased basis from April 2007.

33. Employers remain pivotal to the Department in its efforts to modernise

its Employment Service and arrangements now, increasingly, reflect a focus on those employers best positioned to provide job opportunities most suitable for the Department's priority clients i.e. those furthest removed from the labour market.

34. "Bridge to Employment" provides customised training for unemployed adults seeking to enter or return to the labour market and is usually linked to the specific needs of employers. "Worktrack", a temporary employment programme lasting up to 26 weeks, which provided work experience to participants, closed in September 2005. The Disablement Advisory Service also provides specialist help and support to people with disabilities seeking to train and find work.

QUESTION C

35. In Northern Ireland the conditions governing the operation of employment agencies are contained in the Employment (Miscellaneous Provisions) Order 1981¹ (the '1981 Order') and the Conduct of Employment Agencies and Employment Businesses Regulations 2005² (the 'Conduct Regulations'). The Conduct Regulations came into operation in September 2005 and had the effect of updating the legislation, most significantly by enhancing protections for agency users, both work-seekers and hirers. In addition, the 1981 Order was amended in January 2006 to provide the Department for Employment and Learning with powers to enter and inspect agency premises and records with a view to enforcing the governing legislation.

36. The Recruitment and Employment Confederation (REC) represents most private employment agencies and agency businesses in Northern Ireland. Following extensive consultation with the REC a Memorandum of Understanding was developed. The Memorandum defines the agreed key areas of responsibility for the Private Employment Agency and the Department for Employment and Learning and sets out the intentions of both parties in respect of vacancy notification by private employment agencies and the servicing of such vacancies by JobCentres and Jobs and Benefit Offices. From December 2003, private employment agencies have been required to sign the Agreement before placing vacancies with JobCentres and Jobs and Benefit Offices.

37. The agencies and the JobCentre/Jobs and Benefits office network continue to work together towards their common aim of helping people into employment. Vacancies from private employment agencies are advertised on JobCentreonline and jobseekers are referred according to employers' instructions.

38. The Department also has responsibility for regulating the conduct of private recruitment agencies operating in Northern Ireland under the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981 and

¹ www.uk-legislation.hmso.gov.uk/si/si2005/20053424.htm

² www.opsi.gov.uk/sr/sr2005/20050395.htm

the Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005¹.

ISLE OF MAN

QUESTION A

39. The JobCentre, which is part of the Department of Trade and Industry, offers free and impartial advice on employment opportunities to all of its clients. The JobCentre is open during office hours Monday to Friday and there is always access to all the current job vacancies. The job list created by the JobCentre is updated daily, and it can be viewed at any Post Office, library, or regional DHSS office Island-wide, and on-line at www.gov.im/dti/jobcentre. The JobCentre can provide interview facilities for those wishing to employ, and can provide information and advice for those wishing to undertake further training. The JobCentre also offers a comprehensive Curriculum Vitae word processing service.

40. One aim of the JobCentre is to provide a strong link between employers and prospective employees free of charge. Its Employment Advisors are available to provide impartial career and employment advice, help with compiling a CV, completing application letters and forms, and can help with interview techniques and practice.

41. For employers the JobCentre advertises vacancies free of charge; including advertisement on the website. As part of its service the JobCentre is able to distribute supplied application packs, job descriptions and application forms. Vacancies can be supplied to the JobCentre via phone, fax, email, or in person. The JobCentre also has private interview facilities available for use by employers and prospective employees.

42. The Disability Employment Service is also located within the Job Centre.

43. There are a number of private employment agencies in the Isle of Man. The services of these agencies are generally free to those seeking employment (with some strictly limited exceptions set out in law) but a charge is made to employers.

44. Information in respect of the number vacancies held on file by the JobCentre and on duration of unemployment has been provided in the responses under Article 1(1).

¹ www.opsi.gov.uk/sr/sr2005/20050395.htm

QUESTION B

45. The JobCentre described in response to Question A is based in Douglas, the Island's capital and main population centre. As stated, the job list created by the JobCentre is updated daily, and it can be viewed at any Post Office, library, or regional DHSS office Island-wide, and on the website. Given the nature and size of the Isle of Man (221 sq. miles – 572 km²) it is not considered that further regional organisation of employment services is required.

QUESTION C

There is no significant change to the information provided in the previous report.

QUESTION D

46. The Department of Trade and Industry continues to hold regular meetings with representatives of the Isle of Man Chamber of Commerce and the Isle of Man Trades Union Council to discuss a range of employment related issues.

47. When developing new employment legislation the DTI has a policy of full public consultation to ensure that the views of all interested parties are available to it.

QUESTION E

48. It is the policy of the Isle of Man Government that its employment services provided by the Job Centre, run by the Department of Trade and Industry, should be free to all persons eligible to work in the Isle of Man.

49. The Employment Agencies Act 1975 continues to provide that, with certain limited exceptions, private sector employment agencies are generally prohibited from charging a fee to individuals seeking employment through the use of their services.

Article 1, Paragraph 4

1. Please see the Government's response in respect of Articles 9, 10 and 15 as set out below under the revised reporting procedure.

Article 9

QUESTION A

1. Access to services in the United Kingdom and the Isle of Man continues to be free of charge.

ENGLAND

Young People

The Committee noted that in 2005 the Government published a consultation document on improving vocational advice and guidance and that it proposed to respond to the consultation in 2006. The Committee asked to be informed of the outcome.

2. Connexions has had a number of successes in providing better support for young people who are not in education, employment or training. It has high levels of customer satisfaction and a strong inspection record. It achieved its key target to reduce the proportion of 16-18 year olds who are not in education, employment or training (NEET) by 10 per cent between November 2002 and November 2004. It was charged with building on the lessons learned from this to contribute to the Department of Education and Skill's strategies to raise participation and reduce the proportion of young people NEET by 2 percentage points between 2004 and 2010.

3. The Youth Matters Green Paper, published July 2005, set out proposals for improving information advice and guidance (IAG) for young people. Youth Matters: Next Steps¹, published March 2006, built on this, setting out plans for future IAG delivery.

4. The wider reforms introduced by Every Child Matters and Youth Matters mean that Connexions needs to be integrated with a wider range of services that support young people in local areas. The Connexions Service is currently going through a process of transition. Following the publication of Every Child Matters: Next Steps, children's trusts are being set up in each local authority area and funding which goes directly to 47 Connexions partnerships will, by April 2008, go directly to all 150 local authority areas. The Department has also set aside additional funding for both 2006-07 and 2007-08, known as the Transition Support Fund, to help Connexions partnerships and local authorities meet reasonable Connexions transition costs.

5. A Connexions Service specification has been produced for Local Authorities which is consistent with the fundamental principles of [Every Child Matters](http://www.everychildmatters.gov.uk/)² and will play an integral role in the delivery of the proposed agenda

¹ www.dfes.gov.uk/publications/youth/

² <http://www.everychildmatters.gov.uk/>

for reform on services for children and young people. The full report is available via the link below¹.

Adult Guidance

6. The Skills White Paper - *Skills: getting on in business, getting on at work*, launched in March 2005, recognised the progress which had been made and set out the long-term ambition, that everyone should be able to get help if and when they want it; to take stock of where they are in their lives and their careers; to review where they would like to get to and assess what steps they can take to get there.

7. To help determine how best to achieve this goal we jointly conducted a review of IAG (with DWP, DTI, LSC, Ufi **learn**direct, Jobcentre Plus and SSDA (Sector Skills Development Agency)) exploring the wider potential for a comprehensive, intensive advice and guidance service for adults. The aim was a universally available, highly respected, and well-used IAG service offering linked information on jobs, qualifications, training and related services such as childcare. The review of IAG was concluded by the end of 2006. A number of design principles for a future service have emerged from the IAG Review. These include;

- That a national, coherent and integrated skills and career service for adults should be available which, working with Sector Skills Councils(SSCs), employers and others, promotes a positive, proactive approach to career management and coaching rather than a remedial one.
- The opportunity to make a choice about the nature, level and type of services taken up should be central to the offer. There should be access to a standardised menu of specific activities, clearly stated and supported by a set of service standards and 'public-facing' quality assurance arrangements.
- Delivery should be personalised so people receive the support they need in the most effective way through a flexible support framework which responds to individual need.
- Individuals should be encouraged to dip in and out of the menu of services at different times along their career pathway (with an outreach engagement strategy for harder-to-reach groups).
- Some services will be available through self-managed activities and some supported/mediated interventions.
- A clear statement of service entitlement to users should underpin the offer. There will be a cost for some services, and the statement of entitlement should clearly indicate these, as well as when costs may not apply and who is eligible for free services.
- A universal entitlement to an initial 'career health check'/MOT should be considered, with more specific supported entitlements for priority

¹ <http://www.everychildmatters.gov.uk/files/3804D7C4B4D206C8325EA1371B3C5F81.pdf>

target groups, including those for whom guidance may be linked to benefits.

- There should be one public-facing brand and logo (with possible additional strap lines/service descriptors as appropriate).
- The service should be provided by a workforce of competent, professional and para-professional advisors with trained volunteers working within a national, coherent career and Continuing Professional Development structure.
- There should be effective arrangements in place to ensure smooth transition between IAG services for young people and adults.

8. The recent report of the Leitch Review of Skills recommended for England the creation of a new universal adult careers service, bringing together the current separate sources of advice and working closely with Jobcentre Plus, to enable people to make informed choices about improving their skills and encourage progression in their learning, work and careers. At the heart of this integrated service would be a free Skills Health Check to help people identify their skills needs and strengths. This recommendation aligns closely with the thinking emerging from the IAG Review.

9. To inform the review in January 2006 the DfES contracted with Ufl to trial the provision of guidance over the telephone. The trial is aimed at individuals who were seeking to progress their careers, typically to a Level 3 qualification or beyond (including anyone currently below Level 2) and those returning to work from career breaks. The findings of the external evaluation of the telephone guidance trial were encouraging and included:

- Outcomes already achieved by users were impressive. 30% had started learning or training courses and 20% said they have gained employment since their first call.
- The service helped build confidence, helping users to plan for participation in learning. They became more confident in their ability to learn and more aware of the learning opportunities available to them.
- It has successfully generated demand for careers guidance among people who haven't had any help recently - 75% of users haven't used careers guidance since leaving school; and it's reached its intended target groups - 55% women; 60% either unemployed or not in work; and 36% qualified to Level 2 but don't yet hold a Level 3 qualification.
- Telephone was the preferred medium via which to receive guidance for many users who valued the convenience and accessibility of the service.
- 86% of users rate the quality of advice as good and expert assessment shows that it is often as good as the best face-to-face guidance.
- 52 per cent of callers indicated that the telephone guidance service had been a significant or quite a big influence in helping them to make decisions about their career.
- Career planning helps people achieve more positive outcomes, and the trial encourages people to take a more proactive approach in planning their future.

10. A recent study of the impact of IAG (*IES: Intermediate Impact of Advice and Guidance 2005*) identified that as a result of the information and advice they had received over 70 per cent of people had applied for a course of training and 48 per cent of these had actually taken up training.

SCOTLAND

11. Careers Scotland is the main provider of the all-age careers information, advice and guidance service in Scotland and was formed by the Scottish Executive in April 2002. The service is provided by Scottish Enterprise (SEn) and Highlands & Islands Enterprise (HIE).

12. Careers Scotland's' priorities address the Scottish Executive's wealthier & fairer and smarter objectives. It aims to:

- invest in young people, equipping them with the underpinning knowledge, skills and "can do" attitudes they need to make effective career decisions throughout their lives;
- reduce economic inactivity among young people, targeting young people (16-19) who are unemployed and those still at school facing specific barriers to employment, or at risk of disengaging; and
- improve productivity through personal career planning, providing access to personal career planning support for people of all ages to secure the best fit between individuals' aspirations and changing labour market opportunities.

13. In December 2006 Scottish Ministers decided that the work of Careers Scotland (in both SEn & HIE areas) would be refocused on the provision of one-to-one career guidance to those in transition – young people at school, those who are or are in danger of becoming NEET and adults who need special help e.g. offenders or older people wanting to remain in the workplace. This refocusing will have the effect of increased provision in schools. This refocusing work is having the effect of ensuring that the service offered by Careers Scotland evolves with other changes. Scottish Ministers also carried out a public consultation in 2006 on the future structural position of that part of Careers Scotland within Scottish Enterprise. Final decisions have yet to be taken.

14. The Career Service Review Committee Report which led to the establishment of Careers Scotland set out 6 principles governing the career guidance service to be offered to the public. These principles are: impartial, informed, client-centred, confidential, coherent and all-age. The refocusing work mentioned above is also predicated on these principles. The principles guarantee that the service offered links training to employment.

15. In addition the Scottish Executive has also set out an action plan for dealing with vulnerable young people who are not in education, employment or training ("More Choices, More Chances") and a framework for employability ("Workforce Plus"). Careers Scotland has an important role to play in each of these and thereby provides the link between guidance and support services

and work. Jobentre Plus, the UK provider of information on jobs, works closely with Careers Scotland to do this.

ISLE OF MAN

16. The Careers Service, which is part of the Department of Education, provides careers advice and guidance to those in full time education and adults of any age who may be seeking a career change or assistance with job-hunting skills:

- a) Access to services is free of charge;
- b) Vocational guidance is carried out in both private and public sectors;
- c) There is a well stocked careers library at the careers centre and schools and the Isle of Man College has its own careers libraries;
- d) All careers advice is given with background information on employment opportunities. The Department of Education works closely with the Department of Trade and Industry (which runs the Island's JobCentre), particularly in the area of vocational guidance;
- e) Improvements can be made through a Corporate Government approach in this area, with close cooperation between relevant Departments, particularly the Department of Education and Department of Trade and Industry. The new Government Strategic Plan 2007 – 2011 includes the following aim: *"To create opportunities for self development through life long learning, training and education"*;
- f) The Careers Service has no special measures in place to assist disabled persons as the service has a policy of inclusion and advice is given to all irrespective of any disability. In addition, the Department of Trade and Industry works in conjunction with the Department of Health and Social Security in providing support for disability in the workplace. An Employment Equality Bill is planned and it is envisaged that the Bill will include disability as one of the grounds on which discrimination in employment is prohibited.

QUESTION B

ENGLAND

17. The position remains as previously described.

SCOTLAND

18. One of the goals of Scotland's lifelong learning strategy '*Life Through Learning; Learning Through Life*' is 'A Scotland where people are given the information, guidance and support they need to make effective learning decisions and transitions'.

19. Workforce Plus - An Employability Framework for Scotland, launched in June 2006, sets out actions at both national and local level to create partnership working for employment. It gives a framework within which all organisations supporting people into work can create at the local level a set of integrated employability services. These services will tackle the multiple barriers preventing people from working and provide people with the right skills and knowledge to take up employment opportunities so that everyone who wants to work can find a job and can progress in work. One area recognised by Workforce Plus is the need to support those with low skills and in low paid jobs to be able to progress to higher skills and higher paid jobs.

20. Another initiative to support social advancement is to stimulate demand for learning. Learndirect Scotland does this through national campaigns, a network of over 500 learning centres across Scotland and the National Learning Opportunities Database. Learndirect Scotland is also the delivery agent for Individual Learning Accounts (ILA). There are two ILA schemes – one universal and the other targeted on those earning less than £18,000 a year.

21. Also it is recognised that the lack of literacy and numeracy skills can be a barrier preventing people from advancing in learning and work. The Scottish Executive is tackling this through the Big Plus initiative providing funding at the local and community level on a social practice model, which sees literacy as a key dimension of community regeneration and a part of the wider lifelong learning agenda. Such an approach recognises that literacy and numeracy are complex capabilities, rather than a simple set of basic skills, and that learners are more likely to develop and retain knowledge, skills and understanding if they see them as relevant to their own problems and challenges.

22. The Scottish Executive has established a Cross-Directorate Working Group on Occupational Segregation. This is dealing in a strategic way with gender equality issues as they impact on occupational segregation. The Group is gathering evidence about policies already in place to determine what effective policy interventions might be made in the early years and throughout the various stages of formal education, in vocational training and in employment.

ISLE OF MAN

23. Careers guidance is available to those already in employment who wish to enhance their skills to advance in employment, education or training.

QUESTION C

ENGLAND

Young people

24. The Secretary of State has a statutory duty under the Trade Union Reform and Employment Rights Act 1993 to provide all young people with access to careers advice. Schools are required under statute to provide a programme of careers education and to have an accessible careers library that contains up to date information on careers and post 16 progression opportunities. The provision of Careers information by DfES for young people became part of the Connexions remit, and this year has become part of the wider agenda of Children, Young People and Families Directorate. The careers information produced by the DfES ensures that all schools have access to the same impartial and up to date information.

Adults

25. Since 2005 the DfES have been working with Sector Skills Councils (SSCs) to further develop the role of SSCs in providing labour market information to develop and improve information and advice about learning and work. Eventually there will be comprehensive information about all careers to guide people in choices of skills development, moving jobs or relocation.

SCOTLAND

26. The situation remains as previously described.

ISLE OF MAN

27. The provision of information by the Careers Service includes:

- a wide range of careers leaflets;
- Higher Education prospectuses for reference or loan;
- reference books for loan;
- a number of computer programmes to assist in career choice;
- a vacancy placing service for employers seeking young people to fill full-time vacancies; and
- internet access for job and course seekers.

QUESTION D

ENGLAND

The Committee asked for up-to-date figures on expenditure and staffing, and full information on the number of beneficiaries in order to assess the coverage of the vocational guidance service more precisely.

28. The budget for the Connexions Service was £470m in 2004-05, £475m in 2005-06 and £476m in 2006-07. Information on the amount spent specifically on vocational guidance is not collected centrally. More detailed figures than the following are not available.

**Number of interventions with young persons in England for the years
2005 – 2006**

Interventions in England	2006	2005
Total Interventions	5,222,982	4,263,594
With those in Compulsory Education	40%	40%
With those in Further/Higher Education	14%	15%
With those in Work Based Learning and Government Supported Training	6%	5%
With those in Employment	7%	8%
With those NEET	33%	32%

29. Coverage of the Connexions service is universal and is now available in the form of Connexions Direct (<http://www.connexions-direct.com/>) which provides high quality information, advice and support to young people aged 13 -19 via telephone, text message, adviser on line (webchat) and email. The contact centre operates between 8am and 2am seven days a week, 365 days a year.

30. Furthermore, schools are required under statute to provide a programme of careers education and to have an accessible careers library that contains up to date information on careers and post 16 progression opportunities. The careers information produced by Connexions ensures that all schools have access to the same impartial and up to date information.

NORTHERN IRELAND

31. There is no substantial change to the information already provided with the exception of the following update. In the period 1 January 2005 to 31 December 2006 approximately £10 million was spent on vocation guidance in Northern Ireland (£5M per annum). This figure includes staffing costs for the Careers Service and programme funding for careers resources, the National Learning Advice Line, and educational guidance services for adults.

ISLE OF MAN

32. The information requested is as set out below:

a) In 2006/07 the budget of £1,539,355 for the Department of Education's Youth and Community section included £176,866 specifically for the careers service. In addition, the Department of Trade and Industry's vocational training strategy budget was £267,330;

- b) 5 careers advisers – all hold the Diploma in Careers Guidance;
- c) Approx 3000 per annum of whom approximately half will be under 18. There is a complete range of educational attainment; and
- d) The Careers Service and Isle of Man College are based in Douglas. The secondary schools are located in major centres of population across the Island. Given the size of the Isle of Man it is not considered necessary for there to be regional branches of the Careers Service.

QUESTION E

33. There is no change to the position previously described.

Article 10, Paragraph 1

1. The United Kingdom (UK) has accepted Article 15 of the European Social Charter. Services for the disabled are reported on and are described below under the revised reporting arrangements.

2. The UK has ratified ILO Convention No. 142 (Human Resources Development). A copy of the UK's Report covering the period 1/6/1998 to 31/5/2003 is attached at **Appendix 10 A**.

QUESTION A

ENGLAND

3. In 2004, Lord Leitch was asked by the Government to identify what the UK's optimal skills mix would need to be in 2020 to enable the nation to maximise economic growth, productivity and social inclusion, and to consider the policy implications of achieving the level of change required. Lord Leitch's final report was published in 2006 and the Government has accepted the analysis and committed to achieving the ambitions for 2020.

4. *World Class Skills: Implementing the Leitch Review of Skills in England*¹ sets out how, working with our partners, Government will deliver its ambition, building on the existing Skills Strategy and FE reform programmes.

Education expenditure (in £millions)

3. The most relevant education expenditure figures for the period are as follows:

	2004-05 Outturn	2005-06 Estimated Outturn	2006-07 Planned	2007-08 Planned
Further Education, Adult Learning, Skills and Lifelong Learning	7,927	8,574	8,873	9,546

SCOTLAND

5. The Education (Scotland) Act 1996 established the Scottish Qualifications Authority as the main accrediting and awarding body in Scotland for all national qualifications including Scottish Vocational Qualifications. Further and Higher Education are legislated by the Further and Higher (Scotland) Act 1992. Community Learning is subject to Section 1 of the Education (Scotland) Act 1980 and the Further and Higher Education (Scotland) Act 1992. There are many specific acts of legislation to cover social inclusion for all in Scotland.

¹ http://www.hm-treasury.gov.uk/independent_reviews/leitch_review/review_leitch_index.cfm

6. There are 43 colleges of Further Education in Scotland. They provide much of the country's vocational education and training as well as a wide range of higher education courses, mainly at Higher National Certificate or Diploma level, but also in some cases at degree level. Many colleges have also developed close links with particular universities or other higher education institutions to which students can transfer after gaining Higher National Diploma qualifications.

7. The Scottish Executive is committed to increasing opportunities for vocational education for school pupils and to strengthen links between schools, colleges and businesses. New 'Skills for Work' courses have been developed by the Scottish Qualifications Authority. These are practical courses designed to be an equivalent option to an existing qualification, such as a Standard Grade. They are suitable for all and have employability skills at their core. The courses enable young people to learn through experience and acquire both the practical skills and attitudes which are needed to be successful in the workplace such as communication and problem solving. The courses are intended to provide pathways to further learning, training and employment. They are principally delivered through school and college partnerships.

WALES

Higher Education

8. The Higher Education Funding Council for Wales (HEFCW) administers and allocates funds to support education and research in HE institutions (universities and colleges of higher education) and HE courses provided by Further Education (FE) colleges. HEFCW has been allocated funding of £414.88m for 2007-08, plus £17.550 for the Reaching Higher Budget.

NORTHERN IRELAND

Legislation

9. 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. In both cases at least one-third of the courses must be general (academic) and at least one-third vocational or professional and technical.

10. The target date for the full implementation of the Entitlement Framework is September 2009, when 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.

ISLE OF MAN

11. The Department of Trade and Industry (DTI) has broad responsibility for the administration, financing and policy of vocational training in the Isle of Man, including a strategic approach in terms of the skills, needs of the economy, and financial assistance to individuals and employers. However, the actual provision of vocational training courses has recently been transferred to the Department of Education.

- a) The Department of Trade and Industry 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) was introduced by the Department in September 2006. The new Scheme replaced five vocational training schemes which provided support to individuals and/or organisations in connection with vocational training.

The training Schemes replaced were:

- Scheme for the Further Training of Craftsmen and Technicians 1989
- Agriculture and Horticulture Craft and Technician Scheme 1990
- Sea Fishing Training Scheme 1990
- Scheme for the Training of Merchant Navy Officers 1990
- Craft and Technician Training Scheme (Manufacturing, Construction and Service Industries) 1995.

The nature of these former schemes was that they were very prescriptive, some were specific to particular sectors of the economy, and they no longer provided the flexibility or full range of provisions that the Department would wish to utilise in support of the current vocational training needs of the Island. In order to ensure that funding is directed to priority areas, organisations or individuals applying for financial assistance under this new Scheme will be asked to provide 'business case' information so that benefits to the individual, organisation and ultimately the economy, can be established.

- b) In the financial year 2006/07 the budget of the DTI's Training and Employment Group, covering the Department's vocational training responsibilities, was £2,354,752.
- c) The DTI operates a single vocational training centre, with the instructional staff being employed by the Department of Education. Office Technology courses are now based at the Isle of Man College.
- d) Currently there are 12 lecturing staff working on a rotational basis between the Isle of Man College and the Training Centre.
- e) Approximately 1100 persons undertake full-time or part-time vocational training each year.

QUESTION B

ENGLAND

Centres of Vocational Excellence (CoVEs) and National Skills Academies (NSAs)

12. The first three National Skills Academies were announced by Ministers on 31st October 2006. These were in the sectors of Construction, Manufacturing and Financial Services. The fourth National Skills Academy, in the Food and Drink sector, was announced in January 2007. All first round NSAs are now launched and operational. A further four NSAs from the second round prospectus in the sectors of Nuclear, Chemical Process Industries, Hospitality and Creative and Cultural have also been announced. This second batch of NSAs are finalising their business plans and due to be launched in Autumn 2007.

Sector Skills Councils

13. The Leitch Review of Skills recommended a new clear remit for the SSCs, focussed on: leading qualifications reform; collating and communicating sector labour market data; raising employer engagement, demand and investment through, for example, SSAs; and considering the introduction of collective measures such as levies or licences to practice.

14. In its response published on 9 November 2006, the Government agreed that it is essential that SSCs articulate the full range of employers, especially small and medium sized enterprises. The Government is working with the Skills for Business Network to develop the capacity and capability of SSCs to ensure that they are progressing to "exemplar" levels of the SSC Standard, and are effectively articulating the needs of the full range of employers, including small and medium sized enterprises.

15. Effective strategic and collective action by employers will only work if employers want this. The Government therefore will only license SSCs for significant sectors of economic and strategic significance where there is substantial employer leadership and support. There is a network of 25 licensed SSCs covering 80 per cent of the UK workforce. In addition a small number of strategic partnership arrangements with formal Memoranda of Understanding (MOUs) have been established in which several SSCs and key partners may work together. These arrangements cover local government, the voluntary sector, engineering construction and school support staff, bringing the total coverage of the network to approximately 89 per cent of the workforce.

16. However, the Government recognises that there are some functions that underpin the efficient working of labour markets in different sectors that must be delivered whether or not there is a SSC. The Sector Skills Development Agency (SSDA) is responsible for ensuring that essential

functions, such as the updating of labour market intelligence, are delivered for employers and individuals in sectors not covered by an SSC or strategic partnership arrangement.

SCOTLAND

17. The Cabinet Secretary for Education and Lifelong Learning has ultimate responsibility for the provision of all education and training in Scotland. The Scottish Modern Apprenticeship and SkillSeekers (for young people) programme are administered by Scottish Enterprise and Highlands and Islands Enterprise through a network of local enterprise companies (LECs).

18. Scottish Vocational Qualifications (SVQs) exist at five levels. These qualifications have been designed by employers, based on national occupational standards, for specific areas of employment and therefore relate to an individual's ability to do a specific job, based on actual working practices in real workplace conditions. Advanced level courses offered by the further education colleges lead to the award of Higher National Certificate or Diplomas (HNC and HND) and, in some colleges, to degrees. HNCs and HNDs are long established vocational qualifications covering a diverse and growing range of employment sectors. Colleges also provide programmes of training or study devised to suit certain needs. These programmes may match particular industry or business needs, for example a programme designed in collaboration with a college for multi-disciplinary engineering technicians from a petro-chemical plant; or a re-training programme; or other programmes of employer-related training.

19. In accordance with the provisions of the Further and Higher Education (Scotland) Act 1992, 43 FE colleges become incorporated (i.e. self-governing) with effect from 1 April 1993. The number of incorporated colleges now stands at 39. FE colleges are governed by a Board of Management comprising up to 16 members. There are also two colleges in Orkney and Shetland, which remain under the management of the local authority and receives 100% grant from them. Grant is also provided to two other colleges: Sabhal Mor Ostaig (the Gaelic College) and Newbattle Abbey College.

ISLE OF MAN

20. The DTI's responsibilities for providing financial support for vocational training are spread across all sectors of the local economy. Access to such support is related to a number of factors including, relevance to the local economy, local skills shortages and value for money.

21. A wide range of National Vocational Qualifications, Vocational 'A' levels (formerly GNVQ) and other professional qualifications are offered for full-time and part-time study and assessment.

22. 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 high employment, and skilled labour shortages in many sectors of employment, over 5200 students pursue their studies in the evening and at weekends with approximately 400 being given day or block release from employment.

QUESTION C

ENGLAND

23. A full description is given in the response under Article 9 above.

SCOTLAND

Employability Framework

24. 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. The Scottish Executive will work to align vocational and skills programmes and educational provision with business needs. Achieving this for the long-term means equipping all of our young people with the skills they need for adult life and work. The NEET strategy 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 our young people.

25. 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, Careers Scotland, Further and Higher Institutions, Local Authorities, voluntary sector, private sector and Project Scotland.

26. Careers Scotland also plays a key role in the other vocational programmes outlined in this document such as Modern Apprenticeships, Skillseekers, 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.

27. In 2004 the Scottish Executive undertook a Review of Funding for Learners which identified a number of key gaps and anomalies in the provision of funding to post-16 individual learners. One of these was the lack of clear information, advice and guidance (IAG), identified as a failing of the current system of learner support.

28. In 2005, a number of key actions were undertaken by the IAG Project to improve IAG on funding for learners. These were:

- Improved IAG services, including setting up a national service through the Scottish University of Industry (SUfi) to provide funding information to existing and potential learners and intermediary organisations; and providing funding for the proposed Child Poverty Action Group (CPAG) Students and Benefits Information and Advice service;
- Revised Publications including an Overview of Learning Funding plus additional publications for the coming academic year (including publications for specific groups such as disabled students, part-time workers and for practitioners giving advice to Asylum Seekers, Refugees, Migrant Workers and EU nationals);
- Wider dissemination of existing material including provision of funding for the CPAG Handbook "Benefits for Students in Scotland" and its dissemination on-line and by CD-ROM, and the further developments of the funding for learners website.

29. One of the goals of Scotland's lifelong learning strategy – 'Life Through Learning: Learning Through Life' – is 'A Scotland where people are given the information, advice and guidance and support they need to make effective learning decisions and transitions'. In Scotland, there are three bodies which make the links between learning and employment. These are Scottish University for Industry (SUfi), Careers Scotland (CS) and Future Skills Scotland (FS).

30. The role of SUfi is to promote lifelong learning and be Scotland's one-stop-shop to encourage people into learning and make learning available when, where and how it best suits their needs. The role of Careers Scotland is to provide an all age careers information, advice and guidance service. The role of FutureSkills Scotland is to analyse the Scottish labour market information across Scotland and work closely with Careers Scotland to provide the organisation and its clients with labour market information. Together they combine to ensure that those wishing to learn or to enter or remain in meaningful employment are fully supported to make the most of the provision available.

NORTHERN IRELAND

Vocational Higher Education

31. Foundation Degrees are intermediate, vocationally oriented higher education qualifications designed to address skills gaps at the associate professional and higher technician level. Another of the aims of Foundation Degrees is to increase participation in HE and stimulate lifelong learning.

32. 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 .

33. Foundation Degrees pilot programmes were initially developed in targeted occupational areas including Information and Communications Technology, Construction and the Built Environment and Hospitality and Tourism. Following a positive evaluation of the pilot programmes the Department for Employment and Learning invited the development of Foundation Degrees in any vocational discipline provided they meet all the relevant criteria for a Foundation Degree. In particular, that the Foundation Degrees meet the needs of employers as evidenced by engagement with the relevant Sector Skills Councils, meet National Occupational Standards and are flexible in delivery.

34. In 2001/02 there were 79 full-time and 56 part-time enrolments on Foundation Degrees. This had increased to 442 full-time and 308 part-time enrolments by academic year 2005/06. 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. This states that the number of Foundation Degrees in areas of priority skills will be increased significantly and that the Department will work closely with industry, especially the Sector Skills Councils to ensure Foundation Degrees meet significantly the needs of employers and are industry led.

ISLE OF MAN

35. The Isle of Man has accepted Article 9 and measures in respect of vocational guidance are described under that Article. The Isle of Man Government recognises the value of strong communication and working links between the Department of Trade and Industry, the Department of Education and the private sector.

QUESTION D

ENGLAND

Widening participation in higher education

36. The Office for Fair Access (OFFA) is an independent Non Departmental Public Body (NDPB), whose role is to ensure that no students from poor backgrounds will be disadvantaged by the fact that from September 2006 universities gained the freedom to vary the level of tuition fee.

37. Universities which wish to increase their fees above the current (£1,100) level will need to draw up an access agreement. An agreement, which will last for 5 years, will need to set out:

- the fee levels the institution wishes to charge (up to a maximum of £3,000);
- the courses to which the higher fees will apply;
- the outreach work to be undertaken by the institution with schools and colleges to help raise the level of attainment, aspirations and applications;
- 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.

38. However, it is also important that universities which wish to increase their fees play their full part in maintaining and widening access. The Government is, therefore, setting up a statutory framework to underpin universities' own efforts. OFFA will:

- consider and approve universities' access agreements;
- receive and, where necessary, comment on the brief annual report which universities will submit;
- consider 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
- review a university's overall effort and progress in implementing its access agreement as it comes up for renewal.

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

The Committee asked what the pass rate for students in higher education is, what proportion of graduates finds employment and how long it takes for them to find their first skilled job.

40. Statistics for non completion of courses and graduate employment for can be found on the Higher Education Statistics Agency website:

Non completion:

05/06 <http://www.hesa.ac.uk/index.php/content/view/588/141/>

04/05 <http://www.hesa.ac.uk/index.php/content/view/420/141/>

Graduate employment:

05/06 <http://www.hesa.ac.uk/index.php/content/view/592/141/>

04/05 <http://www.hesa.ac.uk/index.php/content/view/427/141/b>

SCOTLAND

41. The Scottish Credit and Qualifications Framework (SCQF) aims 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 SCQF is working to include the Recognition of Prior Learning (RPL) within the framework to include learning gained in formal, non-formal and informal settings which should be included in measuring individual aptitude for a course of training or study.

42. The Scottish Funding Council funds initiatives to support higher education institutions improve articulation from further to higher education and to widen participation in higher education and amongst students from under represented groups such as those from particular areas, those with disabilities and mature students who wish to study part time.

43. The Further and Higher Education (Scotland) Act 2005 merged the Scottish Further Education Funding Council (SFEFC) and the Scottish Higher Education Funding Council (SHEFC). In doing so, the vision of the Scottish Executive was to achieve the best possible match between the learning opportunities open to people and what is needed to strengthen Scotland's economy and society. A critical achievement in achieving this vision is a coherent and relevant system of high quality further and higher education, responsive both to the needs of learners and the needs of the Scottish economy. The Act requires the SFC and the bodies it funds to have regard to the educational and related needs (including support needs) of learners, and those who may wish to become learners.

44. The first spending review delivered significant additional resources for further and higher education, delivering 21% more funding in real terms since 2004-5 – that means 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 Council has a combined budget of £1.6bn with £1bn per annum going to Universities and £600m going to colleges.

WALES

Achieving wider access

45. Widening access is a key priority for the Welsh Assembly Government as set out in *Reaching Higher*. A key focus is on widening access to higher education for people of all ages who are traditionally under-represented in universities and colleges. A priority group is people living in Wales' Communities First areas and by 2005-6, the percentage of HE participants from Communities First areas rose from 8.9% to 9.9%. In addition to this priority group, *Reaching Higher* expresses a commitment to increase the representation in higher education from Welsh speakers, black and other minority ethnic communities and disabled students. Widening access work is taken forward by institutions as part of their widening access strategies, including their operation the new Welsh Bursary Scheme, and through four regional, collaborative partnerships with further education colleges, schools, Careers Wales and other stakeholders. The Higher Education Funding Council for Wales (HEFCW), supports this work.

46. In Wales, essentially those students leaving school who are appropriately qualified enter higher education. Widening access further, therefore, requires action to raise awareness, educational aspirations and skills of school-age students and adults with the potential to benefit from higher education. In addition to actions by individual institutions, a key vehicle for achieving this is the network of four regional higher education-led Reaching Wider partnerships working with a wide range of partners to engage students before they reach the transition stage to University. The Welsh Assembly Government has allocated approximately £2 million pounds to support the partnerships each year since 2002-03. The partnerships have the remit of: raising the educational aspirations of school-age students and adults through targeted activity on campuses, in the community and in the workplace; encouraging progression to higher level studies post-school at further or higher education institutions; and supporting attainment-raising activities to enable students to succeed at higher levels. This work has recently been reviewed and is being put on a more long-term financial footing.

NORTHERN IRELAND

47. The Department is now taking forward the recommendations of the Northern Ireland Higher Education Council (NIHEC) Expert Group report on proposals for the future direction of the Department's widening participation policies. Work is underway to develop and implement a regional strategy to widen participation in higher education by groups who are currently under-represented.

ISLE OF MAN

48. There are presently no university facilities in the Isle of Man. Students who wish to undertake university education apply for places in United Kingdom

establishments through the UK's UCAS system. Isle of Man students must meet "A" level grade criteria for admission in the same way as UK students. Currently, approximately 1,100 undergraduate and 120 post graduate students are supported each year by the Department of Education to further their studies at Higher Education establishments in the United Kingdom. The present policy of the Department is to support such students by payment of all annual tuition fees. In addition, a means tested maintenance grant is available, subject to the parental or contributor's income.

49. Whilst there is no university as such in the Island, the Isle of Man College and the International Business School do offer some further and higher education courses. The Department of Education supports about 250 students in further & higher education courses at these establishments each year.

QUESTION E

ENGLAND

50. Please see the response given under Paragraph 4 Question E

SCOTLAND

51. Vocational training is available to all those who request it, including nationals of other contracting parties to the Charter lawfully resident or working regularly in the United Kingdom. Disabled persons and those with learning difficulties are a priority group for assistance.

NORTHERN IRELAND

52. The Department is now taking forward the recommendations of the Northern Ireland Higher Education Council (NIHEC) Expert Group report on proposals for the future direction of the Department's widening participation policies. Work is underway to develop and implement a regional strategy to widen participation in higher education by groups who are currently under-represented.

ISLE OF MAN

53. Access to vocational training opportunities is available equally to all persons lawfully resident on the Isle of Man. In addition, the Disability Employment Service, located within the JobCentre, actively promotes the provision of training and employment opportunities for disabled persons.

ARTICLE 10, Paragraph 2

QUESTION A

ENGLAND

Government commitment

54. Apprenticeships are supported by government and industry as a high level, high quality technical qualification which will increase the technical skills base in the labour market.

55. The Government Public Service Agreement (PSA) target that 28 per cent of all young people aged 16-22 would enter Apprenticeships by 2004-2005. This was achieved with 176,631 starts in 2004/05. The new Performance Indicator for 2007/08 is on course to be met and probably exceeded. It calls for 75,100 completions; an increase of 75% over 2002/03 levels.

56. The Government is implementing the main recommendations of the Modern Apprenticeship Advisory Committee to ensure that all Apprenticeships meet the highest standards and to encourage take-up among employers and young people. It is now also implementing recommendations of an end to end review of Apprenticeships delivery.

57. A high powered employer led Apprenticeship Task Force, under Sir Roy Gardner of Centrica, worked to encourage a higher level of employer commitment to Apprenticeships and to further increase awareness and take-up. It completed its work and it published its final report in July 2005. Sir Roy Gardner accepted the invitation of Ministers to become Chair of the new Apprenticeship Ambassador Network. This new group of influential employers was launched early in 2006 and is working:

- to champion Apprenticeships to employers of all sizes with the aim of increasing the take-up of Apprenticeships, particularly in sectors with poor penetration; and
- to provide feedback to Government on issues which affect the quality and effectiveness of the Apprenticeships.

58. Looking to the future, the Government is developing an entitlement to funding for an apprenticeship place for all school leavers who meet the entry criteria. The entitlement will apply from 2013 (expansion of places from 2008) in line with the entitlement to study any one of the 14 Diplomas. Stronger links with Higher Education are also being built to ensure that apprentices who have the ambition and capacity to do so can enter Higher Education.

59. The Committee may wish to view the Apprenticeships website to gain an impression of how the system is currently operating¹.

QUESTION B

60. The number of young people participating in Apprenticeships is at a record level with more than quarter of a million now in learning (up from 75,000 in 1997); completion rates continuing to improve (currently in excess of 50%) and there are around 130,000 employers involved nationally.

61. In 2004-05, there was an average of 255,800 young people undertaking Apprenticeships in England - 101,800 on Advanced Apprenticeships and 154,000 on Apprenticeships (Statistical First Release, 23 March 2006). There are currently 250,000 apprentices in learning.

62. The PSA Target for 28 per cent of young people to enter an apprenticeship by age 21 in 2004/2005 has been met and the completion Performance Indicator for 2007/08 is on course to be met and probably exceeded.

63. Government spending on Apprenticeships through the Learning and Skills Council has risen from around £748m in 2004-2005 to £873m in 2006/2007

QUESTION C

64. There are 180 Apprenticeship Frameworks across 80 sectors. The top 10 sectors are Engineering, Construction, Hairdressing, Automotive, Business Admin, Hospitality, Early Years Care, Electrotechnical, Customer Service, Health & Social Care.

QUESTIONS D TO F

65. The situation remains as previously described.

SCOTLAND

QUESTIONS A – D

66. Modern Apprenticeships (MA) in Scotland follow a framework of training which sets out the qualifications to be achieved in order to complete their programme. The extent of practical and theoretical training is set down within this framework and the exact division of time will vary between sector and individual. There is no stipulation that the division in terms of time should be as we recognise that many candidates start their MA with an element of either practical or theoretical knowledge.

¹ <http://www.apprenticeships.org.uk/>

67. As all MAs are employed from the start of their training, candidates are selected and recruited by employers or training providers acting on behalf of an employer. It is therefore for employers to set out their selection procedures, although we publicise best practice to employers through Sector Skills Councils, trade bodies and employer representative groups.

68. Training providers who deliver the MA programme are audited on a range of indicators, including the procedures in place for the selection, training and competence of trainers. All organisations who deliver MAs must comply with the Scottish Quality Management System (SQMS) and over and above this; those who certificate vocational qualifications must be approved centres and are audited by the relevant awarding body. Trainers who certify these qualifications must be qualified to do so.

69. As all Modern Apprentices are employed from the start of their training, they receive a wage direct from their employer. Although there is no set wage (with market forces dictating the wage which varies from industry to industry), it had to be set at a rate higher than £55 a week, during this is the amount a non employed trainee would have received on a similar government programme. The duration of the Modern Apprenticeship varies on each sector depend on the extent of the training required to be undertaken. The MA programme is not time-based and the training is delivered at a pace dictated by the candidate.

Get Ready for Work

70. Get Ready for Work (GRfW) was introduced in April 2002 as the national programme for young people who without additional support are unable to access other training, learning or employment opportunities. It succeeded the Skillseekers Special Training Needs Programme. There are four strands to the programme delivering Life Skills, Core Skills, Vocational Skills, and Personal Skills which clients undertake depending on the assessment by Careers Scotland. Priority is given to 16-17 year olds with additional support needs who make up 90% of the young people on the programme. In 2005/6 a total of 8,998 clients registered with GRfW. Of these, 3,861 (43%) achieved a positive outcome, some 2,674 (69%) going into a job, 573 (15%) into fully time training and 614 (16%) into mainstream Skillseekers.

QUESTION E

71. The Scottish Executive report *More Choices, More Chances: A Strategy to Reduce the Proportion of Young People not in Education, Employment or Training (NEET) in Scotland* aims to address the 35,000 (13.5%) of young people in Scotland between the ages of 16 and 19 who are NEET. The NEET definition is broad and includes those from sub-groups such as: care leavers; carers; young offenders; young parents; low attainers; persistent truants; young people with physical/mental disabilities; young people misusing drugs or alcohol. The groups can also be broken down into

young people with little no additional support needs; those with intermediate needs and those with very complex needs.

72. The Scottish Executive is committed to increasing opportunities for vocational education and training for school pupils and to strengthen links between schools, colleges and businesses. New 'Skills for Work' courses have been developed by the Scottish Qualifications Authority. These are practical courses designed to be an equivalent option to an existing qualification, such as a Standard Grade. They are suitable for all and have employability skills at their core. The courses enable young people to learn through experience and acquire both the practical skills and attitudes which are needed to be successful in the workplace such as communication and problem solving. The courses are intended to provide pathways to further learning, training and employment. They are principally delivered through school and college partnerships.

QUESTION F

73. Vocational training is available to all those who request it, including nationals of other contracting parties to the Charter lawfully resident or working regularly in the United Kingdom. Disabled persons and those with learning difficulties are a priority group for assistance.

NORTHERN IRELAND

QUESTIONS A – F

Apprenticeships

74. The Jobskills Programme is delivered under contract by a network of approximately 70 Training Organisations (TO) that work in partnership with employers to provide qualifications. This includes Sector Training Councils and some large employers who have been awarded contracts for the delivery of Modern Apprenticeship training.

75. On 1st January 2005 there were 15,081 young people in training under the Jobskills programme (2,099 on Access, 6,455 on Traineeship and 6,527 Modern Apprentices). On 31st December 2006 there were 14,524 young people in training under the Jobskills programme (2,146 on Access, 6,246 on Traineeship and 6,132 Modern Apprentices).

ISLE OF MAN

QUESTION A

76. Financial assistance to employers with trainees under formal agreement was previously provided under the Craft and Technician Training Scheme established for Manufacturing, Construction and Service Industries 1995. The Scheme provided an entitlement for employers to receive support for all direct costs and a percentage of the trainees wage costs. These costs, for an

apprentice, included all Isle of Man College costs, all site assessment costs, and an average 20% of wages.

77. As referred to in Question A under paragraph 10(1), this Scheme has now been replaced by the Vocational Training Financial Support Scheme (VTFSS). In order to ensure that funding is directed to priority areas, the absolute entitlement of employers to receive financial support for trainees has been replaced under the new Scheme with a requirement to provide 'business case' information so that the benefits to the individual, organisation and ultimately the economy, can be established.

78. As wages have risen across all sectors, so have trainee wages. Minimum Wage legislation has also had an impact in this area, and the expansion of recognised vocational qualification into information technology and other technician level areas has escalated the level of average trainee wages. The Department of Trade and Industry found that it was not unusual to receive applications for support for trainees on £20-25,000 per year. In 2005/06, this meant that 43% of the DTI's training support was not being spent on training, but rather on subsidising wages.

79. Therefore the Department concluded that the money spent on wages subsidy would be of greater benefit if used to help workers in the Island to gain skills and qualifications. This has attracted some negative comments from the private sector, including concerns about attracting new apprentices without the wages subsidy, and some employers in the construction sector have questioned whether they would be willing to take on new apprentices without the wage subsidy.

80. However, analysis has indicated that the principal factor in attracting apprentices is the wages available once qualified, not while an apprentice. This can be illustrated by the fact that the DTI has in recent years received at least five applicants for every apprentice place available due principally to the earnings potential of skilled tradesmen.

81. In addition, the Department has drawn on the UK's experience in this area. The UK Government ceased providing similar wages subsidies a number of years ago, and a UK Government report found that trainees add significant value to their employer in excess of their wages. Therefore, the Department concluded that, based on the needs of the economy, and of trainees, the policy of wages subsidy did not offer best value for money.

82. In order to avoid a sudden impact on employers in these sectors, the Department decided that the grants would be progressively withdrawn over four years from 2006/07. The incremental reduction of £10 per week over a four year period is intended to afford employers the opportunity to reflect this change progressively in the level of wages paid to trainees.

83. Once these changes are implemented, whilst the DTI will cease to subsidise wages, the relevant trainees' employers will still benefit from the Government funding 100% of the cost of the training, which is double the

maximum that the DTI has specified for all new training support, hence vocational training funding will continue to be skewed toward the apprentice places.

QUESTION B

84. In the year 2006/7 428 apprentices were supported by the Department.

QUESTION C

85. In the financial year 2006/07 the DTI's total training expenditure was divided between various types of vocational activity as follows:

Agriculture (inc Horticulture)	£26,915
Construction	£576,088
Hair & Beauty	£37,596
IT	£35,720
Leisure	£12,500
Manufacturing/Engineering	£185,162
Motor Vehicle	£62,195
Retail/Wholesale	£9,460
Service Industries	£59,098
Sea Fishing	£29,646
Hospitality & Catering	£68,481
Office Technology	£105,155
Other	£20,963
Vocational Training Strategy Initiatives	£450,000

QUESTION D

86. The only apprenticeship schemes assisted out of public funds are those which include a training agreement to which the DTI is a party.

QUESTION E

87. The measures described are available to all categories of applicant who are able to display sufficient aptitude to complete the training programme satisfactorily.

QUESTION F

88. Access to apprenticeship training opportunities is made available to all persons lawfully resident on the Isle of Man. In addition, the Disability Employment Service, located within the JobCentre, promotes the provision of training opportunities for disabled persons.

ARTICLE 10, Paragraph 3

ENGLAND

QUESTIONS A – E

Skills for Adult Learners, in or out of the workplace

89. The spending on Jobcentre Plus training programmes and initiatives in the period 2005-2006 represents approximately 83% of the total on Jobcentre Plus welfare to work programmes and initiatives.

90. The Further Education White Paper 'Further Education: Raising Skills, Improving Life Chances' (March, 2006) announced the introduction of a new entitlement for a first full Level 3 qualification for those aged 19 to 25, supported by an expanded Adult Learning Grant (ALG), new funding for both of which was announced in the Budget on 23 March 2006.

91. The new 19-25 entitlement and national roll-out of ALG will both be implemented from 2007/8, creating a new integrated package of support for young adults continuing their initial education to Level 3. It builds on the existing entitlement to free tuition towards a first full Level 2 qualification (equivalent to 5 GCSEs at grades A* - C) for all adult learners and will help to tackle an area of particular weakness in skills development in this country.

92. In November 2006, 4.5 million learners had taken up 9.7 million of the language, numeracy and literacy Skills for Life learning opportunities and some 1,416,000 learners have achieved first Skills for Life qualifications.

93. The Level 2 entitlement plays a key role in tackling low skills and ensuring that all adults have the basic skills for employability and a platform for progression to higher levels of training. This is interpreted as covering any equivalent qualification in standard or breadth to 5 GCSEs at A* -C or a National Vocational Qualification at level 2.

94. The Level 2 entitlement provides free tuition for all adults studying for their first full level 2 qualification; the entitlement has been available nationally from September 2006.

QUESTION F

95. The situation remains as previously described.

SCOTLAND

QUESTION A

96. The range of provision available to adults through universities Continuing Education departments is wide and includes professional

updating, access courses, open lecture programmes, pre-retirement courses, part-time degrees, community outreach, courses for women returners and disadvantaged groups, and in-service training (for HM Forces and the police service). On-site provision to local companies also features within these university programmes. Additionally, part-time courses leading to diplomas and degrees are offered by a number of the universities. The Open University (OU), which has an office and more than 13,600 students in Scotland, also plays a considerable role here and is of particular importance.

97. Among other bodies providing adult education, the Scottish Trades Union Congress (STUC) offers courses in health and safety, employment law, technology and employee counselling as well as sponsoring a university Diploma in Industrial Relations.

98. Other providers include the National Extension College and the Open College of Arts. There are also a number of independent colleges which provide, for example, secretarial training and modern language teaching for adults. Important national umbrella bodies supporting adult education include Learning Link and the Scottish Adult Learning Partnerships. Voluntary organisations play an important part in adult education at both national and local levels. The Workers' Educational Association (WEA) has for many years provided a service similar to that provided by the Continuing Education departments of the universities. Other voluntary bodies offering adult education include the churches, the Scottish Community Drama Association (SCDA), Linking Education and Disability (LEAD) and the English Speaking Union (ESU), as well as a number of small local groups

99. The Scottish Executive's Partnership Action for Continuing Employment (PACE) initiative offers a locally co-ordinated public sector response to help workers affected by a large scale redundancy to access opportunities to help them find alternative employment. Support is provided by each local response team which aims to ensure a rapid and comprehensive response from local agencies in terms of offering advice, support and guidance on the wide range of retraining/upskilling and employment opportunities. The types of support will be tailored to meet individual needs and local circumstances. This will include: Jobcentre Plus services; counselling on career development; comprehensive information packs; access to high-quality training; access to IT facilities; seminars on skills such as CV-writing and job application completion; advice on starting a business and self employment.

QUESTION B

100. The arrangements for vocational training and activity in Scotland are covered elsewhere in this document.

QUESTION C

101. The measures described are applicable to all categories of interested workers in Scotland.

QUESTION D

102. The figures on the various training schemes requested are not collated centrally but the following figures on Modern Apprenticeships in Scotland up to 31/12/2005 are available.

Scottish Enterprise area- all ages		Scottish Enterprise area- 25 and over	
1 Construction	6740	1 Management	2500
2 Management	3071	2 Health and Social Care	2138
3 Motor Vehicle	2750	3 Construction	632
4 Health and Social Care	2695	4 Hospitality	602
5 Electrotechnical	2372	5 Early Years Care and Education	349
6 Engineering	2130	6 Health and Safety	205
7 Hospitality	1842	7 Motor Vehicle	147
8 Business & Administration	1647	8 Electrotechnical	137
9 Plumbing	1610	9 Customer Service	136
10 Customer Service	1334	10 Accounting	124
11 Early Years Care & Education	1305		
12 Hairdressing	480		
13 Dental Nursing	399		
14 Heating and Ventilation	396		
15 Accounting	286		
16 Amenity Horticulture	263		
17 Health and Safety	259		
18 Travel Services	248		
19 Engineering Construction	235		
20 Retail	223		
21 Gas	221		
22 Information Technology	168		
23 Vehicle Parts Operations	146		
24 Learning and Development	136		
25 Engineering (OPITO)	129		
26 IT User	126		
27 Sport and Recreation	125		
28 Printing	102		
29 Chemical Manufacturing	94		
30 Call Handling	86		
Male 68.8%, Female 33.2%		Male 42.5%, Female 57.5%	

Highlands and Islands Enterprise area- all ages		Highlands and Islands Enterprise Area- 25 and over	
1 Construction	1109	1 Management	87
2 Electrotechnical	300	2 Health and Social Care	84
3 Engineering	208	3 Construction	54
4 Plumbing	193	4 Hospitality	52
5 Hospitality	161	5 Customer Service	28
6 Vehicle Maintenance and Repair	132	6 Business & Administration	26
7 Motor Vehicle	116	7 Electrotechnical	26
8 Management	108	8 Plumbing	21
9 Health and Social Care	107	9 Accounting	19
10 Business & Administration	83	10 Early Years Care and Education	18
11 Customer Service	74		
12 Early Years Care and Education	14		
13 Accounting	28		
14 Sport and Recreation	28		
15 Engineering Construction	28		
16 Retail	28		
17 Hairdressing	27		
18 Agriculture and Commercial Horticulture	27		
19 Heating and Ventilation	19		
20 Electricity	11		
21 Marine Engineering	17		
22 Meat	17		
23 Vehicle Body and Paint Operations	14		
24 Warehousing and Distribution	13		
25 Aquaculture	13		
26 Electronic Servicing	10		
27 Learning and Development	9		
28 Animal Care	6		
29 Information Technology	6		
30 Aviation	6		
Male 82.3% , Female 17.7%		Male 51.3%, Female 48.7%	

QUESTION E

103. The measures described are applicable to all categories of interested workers in Scotland.

QUESTION F

104. Access to adult training and retraining is available to all those who request it, including nationals of other contracting parties to the Charter lawfully resident or working regularly in the United Kingdom. Disabled persons and those with learning difficulties are a priority group for assistance.

ISLE OF MAN

QUESTION A

105. All training provisions and facilities, including apprenticeships, are available to adult workers.

106. As is explained in response to Paragraphs 1 and 2 of Article 10 above, the VTFSS is a Scheme that offers financial assistance to organisations or individuals for vocational training, with the specific purpose of raising the skills of the Island's workforce, particularly in areas where there are identified shortages of suitably trained workers.

107. In addition to specific vocational training courses that assist adult workers to return to work and for which the DTI provides funding, the Department also runs Jobsearch workshops that deliver skills such as interview techniques, job application skills, and personal presentation to those seeking work.

QUESTION B

108. The type of vocational training undertaken by adults is broadly spread across the various economic sectors. The availability of employment is a key factor, but with continuing low levels of unemployment (1.4% in June 2007), most sectors are seeking workers.

QUESTION C

109. The measures described are applicable to all workers.

QUESTION D

110. In 2006/07, with an increase in the number of short courses and bespoke training being provided, over 2000 adult workers attended training (including retraining) of various types.

QUESTION E

111. The Isle of Man Government does not provide any measures that specifically target adult women wishing to take up or return to work. Measures are available equally to men and women.

QUESTION F

112. Access to adult training and retraining opportunities is made available to all persons lawfully resident on the Isle of Man. In addition, the Disability Employment Service, located within the JobCentre, promotes the provision of training opportunities for disabled persons.

ARTICLE 10, Paragraph 4

ENGLAND

QUESTION A

113. In higher education, full-time student places for “home” and EU students attending UK Higher Education Institutions (HEIs) are mainly subsidised by the taxpayer in the form of grant paid to institutions by the funding councils. “Overseas” student places are not subsidised and so in practice institutions generally charge the market rate to those students to cover their costs.

114. In addition to the subsidy received by the institutions for home/EU students, HEIs may charge those students tuition fees of up to the maximum rate of £3070 in the 2007/08 academic year. From 2006 universities and colleges of higher education were able to charge new full-time undergraduates fees of up to £3,000, provided there was an OFFA plan in place. This maximum fee rate rose to £3,070 in 2007. Some may charge less than the maximum fee rate, and if there is no OFFA plan in place they can only charge up to the basic capped rate.

QUESTION B

ENGLAND

Funding systems

115. The following are other funding systems, which are available to certain categories of people undergoing vocational training.

Student Finance Package

116. In England:

- Up front fees were abolished from 2006. A loan is available to eligible, full-time students to cover tuition fees. Additionally students can apply for a loan, which is based on their personal circumstances, to help with living costs
- Eligible students studying at publicly-funded institutions may apply for a non-means tested loan to cover the cost of tuition fees by their HEI, which are not subject to any cap. Part-time students on low incomes may be eligible for a means-tested fee grant which, depending on their income may not cover the full cost of the fees charged. Students studying qualifying distance learning courses, whether full or part-time, are also entitled to the means-tested fee grant. Post graduate students may be eligible to the Disabled Person's Allowance.
- Graduates will pay back 9% of their earnings above £15,000 a year, so

someone earning the average starting salary of a graduate level job of £18,000 would repay £5.19 per week.

- Students from lower income households could be eligible for a non-repayable grant of up to £2,700. HEIs may also offer non-repayable bursaries.

The Committee concludes that the situation in the United Kingdom is not in conformity with Article 10§4 of the Charter because equal treatment for nationals of non-EU Contracting Parties to the 1961 European Social Charter and of non-EU Parties to the Revised European Social Charter lawfully resident or regularly working in the United Kingdom with respect to fees and financial assistance for training is not guaranteed.

117. The following categories of students will pay no more than the maximum capped rate of fees and may qualify for tuition fee loans, and means tested maintenance grants and loans:

- EEA migrant worker or EEA self-employed person; a Swiss employed person or a Swiss self-employed person; EEA or Swiss frontier worker or frontier self-employed person; and the family members of all categories, who have resided in the EEA or Switzerland for the three years prior to the start of their course and who have come to the UK as workers, exercising their right to freedom of movement for workers,
- A student who is the child of Swiss national who has resided in the EEA and Switzerland
- A student who is the child of a Turkish national who is residing in England who has worked or who is working in the UK provided that the student has resided in the EEA, Switzerland or Turkey for the 3 years prior to the start of their course.
- Refugees and those with leave to enter or remain their family members may also qualify for the full student support package

118. "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 of £3070 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 39 of the Treaty establishing the European Community.

119. Higher Education Institutions (HEIs) are independent, self-governing organisations and 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

QUESTION C

The Committee asked whether time spent on supplementary training at the request of an employer is counted as ordinary working hours.

120. Where the training is job related and is part of the terms and conditions of employment then that is likely to count as working time.

WALES

121. As in England, an Educational Maintenance Allowance scheme was introduced in Wales in 2004/05 with the same objectives of encouraging young people from the least well-off households to stay on in education. In the first year (2004/05) the scheme was open to 16 yr olds studying up to NVQ level 3 and is being rolled out over a 3 year period and by 2006/07 it was extended to include 16-18 year olds. Depending on household income, young people can earn up to £30 per week for good attendance and in addition bonuses each worth £100 for achieving learning goals. The allowance is paid direct to the young person.

SCOTLAND

QUESTION A

School Activity

122. The Scottish roll out of Educational Maintenance Allowances (EMA) was launched on 30 March 2004. For 2005-06 the total take-up was 36,460 with 29,100 receiving the maximum payment of £30 per week. Figures for 2006-07 will not be available until the end of the year.

123. The aim of EMAs is to increase participation in school and college by 16-19 year olds from low income families. The allowance is designed to remove the financial barriers that young people from low income families face in continuing learning. There is a well established and researched causal link between low income and low attainment. The Pilots in Scotland show increased participation and retention amongst young people from low income families.

124. The ILA successor scheme, ILA Scotland was launched on 13 December 2004 with an initial offer targeted at low income learners, ie. those whose individual income is £15,000 or less or who are in receipt of benefits. This offer (ILA200) provides up to £200 per year for learners to fund a wide range of courses.

125. An additional 'universal' offer was launched on 1 August 2005. This offer (ILA100) provides up to £100 per year for all adult learners in Scotland, for learning in basic skills Information and Communications Technologies (ICT). This universal offer is restricted to accredited ICT learning up to Scottish Credit and Qualifications Framework (SCQF) level 5 or equivalent.

The scheme is administered by the Student Awards Agency for Scotland (SAAS) and the Scottish University of Industry (SUfi) also known as *learnirect Scotland*.

126. The ILA200 income threshold was increased to £18K in June 2007. ILA100 was extended (August 2006) to cover all subject areas and to fund courses up to SCQF level 6 or equivalent. To June 2007 some 70,000 people have set up an ILA Scotland account and 40,000 have accessed their ILA funding. Most ILA learners (over 80%) choose to do courses leading to their qualifications (though this is not a requirement of the scheme).

127. Phase 1 external evaluation of ILAs was published in March 2007. Over 90% of ILA learners are on low incomes; 75% are female. Over 90% of learners surveyed were satisfied/very satisfied with the quality of the course and nearly all learners (96%) were satisfied with the ILA scheme overall.

QUESTION B

128. The Scottish Executive publication '*Helping you meet the cost of learning*' outlines the assistance available dependent on:

- The course to be studied;
- Income and family circumstances;
- Age;
- Where study is to take place; and
- Whether study is full-time, part-time or by distance learning.

129. Some funding comes as a grant, some as a loan and some in the form of free course fees. Most is income assessed and there is different support depending on the course of study. Support for higher education is mainly loan based, with a number of means-tested grants for specific groups of students. Support for further education is through means-tested discretionary grants, and are not, therefore, guaranteed for all applicants.

130. Some of the sources of funding require residency requirements. Ordinarily, applicants should be resident in Scotland on the first day of the first academic year of the course.

131. No eligible full-time further education students are normally required to pay fees provided that certain residency requirements are met. Students may also receive a non-repayable living cost of £84.69 per week dependent on age, family circumstances and income. To be eligible for a bursary, a student must meet certain residence criteria. If household income is above set levels then students will be expected to contribute to the cost of supporting study.

QUESTION C

132. The Right to Time Off for Study or Training (Scotland) Regulations 1999 (S.I. 1999/1058) set out the standard of achievement and the qualification awarding bodies as prescribed for in sections 63A(1)(c) and 63A(2)(c) of the Employment Rights Act 1996. An employee who has not attained the relevant standard of achievement has the right to take time off for study or training leading to a relevant qualification, as awarded or authenticated by the specified qualification awarding bodies.

QUESTION D

133. The Modern Apprenticeship Group (MAG) is the key Group for MAs in Scotland. Its main role is to authorise all new and revised Frameworks. It seeks to monitor the effectiveness of the MA programme in Scotland, promote best practice, and provide information to assist in policy development.

134. MAG undertakes the following activities:

- Approval and re-approval of Scottish Modern Apprenticeship Framework documents.
- Ongoing review of the approval process to ensure that it is effective and meets the needs of stakeholders.
- Statistical analysis of Framework take-up to monitor and review performance of individual sectors.
- Overseeing the generic marketing thrust of the MA programme in Scotland.
- Promotion of best practice through specific projects.

135. Only MAG approved Frameworks qualify for LEC funding. All changes to Frameworks must be approved by MAG.

QUESTION E

136. The Scottish courts have defined 'ordinarily resident' as '*habitual and normal residence in one place*'. It basically means that the applicant, their husband, wife or civil partner, live in the country year after year by choice throughout a set period. This allows for temporary or occasional absences such as holidays or business trips. In most cases applicants are treated as 'ordinarily resident' if the main purpose in coming to Scotland is to study but the applicant may normally live elsewhere.

NORTHERN IRELAND

QUESTIONS A TO E

Student finance – tuition fees and student support

137. 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.

138. In summary, the following arrangements apply:

Tuition Fees

- HE providers are 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 2007/08 when a maximum fee of £3,070 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 £3,200 and a maintenance loan to meet their living costs.
- Less well off students will also be eligible for bursaries from the HEIs under their access agreements. HEIs charging the maximum fee of £3,000 are expected to provide a bursary of at least £300 for students on the maximum DEL grant of £3,200.
- Supplementary allowances for students with children, and students with disabilities will continue as at present

139. 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 £1,225 in AY 2007/08. 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.

Education Maintenance Allowances

140. The Education Maintenance Allowance (EMA) was made available from September 2004 in Northern Ireland in line with the rest of the UK.

ISLE OF MAN

QUESTION A

141. The policy of the Department of Trade and Industry is to share the cost of training between the employer, the Department, and in certain circumstances, the individual. The Department's maximum contribution for all new training support is 50%, except in respect of apprenticeships where the Government will continue to fully fund the cost of the training.

142. The Department considers that the policy of generally providing a contribution to vocational training provides best value and enables it to support the widest possible range of vocational training within limited resources.

QUESTION B

143. The various Training Schemes administered by the DTI provide a wide variety of grant and loan assistance to meet in part or in whole, the individual's training costs. Most of the Schemes provide a contribution (often 50%) towards course fees, travel and accommodation. Although in respect of apprenticeships the Department continues to meet 100% of the course fees. To be eligible for assistance an individual must show the relevance of the training to the local economy and their existing or potential employment.

144. There is equal treatment in respect of financial assistance for all persons lawfully resident on the Isle of Man.

QUESTION C

145. In the vast majority of cases financial assistance from the Isle of Man Government requires that employers treat time spent on training in normal working hours as paid working hours.

QUESTION D

146. The Department of Trade and Industry supervises on the job and off the job training via evaluation visits. In consultation with employer and employee groups, the Department assesses the value and quality issues associated with all training.

QUESTION E

147. It can be confirmed that the provisions of sub-paragraphs b) and c) Article 10 Paragraph 4 are applicable in the great majority of cases.

Article 15; introduction

Disability Rights Commission (DRC)

1. The position remains broadly as previously described with the following update. In the year ending 31 March 2006 the Disability Rights Commission (DRC) Helpline dealt with some 94,000 calls and enquiries. The independent Conciliation Service handled 129 pre existing and new cases and the Commission directly supported or intervened in 55 new legal cases with particular emphasis on strategically important cases at the precedent setting higher levels of the Tribunals and Courts.

2. The Commission also completed and published statutory Codes of Practice on key new legislative provisions, in particular on the disability Public Sector Duty and on the rights of disabled people in transport. It commenced major programmes of external capacity building among appropriate external bodies at local level to promote disability rights, combined with widespread transfer of expertise on disability issues (at the same time the DRC wound down its in-house advice and support for individuals). DRC launched a formal investigation into the accessibility of primary health care services to people with learning disabilities and mental health problems. Guidance was produced in support of a number of sectors, particularly those affected by legislative change or otherwise of critical importance to disabled people. DRC also took forward programmes of work to tackle major barriers to access faced by disabled people in key sectors of society and the economy i.e. education; employment; services and transport; health and independent living.

Commission for Equality and Human Rights

3. The Equality Act 2006¹ established a new Commission for Equality and Human Rights (CEHR). The CEHR will bring together the work of the three existing equality commissions - the Commission for Racial Equality (CRE), the Disability Rights Commission (DRC) and the Equal Opportunities Commission (EOC) - and also takes on responsibility for new laws outlawing discrimination on the grounds of age, religion or belief, and sexual orientation. The new body's remit includes providing support for the protection and promotion of human rights as well as its equality responsibilities. The new Commission began its work on 1 October 2007 with the CRE, DRC and EOC becoming part from that date.

4. There are distinct Governance arrangements for disability in the CEHR including a requirement for a disabled commissioner and a disability committee with executive powers at least half of whose members will be disabled people. These arrangements will maintain the focus on the forward disability agenda and will ensure that disabled people continue to have a real voice and influence on those matters which affect them most.

¹ www.opsi.gov.uk/acts/acts2006/20060003.htm

Article 15, paragraph 1

GREAT BRITAIN

QUESTIONS A – C

Education

Conclusions XVIII-2

The Committee in its Conclusions asked for information on the practice of mainstreaming of persons with disabilities, including children with autism.

5. The Office for National Statistics carried out a national survey of children's mental health in 2004 and its report "Mental health of children and young people in Great Britain, 2004" was published in August 2005¹. This was a repeat of an earlier 1999 survey and the 2004 figures confirm findings from the 1999 survey that recorded the same proportion of children and young people with a mental disorder.

6. The main findings in 2004 are:

- About one in ten children and young people aged 5-16 had a clinically recognisable mental disorder. This was the same proportion as in 1999.
- 4 per cent of children had an emotional disorder (anxiety or depression).
- 6 per cent had a conduct disorder.
- 2 per cent had a hyperkinetic disorder.
- 1 per cent had a less common disorder such as autism, tics, eating disorders and selective mutism.
- Some children (2 per cent) had more than one type of disorder.
- Boys were more likely to have a mental disorder than girls. Among 5 to 10 year olds, 10 per cent of boys and 5 per cent of girls had a mental disorder. In the older age group of 11-16 year olds, the proportions were 13 per cent for boys and 10 per cent for girls.
- The prevalence of mental disorders was greater among children and young people living in low income high unemployment areas classed as 'hard pressed' (15 per cent) compared with affluent areas classed as 'wealthy achievers' or 'urban prosperity' (6 per cent and 7 per cent).
- All socio-demographic variations show a similar pattern to those observed in the previous survey in 1999.

7. The Government's vision for children's mental health is set out in Chapter 9 of the National Service Framework for Children, Young People and

¹ http://www.statistics.gov.uk/downloads/theme_health/summaryreport.pdf.

Maternity Services (NSF)¹: better mental health for all children up to the age of 18 through promotion, early intervention and access to high quality Child and Adolescent Mental Health Services (CAMHS).

8. It is important that all educational settings support and promote children's mental health and emotional well-being, identify and intervene early where problems arise. The Government has recently announced an additional £60 million (over three years) to support schools to work with mental health practitioners and others to improve the emotional wellbeing of pupils.

Children's National Service Framework (NSF) vision

9. Chapter 9 of the National Service Framework for Children, Young People and Maternity Services, published jointly by DH/DfES² in September 2004, sets out the long term vision for CAMHS: "All children and young people, from birth to their eighteenth birthday, who have mental health problems and disorders have access to timely, integrated, high quality multidisciplinary mental health services to ensure effective assessment, treatment and support for them and their families."

Department of Health (DH) CAMHS PSA Target to 2006

10. The DH had as a 2006 PSA target, to improve life outcomes of children with mental health problems by ensuring that all patients who need them have access to a comprehensive Children and Mental Health Services (CAMHS) by 2006. A "comprehensive CAMHS" being defined in Appendix 2 of Standard 9: The Mental Health and Psychological Well-being of Children and Young People of the National Service Framework for Children, Young People and Maternity Services. By the end of March 2007 all but three of 152 Primary Care Trusts (PCTs) were fully compliant with the PSA indicators.

11. The Government has invested an addition £400m over four years to 2007 in CAMHS services. Our aim is to ensure that all areas have comprehensive and high quality CAMHS services providing support and treatment where necessary to children and young people experiencing mental health problems. This means that all children should be able to access the support they need when they need it.

12. Progress towards delivery of these objectives will be tracked using the following key measures:

- year-on-year increases in the number of staff engaged on specialist CAMHS work (Tiers 2 – 4); and

¹

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4089114

² Following machinery of Government changes the work of the former Department for Education & Skills (DfES) has been divided between the newly formed Department for Innovation, Universities and Skills (DIUS) and the Department for Children, Schools and Families (DCSF). DfES was active during the Reporting period and references are therefore retained.

- year-on-year increases in the number of CAMHS cases seen.

13. Attainment of the PSA target as a whole by end 2006 will be measured based on checking whether, in every area, there is:

- adequate emergency cover (i.e. 24/7 cover and mental health assessment within 24h or next working day);
- access to a full range of services for children who also have a learning disability; and
- services for 16/17 year olds appropriate to their age and level of maturity.

14. Performance will continue to be monitored through Local Delivery Plans (LDPs) agreed between Strategic Health Authorities and the Department for Health. Multi-agency "CAMHS Partnerships" involving health, local authority, voluntary and private sector interests, have been put in place across all local areas to co-ordinate the commissioning and delivery of services. The partnerships are being supported by the National CAMHS Support Service (NCSS) a network of regional development workers (RDWs) who assist with the planning, monitoring and developing the quality of services, building on best practice nationally, and which are part of the Care Services Improvement Partnership (CSIP).

15. In addition DCSF introduced a range of practical initiatives to promote emotional well-being and support better earlier intervention. These include:

- Publishing the guide "Promoting Children's Mental Health within Early Years and School Settings" in 2001.
- Publishing the findings of a research project into "Effective joint working between Child and Adolescent Mental Health Services (CAMHS) and schools" in April 2003. The Project was conducted by the Mental Health Foundation and it identified the many advantages of joint working between CAMHS and schools, including a positive impact on children, staff and relationships between parents and schools.
- Developing pupils' social emotional and behavioural skills through the Behaviour and Attendance strands of the Primary and Secondary national Strategies which include a programme to promote the social and emotional aspects of learning (SEAL). The programme has been rolled out in primary schools and from September 2007 will be introduced gradually in secondary schools.
- The promotion of emotionally healthy schools as part of the Healthy Schools Programme; promotion of social, emotional and behavioural skills through the personal, social and health education (PSHE) framework; targeted support such as Behaviour and Education Support Teams (BESTs) provided by the Behaviour Improvement Programme (BIP); and support for emotional development as part of Sure Start/Early Years work and the Foundation Stage curriculum. Mental health issues are key components of other policies such as Connexions, work with parents, and work on Looked After and other vulnerable children.

- Ensuring that emotional well-being is a part of our broader work to promote healthy schools – “Promoting emotional health and well-being” is a comprehensive guide issued in 2004 and local co-ordinators are working with schools to help embed the good practice it offers.
- Establishing trusts, extended schools, improvement partnerships, children's centres, targeted youth support teams which will help reach those children most in need, and enable services to be readily accessible on the school site.
- Promoting emotional well being and behavioural skills as part of our work with families, parents and children in their earliest years.

16. DCSF-led settings have a vital role to play in supporting the promotion of emotional well-being and early prevention. Within our early years and schools sectors, extensive work is already underway, including work delivered as part of the National Strategies and the Healthy School Standard. Some children and young people will experience behavioural, emotional and mental health problems at some point in their lives. The intention is not to stigmatise these children and young people or to over-medicalise them. This is why the Government has recently announced an investment of an additional £60 million (over three years) in supporting schools to work with mental health practitioners and others to improve the emotional well-being of pupils. Targeted Youth Support Teams proposed in the Youth Green Paper will contribute to improving mental health support for the older age-groups.

The Committee requested information on case law and complaints brought to the appropriate institutions.

17. Parents whose children have special educational needs can appeal to the Special Needs & Disability Tribunal against decisions made by local education authorities (LEAs) about their children's education.

18. Comprehensive information on the Special Educational Needs and Disability Tribunal, which forms part of the Tribunals Service, can be viewed at the dedicated website (<http://www.sendist.gov.uk/>). Full information and the case law on decisions given is available in the Decisions database that can be viewed at: http://www.sendist.gov.uk/public/search_decisions.aspx

Vocational training

The Committee requested also information on all forms of vocational training, including work-based programmes, and access to higher education, including university education.

Further Education and Training

19. Department for Education and Skills (now the Department for Innovation, Universities and Skills (DIUS)) recognises the continuing priority for learners with learning difficulties and, or disabilities (LLDD).

20. In June 2007 a major new cross government strategy called *Progression through Partnership*¹ was published. It is a document produced jointly by the Department of Health and the Department for Work and Pensions and sets out the vision that Government expects work to be the outcome for all disabled people and that Government and its delivery partners must work together to achieve better work outcomes. At its core is the belief and expectation that all disabled people should receive equal treatment in order to realise their potential.

21. The strategy concentrates on the quality of provision, the funding of that provision and the curriculum followed by LLDD. Government departments will work on producing a joint programme of change, concentrating on practical ways of removing barriers, including the creation of better partnerships at local level. Curriculum change will be achieved through the launch in 2008 of a new framework – the Foundation Learning Tier which will absorb the current programme *Entry to Employment*.

22. Delivery partners have also been active, and the Learning and Skills Council for England (LSC) has produced its own LLDD strategy and also a strategy on improving the support for those with mental health issues.

23. Specific measures the Government has begun to implement include:

- the prioritisation of LLDD provision in key funding documents including the *Public Service Agreement on Skills*;
- Implementing an employability strand in the Foundation Learning tier;
- Creating new partnerships with government department on LLDD; and
- Safeguarding provision for adults with LLDD in the Comprehensive Spending Review

24. The Department for Work and Pensions and the LSC have together also begun a series of pilots on new ways of delivering supported employment for disabled adults. This aims to secure a major improvement in vocational rehabilitation provision. 72 special residential colleges are contracted to train people with complex needs. However, data on the number of staff employed there and the qualifications of staff working specifically in this area is not maintained centrally.

25. LSC data on Learners with Learning Difficulties and Disabilities, set out below, show that the number of learners with learning difficulties and disabilities has remained fairly constant year on year at around 30%. A “positive destination” is defined as further training, FE or employment with or without training. Learners with learning difficulties or disabilities fared much the same as anyone else in making progress on leaving the programme although they tended to stay a little longer.

¹ www.dfes.gov.uk/publications/progressionthroughpartnership/index.shtml

Learning Difficulty and/or Disability	Year	Starts	Proportion	Positive destination	Average Length of Stay
With LDD	2004/05	15,899	30.7 %	43 %	25.7
	2005/06	14,156	28.3 %	44 %	22.0
	2006/07	14,900	30.0 %	46 %	20.6
No LDD	2004/05	34,124	65.8 %	44 %	21.8
	2005/06	34,282	68.5 %	47 %	19.0
	2006/07	33,567	67.6 %	50 %	18.7
No information	2004/05	1,818	3.5 %	43 %	21.4
	2005/06	1,267	2.5 %	47 %	21.2
	2006/07	1,171	2.4 %	48 %	17.0
Total	2004/05	51,841	100 %	44 %	23.0
	2005/06	50,065	100 %	46 %	19.9
	2006/07	49,638	100 %	48 %	19.3

Higher Education

26. The Government is strongly committed to opening up opportunities in higher education for disabled people and those with specific learning difficulties. For those going on to study higher education courses there is a comprehensive system of student support which makes this route attractive and affordable, including extra support for disabled students in the form of Disabled Students' Allowances (DSAs). DSAs can help with the additional costs higher education students may incur as a direct result of a disability, including conditions such as Autism. We also provide significant funding to universities to help them meet the needs of disabled people.

27. Through the Higher Education Funding Council for England (HEFCE) we provide significant funding, to support institutions meet the needs of disabled people. HEFCE provides or has provided the following:

- A mainstream disability allocation (£12.9m in 2006-07) to help institutions improve provision for disabled students.
- Funding to widen access and improve provision is provided to HE institutions and some FE colleges, to help them meet the needs of the special Educational Needs and Disability Act (SENDA) and DDA. The allocations reflect the proportion of students in receipt of DSA. The amount distributed was £173m.
- Special initiative funding (of around £5.5m over 2003-05) was offered to 54 projects to improve provision in small and specialist institutions; and to develop and disseminate resources related to learning and teaching disabled students. This ended in December 2005.

28. In addition to the above HEFCE has provided approximately £1.2 million per year to a co-ordination team to provide support to the sector in the form of resources, advice and guidance. From 2002-05 this support was provided by the National Disability Team. Since January 2006 HEFCE, along

with the HE Academy and the Equality Challenge Unit, established a new specialist resource, the Disability Equality Partnership, to taken on this role.

Student support

29. The Department for Innovation, Universities and Skills (DIUS) also provides direct support to students through Disabled Students' Allowances (DSAs). DSAs are not means-tested and do not have to be repaid.

30. The number of DSAs awarded has increased steadily in recent years. In academic year 2005/06, the most recent year for which figures are available, the number of English domiciled higher education students in receipt of DSAs was 35,500 and total expenditure was £78 million. 4.0 per cent of full-time undergraduate students were in receipt of a DSA in 2005/06, up from 3.6 per cent in 2004/05.

31. Under the DSA scheme, undergraduate students may receive the following allowances in 2006/07:

Allowance	Maximum payable	
	Full-time	Part-time
Specialist equipment allowance (for the duration of the course)	£4,795	£4,795
non-medical helper's allowance	£12,135	£9,105
General allowance	£1,605	£1,200
travel allowance	no upper limit	no upper limit

32. For full and part-time postgraduate students there is one allowance to meet all costs of up to £5,780 in 2006/07.

Aimhigher

33. The Government's "Aimhigher" initiative seeks to raise the attainment levels of young people and their aspirations towards university and has disabled people as a key target group and many Aimhigher partnerships therefore undertake projects for disabled people. Aimhigher also produces specific specialist guidance on student life for students with disabilities¹.

ISLE OF MAN

QUESTION A

34. In terms of the criteria applied to grant disabled persons and the estimated number of disabled persons resident in the Isle of Man there is at present no significant change to the information provided in the previous report.

¹ http://www.aimhigher.ac.uk/sites/aimhigher/student_life/student_survival_guide/specialist_help/students

35. However, the Disability Discrimination Act 2006¹ has now been enacted, although it is not yet in force. The Act, which is intended to prohibit discrimination against disabled people in the provision of goods and services, contains new a definition of disability that will replace existing definitions. Disability is described in the 2006 Act in the following terms:

“a person has a disability for the purposes of this Act if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.”;

and under the Act “disabled person” means a person who has a disability.

36. Given the possibly significant resource implications of the Act to both public and private sectors in the Island, it is intended that it will be brought into force in stages, with full consultation at each stage, but the new definition of “disability” and “disabled person” will be one of the first provisions to be given effect.

QUESTION B

37. There is no significant change to the information provided in the previous report.

QUESTION C

38. a) The resources providing training opportunities to people with disabilities are:

- Eastcliffe Resource Centre offers 120 places per day to people with various degrees of learning disability. Eastcliffe provides, on five sites, employment and training and rehabilitation opportunities for woodworking skills, furniture making, making of calipers for people who have had limbs removed as a result of bomb blast, gardening opportunities, and work with computers.
- The Manx Workshop for the Disabled offers eight full time work opportunities in a sheltered setting for people with physical disabilities, plus up to 12 part time opportunities for work which includes making up seals, signage and various other contracts. The Manx Workshop is presently undergoing a wide ranging review of its activities.
- Next Steps Training Centre offers on two sites, 20 places x 2 sessions per day to people with a mental health need and provides employment in a garden centre type facility. A computer rehabilitation workshop is available with 10 places x 2 sessions per day which helps those with mental health problems to develop computer skills at such as level as to enable them to work in the IT sector. A craft facility which provides 8 places x 2 sessions per day. Social inclusion and skills training is an essential element in all these

¹ <http://www.gov.im/lib/docs/infocentre/acts/disability.pdf>.

facilities.

39. b) The numbers of people undergoing training are:

- | | |
|----------------------------------|-------------------|
| • Eastcliffe Resource Centre | 120 service users |
| • Manx Workshop for the Disabled | 20 service users |
| • Next Steps Training Centre | 56 service users |
| • Next Steps Computer Workshop | 20 service users |

40. c) The number of staff are:

- | | |
|--|----------|
| • Eastcliffe Resource Centre | 30 staff |
| • Manx Workshop for the Disabled | 4 staff |
| • Next Steps Training Centre
(also 3 to 4 part time staff who are supported under the permitted earnings scheme.) | 4 staff |

41. Qualifications include registered nurses, certificate in mental health teaching, qualified social worker, teachers, and a range of NVQ qualifications from level 2 to level 4 and management. In addition, there are qualified tradesmen involved in training; notably, joiners and gardeners.

Article 15, Paragraph 2

GREAT BRITAIN

QUESTIONS A- B

Disability Discrimination Act 1995

42. The Employment Tribunal Service publishes annual data on applications and claims made to Employment Tribunals in relation to disability discrimination. The latest data, for the year ended March 2007¹, shows that 5,553 applications/claims were registered in relation to disability discrimination. Below are details of outcomes of those cases during 2006/07:

Disability	Cases resolved	-	4,345
	Withdrawn	-	1,442 (33%)
	Acas² settled	-	2,014 (46%)
	Disposed (other)	-	231 (5%)
	Successful	-	149 (3%)
	Struck out	-	231 (5%)
	Dismissed	-	148 (3%)

43. Since 1 October 2004, service providers have been required to take reasonable steps to avoid making it unreasonably difficult for disabled people to access their services. The Disability Discrimination Act 2005 further extended rights for disabled people, including placing new duties on larger private clubs in respect of their disabled members and guests, and on public bodies in the carrying out of their public functions. It also extended the duties under Part 3 of the DDA to the use of land-based transport vehicles.

Disability Discrimination Act

44. The Committee asked for an update on the position with regard to the Disability Discrimination Act 2005. The 2005 Act³ further extended and amended significantly the provisions of the Disability Discrimination Act 1995 (DDA). The 2005 Act brought the functions of public bodies, not already covered by the 1995 Act, within its scope. The 2005 Act also introduced a new duty on public bodies to promote equality of opportunity for disabled people, both as employers and providers of services. Other provisions in the 2005 Act include placing duties on larger private clubs and bringing the use of land-based transport vehicles within the scope of Part 3 of the DDA. It also provides for all rail vehicles to comply with rail vehicle accessibility regulations by 1 January 2020.

Definition of Disability

45. At least 10 million people have rights under the DDA, of which 5.2

¹ www.employmenttribunals.gov.uk/publications/documents/annual_reports/ETSAS06-07.pdf

² Acas (the Advisory, Conciliation and Arbitration Service)

³ www.opsi.gov.uk/ACTS/acts2005/20050013.htm

million are of working age. In general, for the purposes of the DDA, a disabled person is generally defined as "someone with a physical or mental impairment which has a substantial long-term adverse effect on his ability to carry out day to day activities". The Act also gives protection to someone who is no longer disabled, but who met the requirements of the definition in the past. Special rules apply to people with certain impairments, such as progressive conditions, and some people are deemed to be disabled for the purposes of the Act. For example, since 5 December 2005, the 2005 Act has ensured that people with cancer, HIV and multiple sclerosis are protected, effectively from the point of diagnosis.

46. Furthermore, the DDA duty of reasonable adjustment takes a social model approach by reason of its requirement to take action to overcome barriers to disabled people's participation in society.

47. The Commission consulted on whether the Act's definition of disability might be improved or amended. In particular the consultation sought views on whether a social model approach may be more appropriate. The consultation ended in 28 February 2006, following which the Commission reported to the UK Government in July 2006 on its findings and conclusions. The Commission recommended that disability discrimination law should move away from protecting a group of 'disabled' people and instead protect anyone who experiences discrimination on the grounds of impairment. Specifically, it recommended that the DDA's definition of disability should be altered to one which gives protection from discrimination to everyone who has (or has had or is perceived to have) an impairment without requiring the effects of that impairment to be substantial or long-term. The Government is considering the Commission's recommendations in the context of the Discrimination Law Review which is aimed at harmonising and simplifying discrimination law.

NORTHERN IRELAND

Disability Discrimination Act

48. In Northern Ireland the Equality Commission for Northern Ireland replicates the role of the Disability Rights Commission.

49. The Disability Discrimination (Northern Ireland) Order 2006 which is similar to the Disability Discrimination Act 2005 was made at Privy Council in February 2006¹.

50. The Special Educational Needs and Disability (Northern Ireland) Order 2005 (Amendment) (Further and Higher Education) Regulations (Northern Ireland) 2006 came into operation on 1 September 2006.

51. Like the equivalent Great Britain Regulations these Regulations implement Council Directive 2000/78/EC with respect to disability discrimination in vocational training provided by higher education and further education institutions. They prevent discrimination in the conferment of

¹ <http://www.opsi.gov.uk/si/si2006/20060312.htm>

qualifications, and prohibit harassment and the placing of discriminatory advertisements by the institutions, as well as imposing a duty on the institutions to make reasonable adjustments.

Non-discrimination legislation

The Committee, in its Conclusions XVIII-2, recalls that non-discrimination legislation must provide for the adjustment of working conditions (reasonable accommodation) in order to guarantee the effectiveness of non-discrimination legislation in the field of employment. It notes that the United Kingdom anti-discrimination legislation contains this clause and that the 2003 Regulations strengthen the duty for service providers to make 'reasonable adjustments' to the physical features of their premises to overcome physical barriers that prevent or make it unreasonable difficult for disabled people to access their services.

52. The Government wishes to clarify that the effect of Disability Discrimination Act 1995 (Amendment) Regulations 2003 was to amend and extend only the provisions relating to employment and occupation. These Regulations came into force on 1 October 2004. The new duty for service providers, to make reasonable adjustments to physical features of their premises, was introduced by a commencement order made in 2001. This brought the relevant sections of the DDA into effect from 1 October 2004.

The Committee asked also for information on how reasonable accommodation is implemented in practice, for the most significant case law on the issue and whether this has prompted an increase in employment of persons with disabilities in the open labour market.

53. The Government would explain that the making of reasonable adjustments is a matter for employers in order to fulfil their duties under the employment provisions in Part 2 of the DDA. To encourage employers to meet these duties, the Government undertook a series of awareness raising campaigns focused particularly on small and medium-sized businesses. These campaigns advised employers of their duties under the Act and provided advice and guidance on the types of adjustment that might be made for people with particular impairments. This activity includes guidance published on the website of the Department for Work and Pensions¹. The campaigns complemented similar activity carried out by the Disability Rights Commission (DRC), whose statutory remit included a responsibility to raise awareness of the DDA.

54. The DRC also published Codes of Practice which assist those with duties under the DDA to understand their duties, and these include illustrative examples of reasonable adjustments in practice. In addition, the DRC operated a telephone help-line for disabled people and those with duties under the Act, and it published a range of information in leaflet form and on its

¹ <http://www.dwp.gov.uk/employers/dda/>.

website. The Committee may wish to note that the DRC, together with the Commission for Racial Equality and the Equal Opportunities Commission, has been superseded by the Equality and Human Rights Commission from 1 October 2007 and that a range of advice and guidance published by the DRC remains available on the new Commission's website.

55. With regard to significant case law on the subject, the Committee's attention is drawn to the cases of *Archibald v Fife Council* (IRLR 651 [HL])¹ and *Meikle v Nottinghamshire County Council* (IRLR 703 [CA])², both of which were supported by the DRC and concern the application of the duty of reasonable adjustment and the breadth of its scope.

56. Although there has been an increase in the employment rate of disabled people, it is not considered possible to separate out the effect that the DDA has had on this increase, mainly because the employment rate has been influenced by a range of factors including: the economic climate; employment programmes for disabled people; benefit changes and the introduction of financial incentives to work in addition to the DDA itself. However, the introduction of the DDA has provided an important background factor to disabled people's increased participation in the labour market. For example, research shows that employers now have more positive attitudes towards employing disabled people and making adjustments for them (see the DWP Research Report No. 410 (2007) - "*Organisations' responses to the Disability Discrimination Act*"³).

The Committee asks for information and figures on employment of persons with disabilities

Access to Work programme

57. During 2205/06 some 28,850 people received funding through the Access to Work programme that supported them in retaining their job. From its inception up to the end of December 2006, around 280,000 awards of support had been made through the programme.

58. New Deal for Disabled People (NDDP) has been extended to March 2008. In December 2007 NDDP provision will be subsumed by provider-led Pathways provision in 15 Districts, followed by phase 2 in 16 Districts in April 2008. In the remaining 19 Districts, decisions have still not been taken on the future of NDDP from April 2008. Provider-led Pathways providers will offer a service similar to NDDP to eligible customers as part of their contracted provision.

59. Up to the end of November 2006 (latest data available), NDDP had been successful in helping 134,160 people into work, including 101,720 people who had registered with, and received assistance from, a NDDP Job Broker.

¹ <http://www.publications.parliament.uk/pa/ld200304/ldjudgmt/jd040701/arch-1.htm>

² <http://www.bailii.org/cgi-bin/markup.cgi?doc=/ew/cases/EWCA/Civ/2004/859.html&query=title>

³ <http://www.dwp.gov.uk/asd/asd5/rports2007-2008/rrep410.pdf>

60. DWP have undertaken extensive evaluation of NDDP and information on the final synopsis report, to be published in 2007, will be included in the next report.

Work Preparation

61. During 2005/06, 1,620 placements into employment were made for disabled people through the Work Preparation scheme. The placements relate to spells of employment rather than the total number of persons assisted, although it is thought unlikely that many would have entered into work more than once during a year.

Workstep

62. WORKSTEP currently provides job support to around 21 500 disabled people (including Remploy). Participants on the programme are employed and receive the same terms and conditions as non WORKSTEP employees, including rates of pay, pensions, hours of work and holidays.

63. WORKSTEP (excluding Remploy) has achieved the following:

	2001-02	2002-03	2003-04	2004-05	2005-06
(Job)starts	1178	2230	2998	4053	3265
Progressions	518	519	561	610	1279
Participants	-	14,740	15,370	13,201	15,984
Spend (£)	-	59.34m	74.18m	69.00m	69.17m

Pathways to work.

64. The Pathways to Work programme is an initiative aimed at improving opportunities for people on incapacity benefits. The Government's strategy is to support, encourage and enable people on incapacity benefits to move into work, and so become and remain independent.

65. The Pathways to Work programme was first piloted in seven geographical areas, rolled out in two phases from October 2003 and April 2004. Coverage has now been expanded. The first phase of the expansion started in October 2005, the second phase from April 2006 and the third phase from October 2006. The most recent phase took place in December 2006 and means that Pathways is now available to around 40% of the national incapacity benefit caseload. From April 2008, Pathways will be rolled out the remainder of the country delivered by provider-led organisations from the private and voluntary sector.

66. The Welfare Reform Act 2007 forms a vital part of the Government's wider Welfare Reform agenda. It has started the most ambitious reforms of the social security systems of recent times to meet the challenges the UK now faces. The aspiration to reduce the numbers on incapacity benefits by one million is a contribution to the Government's overall 80 per cent employment rate aspiration. The Welfare Reform Act, with the creation of the new

Employment and Support Allowance from October 2008 replacing incapacity benefits, is a key part of that strategy.

NORTHERN IRELAND

QUESTIONS A & B

Special Educational Needs (SEN) and Disability

67. Under the Education (Northern Ireland) Order 1996 and the Special Educational Needs and Disability (Northern Ireland) Order 2005, (SENDO), the statutory responsibility for securing provision for pupils with special educational needs (SEN) rests with the Education and Library Boards (ELBs) and the schools sector. The Department of Education does not have any role in the identification and assessment of children's special educational needs, nor any power to intervene in the process, which is intended to be conducted between parents, schools and ELBs.

68. The SENDO¹ became operational on 1st September 2005. The objective of the legislation is to strengthen the rights of children with SEN to be educated in mainstream schools, where parents want this and the interests of other children can be protected. In addition the remit of the Special Educational Needs Tribunal, now known as the Special Educational Needs and Disability Tribunal (SENDIST), was extended to hear claims of disability discrimination in schools.

69. The SENDO also introduced enforceable disability discrimination legislation into the education sector in Northern Ireland for the first time.

70. SENDO also placed new duties on ELBs including the provision of advice and information on SEN matters for parents, schools and others and an informal means for avoiding and resolving disputes between parents and schools and/or ELBs.

71. The Departments of Education and Employment and Learning have provided £57.8 million over the period 2005/06 to 2007/08 to facilitate the implementation of this legislation. This is being used to provide guidance on the legislation, train staff, fund advice and conciliation services, extend the remit of the Special Educational Needs Tribunal, improve physical accessibility in schools and further and higher education institutions and, generally, support inclusion.

Code of Practice

72. The Code of Practice on the Identification and Assessment of Special Educational Needs sets out a 5-stage approach to the process. Stages 1, 2 and 3 are school-based, although at Stage 3 support can be sought from external specialist services, including those provided from the ELB. At Stage 4

¹ http://www.deni.gov.uk/index/7-special_educational_needs_pg/special_needs-

the ELB considers the need for a statutory assessment. At Stage 5 the ELB decides whether the degree of the child's learning difficulty or disability, and the nature of the provision necessary to meet the child's SEN, require it to determine the SEN provision through making a "statement", which sets out details of both the child's needs and how they will be met.

Provision

73. "Provision" is matched to individual needs. It may be made in special schools, designed, for example, for children with severe learning difficulties (SLD), moderate learning difficulties (MLD), physical impairment, sensory impairment, emotional and behavioural difficulties or speech and language difficulties; in special units attached to mainstream schools; or in mainstream classes themselves. It may consist of home or hospital tuition, pre-school support or placement outside Northern Ireland. There are 48 special schools and 170 special units attached to around 100 mainstream schools, which cater for a wide range of special educational needs.

Employment Support

74. This is a wage subsidy programme. The disabled person's employer is paid a wage subsidy that is assessed at a level to take account of the productive shortfall of the individual against that of a non-disabled employee. This programme provides long term, often indefinite, support to the employer. The level of the subsidy can be reassessed if the work output of the employee changes. Assistance through Employment Support is available to disabled people assessed at being at a productive level of between 30% and 80% of a non-disabled employee. Although this programme is now closed to new entrants, there are over 850 people continuing to receive long-term support through this programme. The level of funding for the programme was £5.4M in the period April 2005 – March 2006.

Workable (NI)

75. *Workable (NI)* was introduced in November 2006 to replace the Employment Support programme. *Workable (NI)* is similar to the Workstep programme in GB and provides a range of individually assessed supports to meet the vocational support needs of people with disabilities in the workplace.

Access to work

76. In April 2005 – March 2006 expenditure was £810k. Access to Work provides long term support to over 350 people per year with the number of one off offers of support being dependent on demand.

NDDP

77. The individual is given support by an externally contracted Job Broker. The Job Broker assists the person find and keep an appropriate job. From April 2005 to March 2006 106 people have been assisted into employment.

From April 2005 – March 2006 expenditure on this programme was £687k. Funding of approximately £600k per annum is provided to Ulster Supported Employment Limited (USEL) to provide sheltered employment in a factory environment to people with a range of disabilities.

Employment in Northern Ireland Civil Service

78. In December 2006, the Northern Ireland Civil Service (NICS) launched a process by which its Employment Support workers could become NICS employees.

ISLE OF MAN

79. The services of the JobCentre, which is part of the Department of Trade and Industry (DTI), are available equally to all persons, whether or not they have a disability. The Department's general training schemes are also available to people with disabilities.

80. The Disability Employment Service is located within the JobCentre. 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 they are able to do, the Disability Employment Service will try to assist with obtaining suitable employment. In 2006/07 the Department's Employment Disabilities Scheme provided financial assistance in the amount of £153,344 to individuals or organisations to assist disabled people into employment by providing funding for training, specialist equipment, modifications to buildings etc.

81. The DTI also works in conjunction with the Department of Health and Social Security in providing support for disability in the workplace. A Disability Working Allowance is available as a benefit to help people with an illness or disability who are starting work or are already working.

82. An Employment Equality Bill is included in the Isle of Man Government's legislative programme for the next three years, and it is hoped that initial public consultation will be started before the end of 2007. It is intended that the Bill will prohibit discrimination in employment on a number of grounds, including disability. It is proposed that the legislation will cover job applicants, existing employees and past employees. It is intended that it will make reference to the following matters:-

- Recruitment;
- direct and indirect discrimination;
- terms and conditions of employment, including pay and conditions;
- promotion;
- training;
- harassment;
- victimisation;
- dismissal;

- action - post dismissal (for example, failure to give a reference);
- exceptions where appropriate; and
- provision of advice, guidance and support.

QUESTION B

83. There is presently no data available on this matter.

Article 18, Paragraph 1

UNITED KINGDOM

QUESTION A

1. The Border and Immigration Agency (BIA) is a new executive agency of the Home Office. It has its own dedicated "Working in the UK" website¹ with comprehensive guidance for people wanting to come and work in the UK. The Agency has taken on the responsibilities of the Immigration and Nationality Directorate (IND) for managing immigration control in the UK. Work Permits (UK) now forms part of the BIA.

2. In the period between 1/1/2003 – 31/12/2006 the major policy changes included:

- **31/10/2003** - The Highly Skilled Migrant programme (HSMP) was revised and a young person's assessment was introduced.
- **01/01/2004** - New Mandatory Entrance Clearance criteria were implemented and affected work permit holders who wish to come to the UK for more than 6 months but do not apply to work permit holders who have a permit for 6 months or less.
- **01/04/2004** - New guidance on charges were introduced affecting (where appropriate) all work permit arrangement applications.
- **01/04/2004** - Introduction of a Further Leave to Remain (LtR) application form - the FLR(IED) - previously the Work Permit (WP) form was a joint WP and LtR application.
- **01/05/2004** - Accession to EU of the 'A8' countries (Poland, Slovenia, Slovakia, Latvia, Lithuania, Hungary, Czech Republic and Estonia) nationals from these countries were no longer subject to visa controls or covered by work permit requirements. A8 nationals wishing to be employed in the UK have to register with the Worker Registration Scheme.
- **01/10/2004** - Changes to the Immigration Rules on Switching came into force that defined the rules regarding temporary migrants switching into permanent employment. These rules were incorporated into the October 2004 guidance across all the relevant work permit arrangements.
- **25/10/2004** - The Science and Engineering Graduate Scheme was launched.

¹ http://www.workingintheuk.gov.uk/working_in_the_uk/en/homepage.html

- **01/04/2005** - The Masters in Business Administration (MBA) provision was introduced for the Highly Skilled Migrants Programme (HSMP) which enabled applicants with an eligible MBA to meet the points criteria on the basis of their MBA alone.
- **03/10/2005** - The Fresh Talent in Scotland initiative was incorporated into the switching criteria to note that this an immigration category from which a person is allowed to switch into work permit employment. This information is included across the work permit arrangement guidance notes.
- **03/04/2006** – The qualifying period for indefinite leave to remain was increased from 4 years to 5 years.
- **19/06/2006** - A new Post Graduate Doctors and Dentists Tier Two B&C category was implemented as part of the June 2006 guidance and new form, the PD1 was introduced.
- **07/11/2006** - HSMP was further revised (further details below).
- **11/09/2006** - Introduction of Medical Training Initiatives under TWES.

3. There has also been ongoing monitoring and revision of the arrangements for occupations for which applicants are in short supply.

Work Permit Applications

Year	Approved	Refused	Withdrawn	Total Apps Cleared	Approval Rate
2003	138,265	19,610	4,743	162,618	85%
2004	155,709	28,617	4,293	188,619	83%
2005	136,241	20,679	3,859	160,792	85%
2006	144,210	17,405	3,835	165,470	87%

4. The above figures include work permits issued in respect of: individuals entering the UK; permissions granted for overseas workers already in the country; and approvals given for foreign nationals to enter the UK for limited periods of training or work experience in industry or commerce.

5. The main Sectors Based Scheme (SBS), under which work permits for specific low-skilled posts in the hospitality and food manufacturing sector were issued, was fully reviewed in 2005 to assess whether it was still meeting the skills needs of employers. As a result, the scheme was closed for the hospitality sector after evidence indicated that employers were now making increasing use of Accession State nationals. For the food manufacturing sector the scheme was granted a short extension following a business case from the sector. The scheme finally closed to all new applications in

December 2006, in line the UK Government's view that employers should source labour for low-skilled posts (below NVQ level 3) from the newly enlarged EU.

6. While the main scheme previously open to all nationalities has now been closed, SBS is still available to A2 nationals (Romanian and Bulgarian), following the UK Government's decision to retain employment restrictions on these countries. Sectors Based Scheme permits are only available for employment in specific food manufacturing posts and are issued on a quota basis. The quota for 2007 is 3,500. On completion of 12 months of approved employment on SBS, A2 nationals are free to work without restrictions.

The Committee asks for an explanation and reasons for the decline in successful applications for work permits during 2001 and 2002

7. The reasons for the decline (successful application fell to 91% in 2001 and to 85% in 2002) could be attributed to the fact that the skills criteria had been changed in the previous year (2000) and could consequently have lead to more refusals, with applicants having to adjusting to the new criteria.

The Committee noted that the figures provided in the UK's previous report on this Article do not distinguish between nationals of Contracting Parties to the European Social Charter or Revised European Social Charter being member states of the European Union or the European Economic Area and nationals from states not being members of the European Union or the European Economic Area. The Committee wishes future reports to provide the number of applications filed by these nationals and the corresponding refusal rates.

8. The figures previously provided refer only to nationals from non-EU/non-EEA Member States as work permits are only issued to non-EU/non-EEA nationals. Workers from the EU/EEA who are here in exercise of the right to freedom of movement do not require work permits to work in the UK.

Article 18, paragraph 2

QUESTION A

9. The position remains as previously described except for the following developments. The Highly Skilled Migrant Programme (HSMP) was introduced on 28 January 2002. The programme was revised and a young person's assessment was introduced on 31 October 2003.

10. In April 2005 the Masters in Business Administration (MBA) provision was introduced which enabled applicants with an eligible MBA to meet the points criteria on the basis of their MBA alone.

11. On 7 November 2006 the HSMP was further revised. The overall points score required for approval was increased to 75 points. The Work Experience, Achievement in applicant's chosen field, HSMP Priority Applications for General Practitioners, and the Partner's Achievements sections were removed from the Programme and the points awarded for qualifications and previous earnings were amended. The Young Person Assessment was also amended to include additional age bands. An additional points scoring section was introduced for UK Experience together with a mandatory requirement to demonstrate an appropriate level of English language skills. The revisions to the HSMP assessment criteria ensure that people who succeed under the programme are those who will make the greatest contribution to the UK economy. It makes the requirements clearer and more objective and also ensures that the programme is robust against abuse. The criteria were designed to encompass the best indicators for labour market success.

QUESTION B

Work Permit Charges

12. The following table outlines the cost of the work permit / other application types as they stood at 31/12/2006; and the updates to these costs enforced on 2/4/2007:

Application Type	Fee (£) At 31/12/2006	Fee (£) From 2/4/2007
Settlement/Nationality		
Indefinite Leave to Remain	335	750
Indefinite Leave to Remain Premium	500	950
Nationality – Right Of Abode	20	135
Nationality – Naturalisation	200	575
Nationality – Adult Registration	120	400
Nationality – Minor single and multiple	200	400
Nationality – renunciation	120	385
Work		
Highly Skilled Migrant Programme	315	400
HSMP Leave to Remain	335	350
Work Permits	153	190
Work Permit Leave to Remain	335	350
Work Permit Leave to Remain Premium	500	550
Business Case Unit	335	750
WRS	70	90
SAWS	12	12
LTR Other		
Leave to Remain (non-student)	335	395
Leave to Remain (non-student) Premium	500	595
Certificate of Approval	135	295
Transfer of Conditions	160	160
Transfer of Conditions Premium	160	500
Adult Travel Documents (CID)	195	210
Child Travel Documents (CID)	115	130
Adult Travel Documents (CTD)	42	66
Child Travel Documents (CTD)	25	45
Student		
Student Leave to Remain	250	295
Student Leave to Remain Premium	500	500

13. There are no fees for SBS work permits for A2 nationals. There is also no fee for A2 nationals on the Seasonal Agricultural Workers' Scheme.

QUESTION C

14. The position generally remains as previously described.

Committee of Expert's Conclusions

The Committee wishes to know whether leave to enter the country and entry clearance are in principle granted automatically to holders of valid work permits or whether a separate procedure involving further administrative formalities has to be followed.

15. Applications for work permits can only be made by UK-based employers on behalf of the person they wish to employ. There is no provision within the current arrangements for individuals to apply on their own behalf.

16. Once approval against the work permit has been given the individual (and any dependants) will be required to apply for entry clearance to their nearest British Diplomatic Post in their country of residence before travelling to the UK.

17. Work permit holders who have a permit for 6 months or less are not required to obtain this entry clearance unless they are a visa national. However the Border and Immigration Agency encourages all work permit holders to obtain entry clearance.

18. If they are already in the UK, once approval against the work permit criteria has been given or before the expiry date of the applicant's current Leave to Remain the individual must then apply to vary their (and any dependant's) leave to remain if they are residing in the UK.

The Committee also wished the next Report to specify how the formalities for the granting and extension of work permits have been simplified by the changes made after the review of the work permit arrangements in 2000

19. The granting of extension work permits was simplified by no longer requiring the employer to advertise the post if they wanted to extend the permission for a worker. As far as applications for self-employment by foreign workers are concerned, the operational target is to consider such applications within 13 weeks following receipt of the application.

The Committee asked for the next report to specify whether this target corresponds to the average time needed for treatment of these applications in practice. (i.e. the operational target for considering applications for self employment by foreign workers)

20. There are a number of different routes for self employed people to come into the country, these have different operational service standards:

Work Permits (inc Sector Based Scheme)	70% within 5 working days
	90% within 15 working days
Work Permits Leave to Remain	70% within 20 working days
	90% within 45 working days
General Group Leave to Remain	70% within 20 working days
	90% within 70 working days
Worker Registration Scheme (A8 nationals)	70% within 10 working days
	90% within 20 working days
Business Case Unit	70% within 20 working days
	90% within 70 working days
Highly Skilled Migrant Programme	50% within 25 working days
	90% within 70 working days
A2 nationals	70% within 20 working days

21. All the above service standards are from the time the application is received by the Payment Processing Centre and reflect the approximate timescales for deciding applications (the A2 applications have no charge so by pass payment processing).

Chancery dues and other charges

The Committee understood from the UK's previous 24th Report that no work permit fees are charged on the worker, but noted that outside of the earlier Report's reference period charges had been introduced for work permit applications and requests confirmation that this is actually the case in respect of applications submitted by nationals of the Contracting Parties to the European Social Charter.

22. The various charges applicable are described in paragraph 11 above in response to Question B and are as set out in the accompanying Table. The Government can confirm that the fee for an extension of stay – the Work Permit Limited Leave to Remain fee (£335 at December 2006 rates - currently £350) - is not chargeable in respect of nationals of contracting states to the Social Charter.

The Committee notes from the comments communicated by the Northern Ireland Human Rights Commission that nationals of those Contracting Parties to the European Social Charter that have joined the European Union in 2004 (with the exception of nationals from Cyprus

and Malta) have to register the details of their employment in the United Kingdom with the Home Office within 30 days of starting work. A fee of £50 (73 €) is charged by the Home Office for the registration. Registration is required for the first 12 months of employment in the United Kingdom and any change of employment during that period has to be registered as well and triggers a further fee of £50. The Committee wishes the next report to clarify whether this requirement still applies and what is the justification for the registration and the related charges.

23. The Worker Registration Scheme was set up through the Accession (Immigration and Worker Registration) Regulations 2004¹. Regulation 8(4)(a) of those Regulations required an application from an unregistered worker to be accompanied by a £50 fee, a small administrative fee toward the costs of the scheme. This fee was increased to £70 from 1st October 2005 and currently stands at £90, which will continue to apply to first-registrations only. Applicants whose applications are refused or withdrawn will be refunded the fee in full. The Government would point out that the fees charged under the Worker Registration Scheme do not recover all of the direct costs and overheads associated with processing applications under it.

¹ <http://www.opsi.gov.uk/si/si2004/20041219.htm>

Article 18, paragraph 3

QUESTIONS A to C

24. The position remains as previously described

Committee of Expert's Conclusions – Access to the Labour Market

The Committee asked for this next Report to provide information on further liberalisation measures taken

25. A Points Based System, to be implemented from 2008, will introduce a more simple, transparent migration system that should make it easier for eligible migrants to come to the UK to work and study. Some of the key elements of the system include consolidating more than 80 existing work and study routes into five tiers:

- tier 1 - highly skilled, e.g. scientists or entrepreneurs;
- tier 2 - skilled workers with a job offer, e.g. nurses, teachers, and engineers;
- tier 3 - low skilled workers filling specific temporary labour shortages; e.g. construction workers for a particular project;
- tier 4 – students; and
- tier 5 - youth mobility and temporary workers, e.g. working holiday makers or musicians coming to play a concert.

26. Points will be awarded to reflect aptitude, experience, age and also the level of need in any given sector, to allow the UK to respond flexibly to changes in the labour market.

Consequence of job loss

The Committee noted that the UK's previous 24th Report stated that in the event the employment of a foreign worker ceases, the conditions attached to any remaining leave to stay in the country will not confer permission to remain for the purpose of seeking alternative employment. Leave to remain may be granted only if it is demonstrated that the foreign worker has taken steps to find new employment as quickly as possible. The Committee wishes this next report to specify what period would be regarded as meeting this requirement and whether a person would in any event be granted leave to remain during this period or whether the corresponding decision is within the discretion of the responsible authority.

27. If the specific work that the migrant has been approved to undertake is terminated, either by the individual or the employer, the worker is deemed to no longer meet the requirements of the Immigration Rules under which they were admitted and action may be taken to curtail their leave. Conditions attached to any remaining leave would not confer permission to remain for the

purpose of seeking alternative employment. However, if they do find other employment quickly their application may be considered.

Article 18, Paragraph 4

28. The position remains as previously described.

ISLE OF MAN

Article 18, paragraph 1

QUESTIONS A and B

29. There is no substantial change from the information provided in the previous report. Figures relating to the issuing of work permits under the Control of Employment Act 1975 in the period 2003 to 2006 are set in the table below.

Year	Total no. permits issued	New permits: employed	Renewals: employed	New permits: self-employed	Renewals: self-employed	Applications initially refused	Refusal upheld
2003	12815	7453	4779	354	229	116	89
2004	10838	6299	4051	256	232	50	23
2005	9560	5274	3634	467	185	61	44
2006	9752	5755	3474	320	203	79	61

30. In addition, during the period 2004 to 2006, the following numbers of permits under the Overseas Labour Scheme were issued:

Year	Overseas Labour Scheme permits issued
2004	137
2005	159
2006	202

QUESTION C

31. There is no substantial change to the information provided in the previous report. However, at the request of the Minister of Trade and Industry an independent review of the Isle of Man's work permit system was carried out during the first half of 2007¹. The objectives of the review being to:

- Review the impact and effectiveness of the current legislation and identify any areas of possible improvement;
- Review the enforcement of the current legislation and make recommendations for any necessary improvement;
- Review the administration of the current system and make recommendations for any necessary improvement; and

¹ <http://www.gov.im/lib/news/dti/workpermits.xml>

- Identify any conflicts or dependencies that arise out of the operation of controls in place for matters related to issues of immigration, residence, state benefits or other key economic aspects and make recommendations as to the need for any further review of these matters.

32. The “Review of Work Permit Legislation and its Administration: Final Report” has now been published¹. Any changes to the Isle of Man’s work permit legislation and procedures as a result of the review will be described in the next report. A copy of the review had been provided with this report for information.

Article 18, Paragraph 2

QUESTIONS A to C

33. There is no significant change to the information provided in the previous report.

ARTICLE 18, Paragraph 3

Questions A to C

34. There is no significant change to the information provided in the previous report.

ARTICLE 18, Paragraph 4

35. The Isle of Man Government does not impose restrictions on the right of Isle of Man residents to leave the Island to engage in gainful occupations in other countries.

¹ <http://www.gov.im/lib/docs/dti/employmentRights/med20070628workpermitreviewrepor.pdf>

Article 1

Appendix 1A Report on ILO Convention no 122 (Employment Policy) for the period 01/06/2004 to 31/05/2006

Appendix 1B

Report for the period 1 June 2005 to 31 May on the Forced Labour Convention, 1930 (no 29)

Appendix 1C

Report for the period 1 June 2005 to 31 May 2007 on the Abolition of Forced Labour Convention (no 105)

Article 10

Appendix 10A Report on ILO Convention No. 142 (Human Resources Development) for the period 0/06/1998 to 31/5/2003