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1961 EUROPEAN SOCIAL CHARTER

39th National Report on the implementation of
the European Social Charter

submitted by

THE GOVERNMENT OF THE UNITED KINGDOM

Article 1, 9, 10, 15 and 18

for the period 01/01/2015 - 31/12/2018

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14 February 2020

CYCLE XXII-1 (2020)

**THE COUNCIL OF EUROPE
EUROPEAN SOCIAL CHARTER**

**THE UNITED KINGDOM'S
THIRTY-NINTH
REPORT**

JANUARY 2020

Under the current reporting system the provisions of the European Social Charter are divided into four thematic groups. States present a report on the provisions relating to one of the four thematic groups on an annual basis. Consequently, each provision of the Charter is reported on once every four years. This year's report, for the period 1st January 2015 to 31st December 2018, covers the Thematic Group 1, on the subjects of Employment, Training and Equal Opportunities. For the United Kingdom the relevant Articles are:

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

The UK notes that, in a letter received by the UK Ambassador to the Council of Europe dated 27 May 2019, the European Committee of Social Rights (ECSR) invited State Parties to limit their reports to replies to specific and targeted questions and replies to conclusions of non-conformity. This report complies with this invitation.

Please find attached the UK's latest report to the International Labour Organisation on Convention 122, which has a similar reference period to this report and covers the same policy areas. We would be grateful if you could read both reports together as the UK's submission to the Council of Europe.

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UK ILO Article 22 Report of 2018, Convention No. 122

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EU & International Affairs

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ARTICLE 1 - The right to work

Paragraph 1

Q1. The Committee requests information in the report on any targeted programmes aimed at reducing the high youth unemployment rate.

UNITED KINGDOM

As of December 2019, the UK youth unemployment rate (11.2%) is 4.1% points below that of the Euro area (15.3%) and 2.9% points below the EU28 average (14.1%). As of December 2019, the UK youth unemployment rate (11.2%) is 2.6% points below that of Belgium (13.8%) and 7.6% points below that of France (18.8%).

The UK Government (including Devolved Administrations) is committed to providing targeted support for young people so that everyone, no matter what their start in life, is given the very best chance of getting into work. This is critical if we are to improve productivity and reduce intergenerational disadvantage and poverty. The offer includes:

- The Youth Obligation Support Programme helps young people aged 18-21 identify any training they need, understand what the labour market in their areas can offer and support them to improve their job search, job application and interview skills. Further information: <https://www.gov.uk/guidance/support-for-18-to-21-year-olds-claiming-universal-credit>

Officials continue to monitor the delivery of the Youth Obligation Support Programme. This includes visiting Jobcentres to speak to Work Coaches and young people about any challenges or areas of good practice.

The full roll out of the Youth Obligation Support Programme was only completed in December 2018. We are considering how best to assess the programme's effectiveness now that it has had a chance to bed in.

- The Mentoring Circle initiative is intended to support young people who are aged 16-24, giving them an opportunity to build on their employability skills through facilitating an interaction with employers. Further information: <https://www.gov.uk/government/news/national-mentoring-initiative-to-tackle-employment-inequality-across-uk>

Information and data on youth unemployment can be found here:

<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/labourmarketeconomiccommentary/april2019>

NORTHERN IRELAND

For most of the time since the last report the Assembly has been suspended and there have been no Ministers in place to make decisions to progress this issue.

SCOTLAND

Below is an outline of Scotland's initiatives and programmes aimed at combatting youth unemployment:

- *Developing the Young Workforce (DYW)*^{1 2} is Scotland's youth employment strategy. The seven-year programme aims to create an excellent, work relevant education offer to young people in Scotland, giving them the skills for the current and future jobs market. Together with *Getting it right for every child* and Curriculum for Excellence, DYW is the key policy approach through which the Scottish Government is creating excellence and equity in Scottish education. The programme has 11 key performance targets aiming to support the reduction in youth unemployment, and the headline target to reduce youth unemployment levels by 40% by 2021 has already been achieved.
- In 2019-20, the Scottish Government is providing £6.2 million to the Scottish Council of Voluntary Organisations (SCVO) to create up to 710 community job training opportunities in the third sector (*Community Jobs Scotland*) for 16-29 year olds who face additional barriers to employment and remain furthest from the labour market.
- In 2019-20, the Scottish Government will continue to support the *Discovering your potential – care leavers employability* pilot by providing £1 million to the Princes Trust, Action for Children and Barnardo's to give additional support for care leavers who are taking part in Community Jobs Scotland opportunities.
- The Scottish Government has committed to introducing a new job grant for young people aged 16-24 years old (25 for care leavers) who have been out of paid employment for six months or more. It will be a cash payment of either £250 or £400, the higher amount payable to young people who have children. The grant aims to meet the initial costs of starting work, supporting a smooth transition into employment for young people on low incomes. It will be delivered by Social Security Scotland, an executive agency of the Scottish Government, which has responsibility for delivering a number of new devolved benefits.
- The Scottish Government's commitment to the Inspiring Scotland 14-19 Fund finished in 2018. In 2019-20 the Scottish Government will continue to support the new *Our Future Now* fund by investing £1.5 million in the thematic fund, which supports young people into employment, education and training.
- Vocational provision for young people in the senior phase of secondary school is growing. Since the introduction of *Developing the Young Workforce*, Scotland's Youth Employment Strategy, there has been a year-on-year increase in the number of school leavers attaining vocational qualifications at SCQF level 5 and above: In 2017-18, 14.8% of school leavers attained 1+ award at SCQF 5 or better (a 2% increase on 2016-17 and an increase of 7.5% since the baseline in 2013-14).
- Through *Developing the Young Workforce* activity, the Scottish Government promotes apprenticeship opportunities to school students and continues to support Scottish Apprenticeship Week, a national campaign showcasing the benefits of apprenticeships to young people and employers. In addition, Skills Development Scotland actively promotes apprenticeships through a range of channels, including through its website.³

¹ <https://www.gov.scot/publications/developing-young-workforce-scotlands-youth-employment-strategy/>

² [https://education.gov.scot/scottish-education-system/policy-for-scottish-education/policy-drivers/Developing%20the%20Young%20Workforce%20\(DYW\)](https://education.gov.scot/scottish-education-system/policy-for-scottish-education/policy-drivers/Developing%20the%20Young%20Workforce%20(DYW))

³ <https://www.apprenticeships.scot/>

WALES

In Wales the Youth Engagement and Progression Framework is focused on reducing the number of young people aged 11 to 25 who are not engaged in education, employment or training (NEET).⁴

ISLE OF MAN

The Isle of Man Government's Department for Treasury does not have any programmes specifically targeting youth unemployment, but the Jobcentre does identify anyone aged 16 or 17 years old (and anyone else that might be considered vulnerable) that has signed on for Jobseeker's Allowance, to ensure they are seen at an early stage and that they are supported into employment, education or training.

The Jobcentre also runs a work placement programme that is for anyone over the age of 16 who needs real workplace experience and who would benefit from the chance to build confidence and employability skills. It runs for 4 months and participants are paid an allowance equivalent to the statutory minimum wage.

They also work closely with other Government Departments, agencies and third sector organisations with regards to unemployed and potentially vulnerable young people (e.g. Probation, Police Early Action Team, Education and St Christopher's) to ensure nobody slips through the net.

It should be noted, however, that the Isle of Man does not have a high unemployment rate, either in general or for young people. For example, in April and November 2019 the unemployment rate (based on proportion of the economically active population registered unemployed) was 0.7% and 0.8% respectively or (as an estimate based on the ILO's definition of unemployment) 1.8% in each of those months. In addition, in April and November 2019 of the total of 314 and 337 persons who were registered unemployed only 8 and 11 respectively of those persons were under the age of 18 years (during those same months 885 and 685 vacancies were notified to the Job Centre).

Q2. As in the previous Conclusion, the Committee requests that information is to be provided on the number of participants in the different labour market programmes or the overall activation rate. The Committee asks information on the next report to be provided on how the employment policies in place are monitored and how their effectiveness is evaluated.

UNITED KINGDOM

Employment statistics

Information on this can be found on Pages 5 to 16 of the UK's latest report (*accompanying this report*) to the ILO on Convention 122 concerning the Employment Policy.

Policy context and summary of labour market programmes

Information on this can be found on Pages 2 to 58 of the UK's latest report (*accompanying this report*) to the ILO on Convention 122 concerning the Employment Policy.

Labour market programmes for benefit claimants

The main employment programmes are Work Choice, Work Programme, Work and Health Programme, New Enterprise Allowance, Specialist Employment Support, European Social Fund.

⁴ <https://gov.wales/sites/default/files/publications/2018-02/implementation-plan-youth-engagement-and-progression-framework.pdf>

Number of participants

The UK regularly publishes statistics on the number of benefit claimants that have labour market support. These are available at: <https://www.gov.uk/government/organisations/department-for-work-pensions/about/statistics#employment-support-schemes>

Additional programmes also provide support to a wider group of individuals – for example the local programmes offered in collaboration with the European Social Fund. Some information on number of people supported may be available, however because programmes are at a local level it is not possible to cross-reference this information with benefit recipient data to produce a population total figure.

Monitoring and evaluation

Labour market programmes are monitored through a combination of administrative data, as well as other processes in place (e.g. a high level of performance management, controls and validation)⁵ to ensure the high quality support is provided.

The UK conducts labour market support trials and evaluations of support programmes where feasible and publishes the results. For example:

<https://www.gov.uk/government/publications/jobseekers-allowance-weekly-work-search-review-trial>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/507514/rr917-work-experience.pdf

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/508175/rr918-sector-based-work-academies.pdf

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/223120/impacts_costs_benefits_fjf.pdf

Currently an evaluation of the main employment programme, the national Work and Health Programme (described elsewhere in this report), is being run as a Randomised Control Trial with a control group and ‘public sector comparator’.

European Social Fund

The current ESF programme will support over 2.3 million participants, over 7 years. Of them:

395,000 will be BAME

340,000 will be aged 50+

415,000 will be disabled

450,000 will be young people

320,000 will be lacking basic skills

130,000 will be ex-offenders

155,000 will be lone parents

DWP is leading a full programme of evaluation of the 2014-2020 European Social Fund and Youth Employment Initiative in England in line with EC requirements and UK government good practice. The evaluations will report in 2020.

⁵ See <https://www.gov.uk/government/publications/department-for-work-and-pensions-single-departmental-plan/department-for-work-and-pensions-single-departmental-plan--2> and <https://www.gov.uk/government/publications/dwp-annual-report-and-accounts-2018-to-2019>

Educational programmes

ENGLAND

Programmes targeting youth

Figures for volume of participants on the Youth Obligation Support Programme (YOSP) can be found here:

<https://www.gov.uk/government/statistics/youth-obligation-support-programme>

There were 63,000 participants on YOSP between October 2018 and April 2019.

Officials continue to monitor the delivery of the Youth Obligation Support Programme. This includes visiting Jobcentres to speak to Work Coaches and young people about any challenges or areas of good practice. The full roll out of the Youth Obligation Support Programme was only completed in December 2018. We are considering how best to assess the programme's effectiveness now that it has had a chance to bed in.

Study programmes for 16-19 year olds

81.9% of 16 to 18 year olds were in education and work based learning at the end of 2016 – an increase of 0.3 points since 2015 and the highest level recorded since consistent records began.

In 2017 almost two-thirds (63.7%) of 16 and 17 year olds were in full-time education studying for a level 3 qualification as their highest qualification aim, a proportion roughly unchanged for the past two years. more than half of 16-18 year olds (58%) were in full-time education studying for a qualification at level 3 or above.

Traineeships

In the first year (2013/14) 10,400 young people started a traineeship, this grew to 19,400 in year two (2014/15) and 24,100 starts in year 3. The number of traineeships declined in 2016/17 to 20,300. There were 17,700 traineeship starts reported for the 2017/18 academic year.

19+ FE & Skills Participation 2017/18 (full year)

Over 2.1m learners participated. Of these learners (some of whom may be counted in more than one group):

- **439,200** participated at below Level 2 (excluding English & maths courses)
- **664,200** participated on English and maths courses
- **773,800** participated at Level 2
- **445,500** participated at Level 3
- **96,400** participated at Level 4 and above
- **504,500** All Age learners participated on Community Learning courses
- **78,000** 18+ offender learners participated in education and training
- **301,400** learners were on out of work benefits
- **109,000** participants had an Advanced Learner Loan

Apprenticeships

Apprenticeship starts statistics: <https://www.gov.uk/government/statistics/apprenticeship-and-levy-statistics-december-2018>

ENGLAND AND WALES

Work and Health Programme

The 2015 UK Spending Review announced that a new employment support programme, named the Work and Health Programme (WHP) would launch in 2017 in England and Wales. Although not a direct replacement, this new programme followed referrals ending to Work Choice and the Work Programme. The programme is delivered via contracted employment provision across England and Wales. Equivalent support for individuals in Scotland was devolved as part of the 2016 Scotland Act. The Work and Health Programme contracts commenced in England and Wales between November 2017 and January 2018 and are due to end in 2022.

The Work and Health Programme helps people with a wide range of barriers; including disabled people and certain priority groups (who can volunteer to join the programme) as well as Long Term Unemployed people (who can be mandated) to enter into and stay in work, using the expertise of private, public and voluntary, and community sector providers.

The programme will provide innovative support for around 275,000 people over five years. The majority of people starting on the programme (around 220,000) will be disabled people who can volunteer for the programme at any time.

The Work & Health Programme works with the resources and successful programmes available within local areas. This ensures that effective use is made of local funding streams and the expertise of local service suppliers so that participants with multiple barriers to work can receive co-ordinated and holistic support. The type of support will be personalised to the needs of each participant. Examples of the type of support available includes participants having a personal key worker with regular face to face contact, mentoring and peer support, integrated access to specialist support networks at a local level, including health and wellbeing professionals, and support from dedicated employer experts with knowledge of the local labour market and job opportunities.

As part of the Government commitment to devolution and decentralising power, responsibility for the delivery of the programme in London and Manchester has been devolved to the Local Authorities – known as Local Government Partners (LGPs). The LGPs have full control of the contracts, are responsible for performance management and are free to prioritise specific customer groups in their areas.

NORTHERN IRELAND

Steps 2 Success

Steps 2 Success is Northern Ireland's main adult employment programme. It commenced on 20 October 2014 for an initial period of four years. In October 2018, the Department extended the contract for another 2 years, until October 2020.

- 50,730 people have been referred to the programme;
- 47,490 people have attached and participated on the programme;
- 13,694 of the clients who attached to the programme in this period have gone on to find employment. It should be noted that a majority of clients from the latter months of 2018 are

still on the programme, and therefore the number moving into employment for this period is expected to increase over time.

- The most recent into employment statistics published by the Department for Communities focus on those clients who started the programme up until March 2018 as the majority of these clients have completed the programme. For the period January 2015 – March 2018, 30% of clients have moved into employment.
- Due to the time-lag involved in clients completing their participation on the programme and then obtaining and sustaining work, the most recent 6-month sustainment statistics published by the Department for Communities only focuses on those clients who started the programme between up until September 2017. For the January 2015 – September 2017 period, 20% (7,753) of clients have sustained employment for 6 months. This equates to 66% of those who moved into work.
- Due to the time-lag involved in clients completing their participation on the programme and then obtaining and sustaining work, the most recent 12-month sustainment statistics published by the Department for Communities only focuses on those clients who started the programme between up until March 2017. For the January 2015 – March 2017 period, 15% (5,193) of clients have sustained employment for 6 months. This equates to 50% of those who moved into work.

Other programmes in Great Britain

Access to Work - During the period January 2015 and December 2018, a total of 2,891 people were supported on the Programme. Total spend for the period was £7,379k.

Workable (NI) - Between January 2015 and December 2018 the numbers participating on the programme rose from 560 to 842 and overall spend in that period was £13,449,020.

Specialist Employment Support - Between January 2015 and December 2018 the numbers participating on the programme fell from 523 to 412 and overall spend in that period was £14,981

Condition Management Programme-During 2018, 899 clients participated on CMP.

European Social Fund (ESF) - during 2018 DfC's Health and Work Support Branch provided match funding to 17 ESF projects and 3912 people with disabilities participated on these projects. The annual budget for DfC match funding is £1.5m

Parkanaur College - DfC spend for the period January 2015 to December 2018 was circa £957k. Parkanaur supported an average of 11 people each year during this period.

SCOTLAND

Apprenticeships

Official statistics published on 11 June 2019⁶ show there were 28,191 Modern and Graduate Apprenticeship starts in 2018-19, with a target of achieving 29,000 Modern Apprenticeship starts in 2019-20 - including over 1,300 Graduate Apprenticeship starts in this target⁷ and a commitment to

⁶ <https://www.skillsdevelopmentscotland.co.uk/publications-statistics/statistics/modern-apprenticeships/?page=1&statisticCategoryId=4&order=date-desc>

⁷ <https://www.gov.scot/news/new-modern-apprentice-target/>

30,000 new apprenticeship starts by 2020-21,⁸ continuing to prioritise higher level training and STEM (science, technology, engineering, mathematics) subjects.

As part of the drive to improve attainment and to give all Scotland's young people an equal chance and choices to succeed at school and in life, considerable progress has been made to expand Foundation Apprenticeships as an emerging qualification in the senior phase of school.⁹ In 2018, 2,600 Foundation Apprenticeship opportunities were made available across 12 frameworks (7 STEM) and 1,532 places were taken up. There are 5,000 opportunities available for 2019.

Monitoring and evaluation

A wide range of Scottish programmes and funds are described in this report. Some of the funds are delivered by third sector partners and the Scottish Government's operational delivery partner, Skills Development Scotland. Monthly, quarterly, six-monthly and annual reports are submitted to ensure the programmes are delivering effectively to the targeted areas and are remaining within budget. Performance reviews are discussed and evaluated during budgetary discussions for future funding of the programmes. Funding for other programmes, such as Community Jobs Scotland and Inspiring Scotland is provided directly to the organisations under grant arrangements.

WALES

Since devolution, there has been an improvement in the performance of the labour market in Wales. The historic gap in employment rates between Wales and the UK has narrowed since 2002 and over the medium-term, the unemployment rate in Wales has been close to the UK average. The historic inactivity gap between Wales and the UK has partially closed since 2002.

There were 1.5 million people in employment in Wales in February to April 2018, up 7,000 (0.5 per cent) from the same period a year earlier. This is a rate of 73.3 per cent of those aged 16-64, up by 0.4 percentage points from the same period a year earlier.

At 73.3 per cent, the employment rate in Wales is well above the rate of 65-67 per cent experienced in the mid to late 1990s and the early years of the 2000s.

Wales is maintaining an employment rate well above its historical average, with the level up by almost one-fifth, (over 238,000 people) since the start of the Assembly.

Employment statistics

All UK regions saw an increase in the employment rate between June-August 2014 and March to May 2018. Wales saw the most pronounced rise, at 5.2 percentage points; followed by, West Midlands and the North West.

English for Speakers of Other Languages (ESOL)

In Wales ESOL is contracted by Welsh Government and Local Authorities. It is an adult learning provision to help people out of poverty and into work and is targeted at refugees and immigrants. Information on this can be found here: <https://gov.wales/sites/default/files/publications/2018-11/english-for-speakers-of-other-languages-esol-policy-for-wales.pdf>

⁸ <https://www.gov.scot/publications/developing-young-workforce-scotlands-youth-employment-strategy/pages/5/>

⁹ <https://news.gov.scot/news/expansion-of-foundation-apprenticeships>

ISLE OF MAN

The Isle of Man Government Jobcentre and the Disability Employment Service both of which previously formed part of the former Department of Economic Development, (now the Department for Enterprise) were both transferred to the Treasury in 2017. The rationale for these changes is to more closely integrate these two functions with the Treasury's Social Security Division.

Responsibility for providing vocational guidance and training and apprenticeships was transferred to the Department for Education, Sport and Culture (DESC) by the Transfer of Functions (Economic Development and Education) Order 2017. Section 32 of the Education Act 2001 was consequentially amended to reflect this change. The purpose of this reform was to provide for a single Department to have responsibility for all elements of education, vocational guidance and work-related training.

However, the 2017 Order also transferred to the Treasury the provision of employment and training initiatives by way of financial support for arrangements, support or payments (by way of grant, loan, allowance or otherwise) designed to assist persons, including disabled persons, to obtain or retain employment.

The Disability Employment Service is provided by the Treasury to assist individuals with disabilities to gain employment, which may be paid or unpaid. It also assists employers by providing guidance, assistance and equipment where appropriate. The Disability Employment Advisers work closely with the Job Centre, which is also operated by Treasury, and both services are located in the same building.

DESC runs a careers guidance service, supports apprenticeships in a wide range of occupations and operates the Vocational Training Assistance Scheme which can provide financial assistance to both businesses and individuals wishing to undertake vocational training. In November each year DESC hosts an Employment and Skills Event which is an opportunity for employers in different sectors to network with each other and for young people and the general public to explore career opportunities on the Isle of Man.

The apprentice training programme has remained a consistent and robust programme in terms of overall numbers and successful completion. The total numbers of apprentices registered with the Department of Education Sport and Culture, as at 1 September 2015, 2016, 2017 and 2018, were, respectively, 340, 410, 457, 542. During that period, the success rate of those apprentices who commenced their training and successfully completed the qualification has remained at approximately 90%.

Approximately 2132 people undertake full time or part time vocational training (including apprenticeships) each year.

Paragraph 2

Prohibition of discrimination in employment

Q3. The Committee notes from the ILO that the Employment Tribunals and Employment Appeal Tribunal Fees Order 2013 introduced a requirement to pay a fee to initiate proceedings in employment tribunals [...] The Committee notes that on 11 June 2015 the Lord Chancellor announced a post-implementation review which would "consider how effective the introduction of fees has been in meeting the original financial and behavioural objectives while maintaining

access to justice". The Government has indicated that the review will be completed by the end of 2015 ("Employment Tribunal Fees Post Implementation Review", Gov.uk, 11 June 2015). The Committee asks information on the results of such review and any developments on this matter.

The Committee notes that the official statistics show that Tribunal applications fell by 79% in the first six months after fees were imposed (European Equality Law Network), which means that the number of discrimination claims has dropped considerably. In order to assess whether the effectiveness of the right to file a complaint on alleged cases of discrimination as well as to appeal before the employment tribunals is affected by the requirement to pay court fees in employment disputes, the Committee asks information on the nature of the discrimination claims and the amount of fees paid by the claimants (with examples of actual cases) and statistical information on trends in the number of discrimination claims before the employment tribunals.

It also asks whether expenses are remitted to those who cannot afford to pay the court fees and in what proportion.

ENGLAND, SCOTLAND and WALES

In July 2017 the UK Supreme Court ruled in *Unison v Lord Chancellor* that the fees being charged in the Employment Tribunal and the Employment Appeal Tribunal were unlawful. Although the Court accepted in principle that charging fees is a justified way of funding the courts and tribunals system, the Court did not consider the Government had struck the right balance in respect of the fees being charged. HMCTS immediately stopped charging Employment Tribunal fees and, on 15 November 2017, launched a scheme to refund all those who had paid.

The Government published its review of the introduction of fees to the Employment Tribunals and Employment Appeal Tribunal in January 2017¹⁰. The review concluded that the introduction of fees broadly met its objectives, in that:

- users were contributing between £8.6 million and £9 million a year in fee income, in line with expectations, transferring a proportion of the cost from the taxpayer to those who use the tribunal;
- more people were using the Advisory, Conciliation and Arbitration Service's (Acas) free conciliation service than were previously using voluntary conciliation and bringing claims to the ETs combined; and
- Acas is effective in helping people who refer disputes to them avoid the need to go to the tribunal, and where conciliation has not worked, many people go on to issue proceedings in the ETs.

However, the review also concluded that there was a general lack of awareness of the fee remission scheme, and those who did apply found the guidance and procedures difficult to follow. The Ministry of Justice took steps to address these concerns by relaunching the scheme as 'Help with Fees' with improved guidance and a simplified application procedure. The proportion of all claims (both single and multiple) for which a fee remission was granted in the Employment Tribunals increased from 15% in Q2 2013/14 to 29% in Q4 2015/16.

The Employment Tribunals hear cases relating to a range of discrimination issues, including age, disability, religious, sexual orientation, race, sex, pregnancy, and equal pay. The Government's report includes case volume data for each of these jurisdictions relative to other (non-discrimination) complaints.

¹⁰https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/587649/Review-of-introduction-of-fees-in-employment-tribunals.pdf

The Government has previously sought to increase the contribution from those using the courts and tribunals to help fund a more effective and efficient service. A properly funded service enables the Government to protect access to justice but, as the Supreme Court made clear in *Unison*, fees must not limit access to the courts.

ISLE OF MAN

As part of arrangements to implement the Equality Act successfully the Isle of Man Government has appointed an Equality Adviser to assist employers, workers and service providers.

Q4. The Committee asks the next report to provide further information on the reasons for the repeal of Section 138 and the possible repeal of Section 124 of the Equality Act 2010. The Committee asks how such changes have affected the procedure in discrimination cases.

UNITED KINGDOM

Section 138 of the Equality Act 2010 was repealed by the Enterprise and Regulatory Reform Act 2013, and section 124 was amended by the Deregulation Act 2015.

Section 138

Section 138 was repealed because the then Government considered that the process of potential discrimination claimants asking questions of employers by means of a statutory questionnaire, which the employer was expected to respond to within 8 weeks, had become widely abused. There was no requirement to use the model questionnaire provided, and many potential claimants took legal advice before asking a large number of very detailed questions, placing significant burden on respondents. Moreover, because no parallel provision existed elsewhere in employment law, potential litigants intending to claim on other grounds, such as unfair dismissal, often used questionnaires to “trawl” an employer to see whether the responses – or lack of them – suggested that a discrimination claim might also be worth making.

Post-repeal, potential discrimination claimants are still able to put whatever questions they wish to their current or former employer. In the event of the case being brought to a tribunal, the tribunal can still choose to draw conclusions from an employer’s responses or lack of responses. The model questionnaires can still be found on the internet (though as noted above they were generally not used by claimants, who asked their own questions) but are no longer updated or treated as part of official Government documentation.

Section 124

The part of section 124 which enabled employment tribunals to make “wider recommendations” in discrimination judgments intended to benefit others than the claimant him/herself was amended. The then Government’s view – supported by a small survey of employers who had had a wider recommendation made against them – was that such recommendations were not generally helpful. Typically, they might require senior managers in an enterprise found to have acted unlawfully, to attend diversity training or other remedial activity. Research has shown that such training is frequently not effective at changing employees’ attitudes and indeed can sometimes be counter-productive, especially when required, as under section 124, as a sort of punishment.

Post-amendment, an employment tribunal can continue to make awards, as before, in favour of a claimant. It may also make recommendations that an employer takes specified steps to obviate or reduce the adverse effect on the claimant of any matter to which the proceedings relate.

However, the tribunal cannot, as previously, make “wider recommendations” as part of its judgment, aimed at other persons, for example other employees. Where the tribunal’s judgment affects an employer’s practices or processes, it must retain a connection to the claimant themselves.

Q5. The Committee asks the next report to provide information on any development concerning the inclusion of caste-based discrimination as an aspect of race in Section 9 of the Equality Act 2010. It also asks for examples of cases involving caste discrimination dealt by the employment tribunals.

ENGLAND, WALES AND NORTHERN IRELAND

Section 9(5)a of the Equality Act 2010, as originally enacted, provided a power for the Government to amend section 9 so as to include “caste” as an aspect of the race characteristic in the Act (i.e. a claim of race discrimination could be made on grounds of colour, ethnic origins, nationality or caste). This provision was not commenced when the bulk of the Act was commenced in 2010-11.

In 2013, Parliament voted in the passage of the ERRA (see above) to amend section 9 so that the power became a duty to include caste in the race discrimination provisions.

In 2014, an Employment Tribunal and then an Employment Appeal Tribunal found in the case of *Tirkey v Chandhock* that, in some circumstances, caste discrimination could legitimately be considered as race discrimination on grounds on ethnic origin.

Following this judgment, the Government consulted publicly in 2016 on whether it should commence the caste duty, or repeal it and rely on the *Tirkey v Chandhock* judgment. Following the consultation, the Government announced that it intended to repeal the duty, rely on the judgment, and issue guidance on Caste and the Equality Act for employers, service providers and individuals. Work is ongoing to fulfil these commitments.

Cases

We know of three cases where caste discrimination has been claimed in a tribunal. These were set out in the 2017 consultation (see above), as follows:

1. *Naveed v Aslam (2012)* Mr Naveed was a chef recruited from Pakistan to work in a restaurant. His employers were disappointed with his work, as his cooking was not to their customers’ taste and he was resistant to suggestions for improvement. This led to customer complaints and to disagreements between Mr Naveed, his employers and other staff. After the employment relationship ended, Mr Naveed made a claim against his former employers which included allegations of harassment and discrimination on grounds of race and caste. He said that he had been subjected to ridicule and abuse because of his Pakistani Arain caste. The tribunal did not accept his evidence, and thought that unpleasant exchanges at work were not related to Mr Naveed’s caste but rather were caused by the difficult relationship between him and his employers. The tribunal also ruled that his claim could not have succeeded in any event. The reason for the abuse was not his ethnic origin, and in any case the power to make caste on its own an aspect of race had not been exercised.

2. Begraj v Heer Manak Solicitors (2014). Mr Begraj was dismissed from his position as practice manager at Heer Manak and his wife later resigned from the same firm. He made a claim for wrongful dismissal and his wife claimed for constructive unfair dismissal. Both alleged that the firm had been unhappy at the fact that the couple had married, as he was a Dalit and she, in common with their employers, was higher caste. The tribunal heard evidence for nearly 30 days, but because the judge recused herself no findings were ever made on the substantive claims. A subsequent human rights claim against the Secretary of State for Justice (failure to guarantee the Article 6 right to a fair trial) was struck out.
3. Tirkey v Chandhok (2014) The Claimant worked for the Respondents as a domestic worker and claimed they treated her badly and in a demeaning manner, and that this was in part because of her low status which was infected with considerations of caste. The Respondents appealed to the Employment Appeal Tribunal against an earlier Employment Tribunal ruling in the Claimant's favour, on the ground that caste did not fall within the definition of race in section 9 of the Equality Act 2010. In December 2014, the Employment Appeal Tribunal held that though caste as a specific concept did not presently come within section 9(1) of the Equality Act, many of the facts relevant in considering caste in many of its forms might be capable of doing so, since ethnic origins in section 9(1)(c) has a wide and flexible scope. The judge emphasised that his judgment was not a definitive assessment of whether caste is or is not within the scope of the Equality Act. He recognised that some cases where caste is a reason for less favourable treatment may fall outside the scope of protection of the Equality Act but did he not explain what these would be. Nevertheless, the effect of the judgment is that it is likely that anyone who believes that they have been discriminated against because of caste could now bring a race discrimination claim under the existing ethnic origins limb of the race provisions in the Equality Act.

SCOTLAND

The Equality Act 2010, in section 9(5), originally contained a discretionary power for UK Ministers to make an order to provide for caste to be an aspect of race. The power has not been used and, on 1 March 2013, UK Government Ministers stated that they would not do so. The Scottish Government does not have the power to amend the definition of race in the Equality Act 2010 as this is a matter for the UK Government.

Subsequently, the Enterprise and Regulatory Reform Act 2013 amended the Equality Act 2010 to say that Ministers "must" by order provide for caste to be an aspect of race. The Act does not prescribe a time limit for the exercise of this power.

On 2 September 2016, the UK Government announced that it would conduct a public consultation on the issue. The consultation was published on 28 March 2017 and ran until 18 September 2017. The UK Government response, published on 23 July 2018, decided against further legislation, preferring to rely on the development of case law.

Caste discrimination is not well understood and the Scottish Government recognises the need for the law to provide protection to individuals but also to be enforceable. While the development of case law is of critical importance, for example *Tirkey v Chandhok*, there does not appear to be a sufficient body of evidence from employment tribunals that can be relied upon in this complex area. Case law will be slow in arising, developing, and subsequently testing the existing legislation and, during that time, individuals may not be adequately protected. Therefore, the Scottish Government considers that the enactment of Section 9(5) of the Equality Act 2010 may be the most effective way to guard against this type of discrimination.

Q6. The Committee asks the next report to provide information on the measures taken to promote equality of opportunity and treatment of ethnic minority groups in employment.

ENGLAND, WALES AND NORTHERN IRELAND

The Government is committed to closing the opportunity gap in our society and determined to implement the policies helping those underrepresented in the labour market. We have identified and are working with twenty areas around the country. Each area is a local authority with a high ethnic minority population and high gap between the ethnic minority and white employment rate. Together they represent over half of the national ethnic minority employment gap so in these areas we are providing targeted support and developing local solutions to improve employment outcomes. Since 2015, 610,000 more people from ethnic minority backgrounds are in employment - an 18 per cent increase in the number of ethnic minority people employed.

The Government ran a consultation from October 2018 to January 2019 on Ethnicity Pay Reporting with businesses and representative organisations to understand the barriers towards reporting and understand what information should be published to allow for meaningful action to be taken. A response will be published in due course.

In 2015 the Conservative Government made a commitment to increase ethnic minority employment by 20% by 2020; at the launch of the Race Disparity Audit in October 2017, committed to tackle the ethnic disparities on the Audit's website <https://www.ethnicity-facts-figures.service.gov.uk/>.

The Government also launched a new Race at Work Charter, which currently has over 200 signatories. It commits employers to action on collecting ethnicity data, zero tolerance of bullying and harassment, and sponsorship of employees from ethnic minorities. Signatories should also appoint an executive sponsor for race and make clear that supporting equality in the workplace is the responsibility of all leaders and managers.

One year on, in October 2019, Business in The Community (BITC) published a report based on a survey of 108 companies, which found that:

- 84 per cent of employers have a senior Race Champion.
- 63 per cent of employers monitor data on pay and ethnicity.
- 97 per cent of employers have a clear zero-tolerance policy on racial harassment and bullying.
- 50 per cent of employers ensure that performance objectives of their board and senior team include action on race
- 80 per cent of board members and executives are engaged in reverse/two-way mentoring.

ISLE OF MAN

In the Isle of Man, the Equality Bill received Royal Assent in July 2017, becoming the Equality Act 2017.

The Act's provisions mirror most of the provisions in the United Kingdom's Equality Act 2010 with such local modifications as were required for the jurisdiction. This new anti-discrimination legislation was phased in over two phases, with the first seven of the nine protected characteristics, including race brought into force on 1.1.19 and the remaining two characteristics of age and disability brought into force on 1.1.20.

The protection from discrimination, harassment and victimisation because of race, extend and improve the provisions previously contained in the Race Relations Act 2004. The Act, the same as

the UK, includes compliance with the public sector equality duty which will result in advancing equality of opportunity through public sector decision making.

SCOTLAND

In 2016, the Scottish Government published a 15-year Race Equality Framework, and has outlined in its Race Equality Action Plan (2017) more than 120 actions it will take by 2021 to secure better outcomes for ethnic minorities in Scotland.

The Plan encompasses employment, education, health, housing, poverty, community cohesion and safety, as well as participation and representation for all minority ethnic communities in Scotland.

Q7. The Committee notes, in particular, that the effectiveness of the PSED is currently under review. It asks the next report to provide information on the results of such review.

ENGLAND, SCOTLAND and WALES

The review of the public sector equality duty, chaired by Sir Robert (now Lord) Hayward, reported in September 2013. The review's results can be read here:

<https://www.gov.uk/government/publications/the-independent-steering-groups-report-of-the-public-sector-equality-duty-psed-review-and-government-response>

SCOTLAND (additional)

Scottish Ministers are committed to a review of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 to ensure that they remain an effective vehicle for delivering the public sector equality duty.

Given the experience gained since 2012, as well as the legislative and other changes that have taken place, the Scottish Government will commence a review of the Regulations in Summer 2019.

The review will consider matters such as sharing good practice and encouraging knowledge transfer, as well as improving national and local data availability.

It will be important to work with partners in the public and third sector in order to consider innovative ways of improving the effectiveness of the Regulations.

Q8. The Committee asks that the next report provide information on the activities and measures taken by Government Equalities Office, the Equality and Human Rights Commission and the Equality Advisory Support Service with a view to eliminate discrimination in employment and to promote equality of opportunities and equal treatment including for specific minority groups. It requests that the next report provide information on any claims related to discrimination in employment, including the grounds of discrimination addressed as well as any remedies provided or sanctions imposed.

UNITED KINGDOM

Government Equalities Office

The Government Equalities Office (GEO) promotes anti-discrimination measures by maintaining the Equality Act 2010 and funding the Equality Advisory Support Service.

Equality and Human Rights Commission

The Government and the Equality and Human Rights Commission (EHRC) is committed to tackling employment discrimination, and has taken action in several areas:

Unlawful pay discrimination

- The national gender pay gap is at a record low, the positive outcome is a joint success for government and the EHRC (which enforces the regulations)
- Recent cases, including at the BBC and several supermarkets, have increased the visibility of the prevalence of equal pay issues. The EHRC is currently investigating suspected past pay discrimination at the BBC (due to report spring 2020). The Government does not comment on ongoing equal pay cases.

Discrimination against women in the workplace

- EHRC is providing legal assistance in ongoing cases of sexual harassment and victimisation and maternity discrimination and has used its powers to provide information and advice to bring about change in this area. The Working Forward campaign supports employers to make their workplaces the best they can be for pregnant women and new mothers. (347 employers signed up, covering 1.67 million employees).
- Government launched a consultation in the summer on the laws protecting people from sexual harassment in the workplace and is working to ensure employers are clear on their responsibilities including supporting the EHRC to develop a statutory Code of Practice on sexual harassment and harassment in the workplace.

The EHRC's recent strategic cases have also seen considerable success, including:

- An investigation into a care agency after receiving evidence of potential recruitment and selection discrimination
- A formal inquiry into legal aid in discrimination cases, launched in September 2018 makes recommendations to ensure that people are able to access the courts in discrimination cases
- Securing employment rights for the 2.8 million people who work in gig economy in Great Britain

Equality Advisory Support Service

The Government Equalities Office additionally funds and has contracted with G4S to manage the EASS, a free helpline for people in England, Scotland and Wales who feel that they have suffered discrimination. As a helpline, EASS responds to each individual customer contact and does not have any statutory responsibility for promoting equality of opportunities and equal treatment more broadly; moreover, because employment is not part of its core business (see below) it only has a limited 'partnership' role in helping eliminating discrimination in employment matters. EASS advisors do not offer legal advice but provide guidance on people's rights and on informal ways of dispute resolution.

While the EASS covers all aspects of the Equality Act (and human rights issues), it refers employment-discrimination related cases to ACAS (the Advisory Conciliation and Arbitration Service) which provides free and impartial information and advice to employers and employees on all aspects of workplace relations and employment law. EASS works with the EHRC to identify cases that have either strategic importance or that indicate a potential systemic issue. Such cases are referred to the EHRC to consider it taking enforcement action.

Q9. The Committee requests the next report to provide information on the results of the consultation launched in 2014 concerning the Racial Equality Strategy for Northern Ireland, as well as on the specific legislative measures adopted by the Office of the First Minister and deputy First Minister to address discrimination and the promotion of equality of opportunity and treatment in employment.

NORTHERN IRELAND

As a result of the consultation in 2014 a racial equality strategy 2015 - 2025 was agreed by the Executive and published.¹¹ Northern Ireland's Racial Equality Legislation will be reviewed in line with the commitments made in the strategy.

Q10. As for the Isle of Man, the report indicates that in 2014 the Government's Cabinet Office brought forward a new Equality Bill which is based, with some modifications, on the United Kingdom's Equality Act 2010. [...] The Committee notes that the consultation process has already taken place, but the new Equality Bill has not been adopted yet. It asks information on any developments on this matter in the next report.

ISLE OF MAN

The Equality Act, which is based closely on the United Kingdom's Equality Act 2010, received Royal Assent in July 2017. Much of the Act is already in operation with almost all of the remaining provisions due to come into force on 1st January 2020. When fully in force the Act will provide comprehensive protection against any discrimination in employment, the provision of goods and services and education on the following grounds:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

As part of arrangements to implement the Equality Act successfully the Isle of Man Government has appointed an Equality Adviser to assist employers, workers and service providers.

Q11. As regards discrimination on grounds of nationality, the Committee recalls that States Parties cannot ban nationals of States Parties, in general, from occupying jobs for reasons other than those set out in Article G of the Charter, namely when the jobs at issue are inherently connected with the protection of the public interest or national security and involve the exercise of public authority (Conclusions 2006, Albania). In light thereof, the Committee asks the next report to provide detailed information on the restrictions applicable, if any, to foreign nationals' employment rights. It reserves in the meantime its position on this point.

UNITED KINGDOM

Employment rights, and protections, in the United Kingdom apply equally to all regardless of nationality. UK law does not restrict workers from occupying jobs based on nationality, however a very small number of exceptions apply in order to protect the public interest or national

¹¹ <https://www.executiveoffice-ni.gov.uk/publications/racial-equality-strategy-2015-2025>

security. The UK offers the same workers' protections to foreign nationals working in the UK (posted or otherwise) as it would for UK nationals.

A very small minority of public sector roles are open to British nationals only due to national security reasons.

Government Equalities Office

The Government Equalities Office (GEO) promotes anti-discrimination measures by maintaining the Equality Act 2010 and funding the Equality Advisory Support Service.

Equality and Human Rights Commission

The Government and the Equality and Human Rights Commission (EHRC) is committed to tackling employment discrimination, and has taken action in several areas:

Unlawful pay discrimination

- The national gender pay gap is at a record low, the positive outcome is a joint success for government and the EHRC (which enforces the regulations)
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The EHRC's recent strategic cases have also seen considerable success, including:

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broadly; moreover, because employment is not part of its core business (see below) it only has a limited 'partnership' role in helping eliminating discrimination in employment matters. EASS advisors do not offer legal advice but provide guidance on people's rights and on informal ways of dispute resolution.

While the EASS covers all aspects of the Equality Act (and human rights issues), it refers employment-discrimination related cases to ACAS (the Advisory Conciliation and Arbitration Service) which provides free and impartial information and advice to employers and employees on all aspects of workplace relations and employment law. EASS works with the EHRC to identify cases that have either strategic importance or that indicate a potential systemic issue. Such cases are referred to the EHRC to consider it taking enforcement action.

Armed Forces

To be eligible to join the UK Armed Forces an individual must be a British, Irish or Commonwealth national. That can be as a sole or dual national. Maltese and Cypriot citizens are recruited as members of the Commonwealth and citizens of the Republic of Ireland are recruited as British. For some specialisations (e.g. the Submarine Service), candidates must hold British nationality only.

Civil Service

UK law restricts individuals from working in certain Civil Service roles as set out in the *Civil Service Nationality Rules*: <https://www.gov.uk/government/publications/nationality-rules>

Individuals can apply for any job in the Civil Service as long as they are a UK national or have dual nationality with one part being British. In addition, about 75% of Civil Service posts are open to Commonwealth citizens and nationals of any of the member states of the European Economic Area (EEA). The remainder, which require special allegiance to the state, are reserved for UK nationals.

Q12. The Committee asks that the next report provide information on positive measures/actions for combating all forms of discrimination in employment.

ENGLAND, NORTHERN IRELAND AND WALES

In 2017, the UK introduced ground-breaking regulations requiring large employers to publish the differences between what they pay their male and female staff in average salaries and bonuses. Over 10,000 employers reported their gender pay gap for the second time this spring. This measure pushes employers to take real action to close the gender pay gap, and address instances of gender discrimination in their workplaces.

Despite redundancy protections already being in place for pregnant women and new mothers, research by BEIS and the Equality and Human Rights Commission (published 2016) demonstrated that discrimination was still far too prevalent. Following a consultation, in July 2019 the Government announced it intended to extend the redundancy protection period for 6 months once a new mother has returned to work (same for those taking adoption leave), and extend redundancy protection for those returning from shared parental leave.

In 2018 the Government established the Race at Work Charter, which currently has over 200 signatories. It commits employers to action on collecting ethnicity data, zero tolerance of bullying and harassment, and sponsorship of employees from ethnic minorities.

ISLE OF MAN

The full implementation of the Equality Act 2017 from 1.1.20 creates extended and new rights for individuals' protection from discrimination in employment. Individuals have the right to either conciliate employment disputes with independent industrial relations officers or a right to bring a claim in the Employment and Equality Tribunal.

SCOTLAND

The Scottish Labour Market Strategy sets out the Scottish Government's approach to inclusive growth, ensuring that every person - regardless of background, location or circumstance - has the opportunity to access quality and inclusive education, training and support into employment.

Public procurement

Scottish procurement legislation requires public bodies to consider how procurement could be used to improve social, economic and environmental wellbeing, with a focus on reducing inequality, and to act in a way to secure this. Public bodies can exclude a bidder from tendering for public contracts where it can be demonstrated that they have breached any obligations in the fields of environmental, social or employment law, including the Equality Act 2010.

The Procurement Reform (Scotland) Act 2014¹² allowed Scottish Ministers to publish statutory guidance on *Addressing Fair Work Practices, including the Living Wage, in Procurement*.¹³ From 1 November 2015 public bodies must consider, before undertaking a procurement exercise, whether it is relevant and proportionate to include a question on fair work practices, including the Living Wage, which can be evaluated as part of the competition. The 2014 Act requires public bodies' procurement strategies to include a statement of their general policy on the payment of the Living Wage to people involved in delivering public contracts and to report against their strategy annually. Best Practice Guidance¹⁴ and a Toolkit¹⁵ (July 2018) support the practical application of the statutory guidance and help public bodies and suppliers think about how to develop and adapt their approach to fair work practices. These were developed with public sector representatives, the Fair Work Convention, trade unions and business representative organisations. They align with the Fair Work Framework and the Scottish Business Pledge, and include a focus on equality and diversity, for example gender balance on boards, a diverse workforce and closing the gender pay gap.

The Equality and Human Rights Commission used the Scottish Government's sustainable procurement training framework to develop and deliver equality and procurement training with City and Region Deal participants in 2018. The training, which has a particular focus on equality in relation to women, disabled people and ethnic minorities was adapted and delivered to Scottish Government buyers in February/March 2019.

In the course of delivering the *Fairer Scotland action plan for women: gender pay gap*, the Scottish Government will develop its sustainable procurement tools and guidance to help buyers across the public sector in Scotland identify and pursue equality outcomes in procurement.

¹² <http://www.legislation.gov.uk/asp/2014/12/contents>

¹³ <https://www.gov.scot/publications/statutory-guidance-selection-tenderers-award-contracts-addressing-fair-work-practices/>

¹⁴ <https://www.gov.scot/publications/addressing-fair-work-practices-including-real-living-wage-procurement-best/>

¹⁵ <https://www.gov.scot/publications/fair-work-practices-in-procurement-toolkit/>

Sustainable procurement guidance for public bodies concerning equality was published in November 2018.¹⁶

Fair Work First

In October 2018, Scotland's First Minister announced *Fair Work First* as the Scottish Government's default position. By the end of the current Parliament, the Scottish Government will, whenever it is appropriate to do so:

- extend fair work criteria to: every type of grant; funding stream; and business support budget open to it; and
- extend the range of Scottish Government and public sector contracts that fair work criteria will apply to.

Through *Fair Work First* employers will be asked to commit to:

- investment in skills and training
- no inappropriate use of zero-hours contracts
- action to tackle the gender pay gap
- genuine workforce engagement
- payment of the real Living Wage.

In relation to the gender pay gap, the Scottish Government is developing criteria setting out what it expects employers to do by way of developing and publishing their gender pay gap, depending on the size and nature of the organisation.

Disabled People

In December 2018, the Scottish Government launched *A Fairer Scotland for Disabled People: Employment Action Plan*,¹⁷ which sets out 50 actions to reduce the difference in employment rates between disabled people and the rest of the working age population (referred to as the disability employment gap) by at least half by 2038. The employment rate for disabled people in Scotland is 45.6%, compared to 81.1% for non-disabled people - a disability employment gap of 35.5%.¹⁸

To ensure that employees are aware of their respective workplace rights, the Scottish Government has committed to work with partners, including the STUC and disabled people's organisations, to ensure that disabled people have access to information and guidance about their legislative employment rights and how to take action when those rights are denied. This will include identifying gaps in existing advice services, and making investment available to develop proposals to address those gaps.

More information can be found in the section of this report responding to questions on Article 15.

No-One Left Behind

The Scottish Government has committed to working with local government and wider partners to introduce the No-One Left Behind Employability Funding Stream. This is a joined-up, flexible and responsible approach to employability that focuses on the needs of the individual and is available to all ages. Stage 1 of the funding stream will be introduced from 2019-20, providing £7.078 million per annum to local authorities in Scotland to deliver employability support to people of all ages who are

¹⁶ <https://www.gov.scot/publications/equality-sustainable-procurement-guidance/>

¹⁷ <https://www.gov.scot/publications/fairer-scotland-disabled-people-employment-action-plan/>

¹⁸ Source: APS, Jan-Dec 2018 datasets, 16-64 year olds, ONS

facing significant barriers to entering employment. The next stage is expected to be in place for delivery in 2021-22.

Gender equality

Equality for women is at the heart of the Scottish Government's vision for a fairer Scotland. Improving women's position in the labour market is a priority for the Scottish Government and a key part of delivering inclusive economic growth. The Scottish Government is addressing this complex issue on a number of different levels, including through a commitment to expand childcare provision, to promote flexible working and a Scottish living wage, to address pregnancy and maternity discrimination, and to tackle women's under-representation in senior management roles and on boards.

Gender Representation on Public Boards

The Gender Representation on Public Boards (Scotland) Act 2018¹⁹ set a gender representation objective that a public board have 50% of non-executive members who are women by 31 December 2022. The Scottish Government has improved transparency by lowering the threshold for listed public authorities to publish their gender pay gap, from those with more than 150 employees, to those with more than 20.

Scotland's Economic Strategy

Scotland's Economic Strategy (March 2015)²⁰ acknowledges the importance of gender equality to inclusive growth and commits to advancing gender equality through measures such as:

- increasing the level of funded early learning and childcare from 475 hours to 600 hours per year for 3 and 4 year olds, and the most vulnerable 2 year olds, as part of a major investment in Scotland's social infrastructure
- implementation of the equality recommendations of the Developing Scotland's Young Workforce Commission, which include key performance indicators on addressing gender imbalance in vocational learning, including Modern Apprenticeships
- the development and implementation of the Scottish Government's *Women in Enterprise Action Framework*
- continued funding for a range of organisations to tackle the pay gap, address occupational segregation in science, technology, engineering and mathematics (STEM) areas and to work with employers to promote and support flexible working
- setting a voluntary target for all organisations to achieve gender parity on their boards by 2020, with a commitment to legislate on this issue as soon as the Scottish Government has the powers to do so.

Equality Budget Advisory Group

The Equality Budget Advisory Group²¹ has a remit to help shape the Scottish Government's equality and human rights approach to the budget. It does this by:

- supporting a process of equality analysis to ensure the equality and human rights implications of the Scottish Government's policy process are informing budgetary decisions, and that equality information presented in the Scottish budget documents is clear
- contributing to mapping the pathway between evidence, policy and spend

¹⁹ <http://www.legislation.gov.uk/asp/2018/4/contents/enacted>

²⁰ <https://www.gov.scot/publications/scotlands-economic-strategy/>

²¹ <https://www.gov.scot/groups/equality-budget-advisory-group/>

- identifying linkages between the Draft Budget, the National Performance Framework and the Economic Strategy, and supporting scrutiny of these outcomes
- contributing to improved awareness of and commitment to mainstreaming equality into policy and budget processes
- responding to requests by Parliamentary Committees for advice and information

The Scottish Government also publishes an Equality Budget Statement²² alongside the draft budget each year. This is an equality assessment of proposed spending plans by ministerial portfolios that considers the impacts of the budget on different populations and different protected characteristics to ensure that the budget works to effectively advance equality.

In 2019, the Scottish Government will for the first time also be adopting a process of examining the gender sensitivity of new policies within the Programme for Government.

National Advisory Council on Women and Girls²³

The role of the National Advisory Council on Women and Girls (NACWG) is to: raise awareness of gender inequality; act as a champion for positive progress and policies; provide effective challenge and be a catalyst for change.

Partnership for Change

The Scottish Government's *Partnership for Change* was launched on 25 June 2015, inviting public bodies, third sector organisations and companies from across Scotland to make a voluntary commitment to improve the diversity of their board and work towards 50/50 gender balance by 2020.²⁴

A Fairer Scotland for Women: Gender Pay Gap Action Plan

The aim of *A Fairer Scotland for Women: Gender Pay Gap Action Plan*²⁵ is to deliver a cross-government approach, tackling the causes of the inequality women face in the labour market.

The plan will address labour market inequalities faced by women, particularly disabled women, minority ethnic women, older women, women from poorer socio-economic backgrounds and women with caring responsibilities

It is part of a range of plans, including *A Fairer Scotland for Disabled People: employment action plan*, and the *Fair Work Action Plan*²⁶ to support implementation of the *Labour Market Strategy*.²⁷

A Fairer Scotland for Women includes a number of actions aimed at addressing occupational segregation, increasing the availability of well-paid flexible employment and improving labour market conditions for women in Scotland.

The 50 actions include:

²² <https://www.gov.scot/publications/equality-fairer-scotland-budget-statement-scottish-budget-2019-20/>

²³ <https://onescotland.org/equality-themes/advisory-council-women-girls/>

²⁴ <https://onescotland.org/equality-themes/5050-by-2020/>

²⁵ <https://www.gov.scot/publications/fairer-scotland-women-gender-pay-gap-action-plan/>

²⁶ <https://economicactionplan.mygov.scot/fair-work/>

²⁷ <https://www.gov.scot/publications/scotlands-labour-market-strategy/>

- providing £159,000 in 2018-19 to Family Friendly Working Scotland Partnership to support and promote the development of flexible and family friendly workplaces
- funding a feasibility study for a 'Centre for Flexible Work for Scotland' The centre will design, test, embed and scale new approaches to increase the availability of quality, flexible work in Scotland
- providing £750,000 to the Workplace Equality Fund, which aims to deliver employer-led innovative solutions to address long standing barriers particular groups face in entering and progressing in the labour market and to support the adoption of fair work practices. The Fund will have a key focus on supporting older workers, women, disabled people and those from a minority ethnic background, and embedding fair work dimensions in the workplace
- supporting around 2,000 women to return to work after a career break through the Women Returners Programme, worth £5 million over three years

Pregnancy and maternity

Scotland's Minister for Business, Fair Work and Skills chairs a working group tasked with creating best practice guidelines for employers and improving access to advice for pregnant women and new mothers. The Scottish Government worked in partnership with ACAS to host a series of employer training events across Scotland on maternity and related rights and responsibilities.

Early learning and childcare

The Scottish Government's plan to nearly double the funded early learning and childcare entitlement for all 3 and 4 year olds, and some 2 year olds, to 1,140 hours per year by 2020 will make a vital contribution to growing Scotland's economy, tackling inequality, and closing the attainment gap.

Thousands of parents will no longer have to pay expensive upfront childcare deposits under a pilot scheme announced in April 2018.

- Families who use either a childminder or nursery before their children become eligible for publicly-funded childcare, usually at age three, can be asked to pay a deposit of as much as £900.
- In Edinburgh, Glasgow and Dumfries and Galloway, the Scottish Government will cover that cost for eligible families until December 2019 through a deposit guarantee.
- Almost half (44%) of parents in the pilot areas with a child under two who are taking up childcare for the first time can benefit from the scheme.

Workplace Equality Fund

The first round of applications for the Workplace Equality Fund ended on 31 March 2018. The nine projects that secured funding (totalling £315,608) for 2018-19 will:

- support women returners into business services;
- help a range of companies become age-inclusive;
- build flexible and agile workplaces for companies in the construction, STEM, finance, technology, and furnishing sectors;
- improve mental health in the workplace; and
- deliver training in leadership and boardroom governance to women in the technology sector.

Following a second round of applications (July-August 2018), 13 projects securing funding totalling £434,392, which involve working with organisations and employers across Scotland and from a wide range of sectors including hospitality, technology, transport, finance, construction, creative

industries, childcare and IT. Funding allocated in the second round includes for Outside the Box Community Development Support to deliver the “Mums Returning To Work” project. The Scottish Government will shortly launch an expanded Workplace Equality Fund 2019-20, which will provide support for minority ethnic people, women, disabled people, older workers (aged over 50) (including menopause support), people who experience domestic abuse and workers who are experiencing social isolation and loneliness (such as unpaid carers).

Modern Apprenticeships

The Skills Development Scotland (SDS) *Equalities Action Plan for Apprenticeships*²⁸ includes activity to address gender imbalance within some Apprenticeship occupational frameworks. Activity has included the Construction Industry Training Board Positive Action on Recruitment, which raised awareness of non-traditional careers in construction. A number of similar approaches are being undertaken by SDS contracted providers to enhance recruitment into non-traditional apprenticeships. Providers are monitored on the action they take to encourage more diverse recruitment. The Scottish Apprenticeship Advisory Board (SAAB) Group Board recently considered current trends within apprenticeships and identified a need to provide visible, industry leadership on the issue of gender segregation in apprenticeships, thereby setting up a Gender Commission to address gender imbalance in Apprenticeships. The Commission met for the first time on 7 October 2019. SDS published the Equality Action Plan Year 3 Update on 29 July, outlining progress to date and the focus for activity in 2019-20.²⁹

Women in Enterprise

The *Women in Enterprise Action Framework* (March 2014) was refreshed in August 2017.³⁰ It identifies priority areas of action and how best these actions can be collaboratively supported. An Action Group, chaired by the Minister for Business, Fair Work and Skills, has been established to support delivery of the Framework.

Evidence of impact

The latest labour market statistics (March to May 2019) show that the employment rate for women in Scotland was 72.5%; the female unemployment rate was 2.9%; and the female inactivity rate was 25.2%.³¹ Female self-employment increased from 82,500 in Apr 2009–Mar 2010 to 113,600 in Apr 2016–Mar 2017, and then decreased to 105,100 in Apr 2018–Mar 2019.³² The gender pay gap for full-time employees in Scotland has decreased from 6.6% in 2017 to 5.7% in 2018 - the lowest gender pay gap on record for Scotland. The gender pay gap for all employees in Scotland has also decreased from 16% in 2017, to 15% in 2018. In 2018-19, 38% (10,489) of Modern Apprenticeship (MA) starts in Scotland were female and 62% (16,781) were male. Although the overall proportion of female starts has decreased by 0.04% since last year, in the Construction and Related groupings sector, female starts are at their highest in five years, with a 37.5% increase, compared to a 0.4% drop in male starts. Compared to last year, the number of female MA starts has increased at level 3 and above - in 2018-19 there 7,558 female starts (38.6%) and 12,041 male starts (61.4%); whereas in 2017-18 there were 6,791 female starts (36.7%) and 11,733 male starts (63.3%). Since 2013-14 the number of females at level 3+ has increased by 36% (1,987) compared to a 19% increase for males (1,957). In contrast, the number of females at level 2 has decreased by 39.8% (1,943) compared to a decrease of 1% (15) for males.

²⁸ https://www.skillsdevelopmentscotland.co.uk/media/40691/2869_sds_equalities_action_plan_digital_v7.pdf

²⁹ <https://www.skillsdevelopmentscotland.co.uk/media/45850/apprenticeship-equality-action-plan-annual-report-2019.pdf>

³⁰ <https://www.gov.scot/publications/scottish-framework-action-plan-women-enterprise/>

³¹ Source: Labour Force Survey Mar to May 2019

³² Source: APS Survey, Apr - Mar datasets, ONS

Prohibition of forced labour

Q13. The Committee requests that the next report contain relevant information on the pay, conditions of employment and social protection of inmates working within prisons.

UNITED KINGDOM

Convicted prisoners are required to work, in accordance with the Prison Rules 1999³³:

31. — Work

(1) A convicted prisoner shall be required to do useful work for not more than 10 hours a day, and arrangements shall be made to allow prisoners to work, where possible, outside the cells and in association with one another.

[(2) A registered medical practitioner or registered nurse working within the prison may excuse a prisoner from work on medical grounds.]

(3) No prisoner shall be set to do work of a kind not authorised by the Secretary of State.

(4) No prisoner shall work in the service of another prisoner or an officer, or for the private benefit of any person, without the authority of the Secretary of State.

(5) An unconvicted prisoner shall be permitted, if he wishes, to work as if he were a convicted prisoner.

(6) Prisoners may be paid for their work at rates approved by the Secretary of State, either generally or in relation to particular cases.

Prisoners undertaking directed work are not legally employees and do not have a labour contract or agreement. Work is undertaken as directed under the Prison Rules (Rule 31) as above, which falls under the exemption in Article 4 of the European Convention on Human Rights (ECHR) relating to forced labour in the context of detention.

In terms of paying prisoners for work undertaken in prison, the Secretary of State has exercised his powers in PR 31(6) and the relevant policy is contained in Prison Service Order (PSO) 4460 – “Prisoners’ Pay”³⁴ sets out the criteria to which all local pay policies must comply.

Prisoners receive payment only if they participate constructively in the regime of the establishment which are part of a prisoner’s sentence/training plan or learning plan, intended to reduce the risk of re-offending.

Governors have the necessary freedoms to set local pay rates that reflect their prisoner population needs, the type of prison and regime in operation, and the jobs / educational / vocational training that are available. As such, there is no central data about the rates of pay across prisons in England and Wales.

Paying prisoners must not act as a disincentive to participation in constructive activities, including education. Governors must be mindful of how the rates of pay they set for work creates incentives and disincentives.

Prisoners must receive at least the national minimum rate of 'employment' pay, which is £4.00 per week. The average weekly wage, based upon an estate-wide survey conducted in 2007, was £9.60.

³³ <http://www.legislation.gov.uk/uksi/1999/728/contents/made>

³⁴ <https://www.justice.gov.uk/offenders/psos>

However, a dip-test in summer 2018, of around 15 establishments, showed an average weekly wage of just under £12.

If prisoners refuse to participate with the prison regime they receive no pay.

Prisoners who want to work but for whom no suitable employment is available, or they are unable to work, receive the minimum unemployment pay of £2.50p per week.

In terms of providing protections to prisoners, prisoners enjoy the protections as set out in Prison Rule 31 and in the attendant Prisoners' Pay policy (PSO 4460 which includes, for example, policy on pay for those on long and short-term sick leave). Furthermore, where a prisoner has any concerns, he or she is able to raise a complaint to the Governor of the prison. If the prisoner remains dissatisfied, they may complain to the independent Prisons and Probation Ombudsman. In addition, the prisoner may apply to the High Court for leave for judicial review. The operation of prisoners' pay policy is also subject to scrutiny from HM Chief Inspector of Prisons, from members of Independent Monitoring Boards and externally from the European Committee for the Prevention of Torture and other similar bodies.

NORTHERN IRELAND

For most of the time since the last report the Assembly has been suspended and there have been no Ministers in place to make decisions to progress this issue.

SCOTLAND

Prisoners' pay is based on Part 9 of the Prisons and Young Offenders Institutions (Scotland) Rules 2011. All prisoners who participate in purposeful activity will be paid on a session basis.

Consequently, those who refuse to work on specific sessions do not receive payment for the relevant periods. Prisoners are not penalised if work or activity is curtailed or not available due to operational reasons. Where an establishment operates a timetabled approach to taking part in activity which does not take place or a routine workshop closure occurs or activities are curtailed at short notice, the prisoner is credited with the appropriate session payments for the number of periods concerned. Short term prisoners serving less than 45 days are not required to be allocated to a work party, however they may work if it is available. If work is not available, payment at Level 5 (£5) is applicable. Activity levels and performance standards, as well as associated pay ranges are outlined in Table 1 below.

Untried prisoners and persons awaiting deportation may be offered the opportunity to work if it is available. Priority to any available work should be given to prisoners who have no access to Prisoners' Personal Cash.

If a prisoner misses any sessions when access to work or education is available, their wage earning will be reduced accordingly.

A prisoner who has been removed from association to protect their interests will either continue to work where possible or be paid at the rate they received prior to being removed from association.

Prisoners will not normally be paid for any sessions that they do not work or participate in scheduled activity as a result of short term sickness, provided this does not reduce their weekly payment to less than £5. The exception to this might be inability to attend for work/activity through suffering an injury sustained at work or contracting a condition which prevents attendance at work on occupational health grounds. In these cases, session credits may be paid for a short period (including for pregnant women and mothers caring for babies). Establishments will put in place arrangements

with their health centres to ensure that such prisoners are appropriately identified and that their ability/inability to work is reviewed at regular intervals.

Prisoners who cannot work because of old age or disability should be paid at Level 4 (£7). However, prisoners who are over the national pensionable age may work if they wish to do so and are fit enough to take part, and will be paid at the appropriate rate for the activity undertaken.

Where prisoners attend education or training instead of work for a limited number of sessions each week they will not be disadvantaged, and are paid according to their normal wage.

Table 1 – Prisoner pay ranges

Activity Level	Performance A	Performance B	Performance C
Level 1 Outside placements	N/A	£18 plus £3 for prisoners in the open estate	N/A
Level 2 Essential Catering	Range: £15 - £16	Range £13 - £15	Range £11 - £13
Level 2 Other Worker with a specific skill (may possess a qualification but not essential) Role involving peer support/tutor Participation in an accredited prisoner programme	£13 - £14 max.	£10 - £12 max.	£8 - £10 max.
Level 3 General production role Internal services role (inc. hall pass) Full time Education Participation in approved activities Vocational training (V.T.)	Range: £10 - £11 max.	Range: £8 - £9 max.	£7
Level 4 General labouring role Induction Hobby/Occupational work	£7		

In-cell work Unable to work through disability or old age infirmity	
Level 5 Unemployed In segregation for good order reasons	£5 £5
Level 6 Long term refusal to participate in activity/induction or by their own actions make themselves unemployable.	Nil payment
The above rates will apply in all prisons, with the exception of establishments that have an average working week (across all work activities) greater than 30 hours/prisoner/week, delivered over no less than 10 half day sessions. A pro-rata increase may be applied in these circumstances by agreement with Prisons Directorate.	

Performance Descriptors

Performance Standard A

This is a post which requires the post holder to:

1. Be able to perform most if not all of the tasks within the party
2. Be totally flexible in their approach to work
3. Be qualified as necessary
4. Require little or no instruction
5. Have successfully progressed through C & B Standards

Performance Standard B

This is a post which requires the post holder to:

1. Be working towards an all-round capability within the party
2. Require minimum instruction
3. Demonstrate a willingness to progress
4. Be qualified as necessary
5. Successfully completed the induction and basic training required of a C Standard

Performance Standard C

This is a post which requires the post holder to:

1. Be undergoing induction and basic training within the party
2. Be undertaking basic work within the party which requires basic skills
3. Require regular instruction

Q14. The report mainly provides information on legislative and practical measures taken outside the reference period. The Committee requests that the next report provide information on the

results of these measures, particularly with reference to the General Questions about the existence of forced labour within the family (Conclusions XX-1/2012).

UNITED KINGDOM

The UK understands that the ‘General Questions’ referred to here are as follows:

“The Committee would like to draw the States’ attention to the problem raised by domestic work and work in family enterprises, both different phenomena but both which may give rise to forced labour and exploitation, problems at the heart of ILO Domestic Workers Convention No. 189 (2011).

Work in family enterprises may give rise to excessive working hours, failure to remunerate properly, etc. The Committee asks States Parties for information on the legal provisions adopted to combat these practices and the measures taken to supervise their implementation.

As regards domestic work the Committee considers that such work often involves abusive, degrading and inhuman living and working conditions for the domestic workers concerned (see ECtHR judgments in Siliadin v. France, 26 July 2005, final on 26 October 2005, and in Rantsev v. Cyprus and Russia, 7 January 2010, final on 10 May 2010). Consequently, the Committee asks whether the homes of private persons who employ domestic workers are subject to inspection visits. It further asks whether penal law effectively protects domestic workers in case of exploitation by the employer and whether regulations offer protection against abuse, by requiring, for example, that migrant workers recruited in one State for the performance of domestic work in another State receive an offer of employment in writing or an enforceable employment contract in this last State. It finally asks whether foreign domestic workers have the right to change employer in case of abuse or whether they forfeit their right of residence if they leave their employer.”

The UK fully supports the principles that the Convention (and accompanying Recommendation) on Decent Work for Domestic Workers³⁵ enshrines and has encouraged the ILO to provide appropriate technical assistance on this subject to its member countries. The existing UK legal framework largely meets or exceeds the requirements of the Convention as it already provides comprehensive employment and social protections to domestic workers, and as a rule, domestic workers in the UK are entitled to the same general employment rights as workers.

The UK abstained from the vote on the adoption of C189 as it did not consider it proportionate or practical to extend criminal health and safety law, including inspections, to the employment of domestic workers in private households, predominantly as this would impose disproportionate burdens and raise issues of privacy. The UK is committed to improving working conditions and provides a supportive and encouraging environment, with appropriate protections, complemented by effective and proportionate regulation to tackle challenges that come with social and economic change. It is common practice for the UK to only vote in favour of adoption where there is clear prospect of ratification and implementation of a Convention.

Overseas domestic workers are protected by the same UK laws as settled workers.

No definition of a domestic worker is provided in the immigration rules. The Immigration Rules state the following when referring to domestic work: “[someone who] has

³⁵ Convention 2011 No.189 concerning decent work for domestic workers (“Domestic Workers Convention”). This Convention and accompanying Recommendation set minimum standards relating to the employment conditions of domestic workers and includes provisions on freedom of association and collective bargaining; hours of work; remuneration; occupational health and safety; social security; private employment agencies and dispute settlement, complaints and enforcement.

been employed as a domestic worker for one year or more immediately prior to the application for entry clearance under the same roof as the employer or in a household that the employer uses for himself on a regular basis and where evidence is produced to demonstrate the connection between employer and employee.” ([Para 159A\(ii\)](#))

[Appendix 7](#) of the Immigration Rules states that **the Employer’s grievance procedure and disciplinary rules and procedure must comply with the ACAS statutory Code of Practice on discipline and grievance**. The Immigration Rules require all employers of migrant workers (all categories) to comply with UK legislation. [Appendix 7](#) of the Immigration Rules requires ODWs and Tier 5 Private servants to declare the terms of employment in the UK and require employers to confirm their agreement. This allows caseworkers to assess whether terms of employment meet UK requirements. The Immigration Rules ([159](#)) also require employers to sign a declaration which confirms they will pay National Minimum Wage and that section 57 of the [National Minimum Wage Act](#) does NOT apply (exemption for au pairs).

UK Visa and Immigration staff hand out leaflets with information on rights etc. to ODWs. These leaflets are provided in the 10 most spoken global languages.

An individual will only be granted an overseas domestic worker visa if they are over 19 years of age ([159A](#)). To be granted a visa as a private servant of an overseas diplomat, an individual can apply from the age of 18.

As a child cannot be granted an overseas domestic worker visa, there are no specific measures in place to protect those under the age of 18 against being involved in child labour in relation to domestic work.

- Under the [Modern Slavery Act 2015](#) it is a criminal offence if a person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude, or the person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour.
- Visa applications for migrant domestic workers, must be accompanied by written terms and conditions of employment in the UK, including provision for payment in accordance with National Minimum Wage Act, hours of work, and accommodation arrangements. A new template contract was introduced in April 2015.
- ODWs must have been employed for at least one year in the employer’s household (does not apply to diplomatic households) and produces evidence from the employer confirming this.

In March 2015, the government commissioned James Ewins QC to conduct a review to assess how far existing arrangements for migrant domestic workers were effective in protecting workers from abuse and exploitation. In response to the review, the government has, since April 2016:

- removed the condition which tied a worker to a specific employer by allowing them to switch to a different employer within the 6-month validity of their visa. This provision was also extended to domestic workers employed in diplomatic household
- increased the period of leave which can be granted to an Overseas Domestic Worker found to be a victim of slavery or trafficking from 6 months to two years. This is in addition to

existing provisions for Discretionary Leave which are available to all victims of human trafficking or modern slavery.

- updated a letter, given to ODWs, when they apply for a visa. The letter sets out employment protections available within the UK and possible sources of help – e.g. Kalayaan, a charity specialising in supporting domestic workers, and the Pay and Work Rights Helpline
- Designed a bespoke category of leave to remain for domestic workers who are victims of modern slavery, which allows them to remain in the UK for an additional period of up to two years following their identification as a victim
- The National Referral Mechanism provides a mechanism for any overseas domestic workers who are victims of modern slavery to be identified and provided with support as appropriate, or similar.

ODWs do not have recourse to public funds or to free at the point of use healthcare through the NHS.

If it is found that there are reasonable grounds to believe an ODW has been a victim of modern slavery and enters the National Referral Mechanism or claims asylum, then the individual will be eligible for support including accommodation, financial support and access to health care treatment up to CG/ asylum decision.

If an ODW is confirmed to be a victim of modern slavery and wishes to return to their country of origin, they can receive assistance through the voluntary returns Scheme, which might include financial support. Please see <https://www.gov.uk/return-home-voluntarily>.

There has been at least one case where we have investigated the labour provided in a domestic situation.

SCOTLAND

Section 4 of the Human Trafficking and Exploitation (Scotland) Act 2015 created a new offence of slavery, servitude and forced or compulsory labour.

The Act came into force on 31 May 2016 and provides for a maximum sentence of life imprisonment.

Part 4 of the 2015 Act introduces two new types of court orders: Trafficking and Exploitation Prevention Orders and Trafficking and Exploitation Risk Orders. These orders can be imposed if someone is convicted of a section 4 offence or if there is a risk that someone may commit a section 4 offence. They are intended to disrupt perpetrators' behaviour and protect a person, or persons, from harm.

In May 2017 the Scottish Government published its first Trafficking and Exploitation Strategy, which focuses on three key outcomes: to identify victims and support them to safety and recovery; to identify perpetrators and disrupt their activity; and to address the conditions that foster trafficking.

Other aspects

Q15. What is the length of, if any, compulsory minimum period of service required of those serving in the professional armed forces? Are there circumstances, such as specialised training or specific operational requirements, which entail a different compulsory minimum term of service in the professional armed forces and under what conditions may the persons concerned leave the service before the expiry of this term?

UNITED KINGDOM

Compulsory Minimum Service

The rules governing the terms of service of officers and Other Ranks (OR) differ and the single Services have subtle variation in the conditions when compared like for like. For officers, the minimum length of service is 3 years (or 6 years for aircrew) following training. For ORs, the minimum length of service is 2.5 years (Royal Navy (RN)) and 3 years (Army and Royal Air Force (RAF)) after the completion of training. Table 1 below provides further detail.

Exceptions

Officers have the right to voluntarily withdraw during training and ORs have the right to terminate their service giving 28 days (RN) or 14 days (Army and RAF) notice within the first 6 months of employment. Table 2 below provides further detail on exceptions. Early release, on compassionate grounds, at any time throughout a service career, is managed on a case-by-case basis. Personnel who have attended a specialist course may be liable for a specified Return of Service where a course is expensive, generally of at least a duration of 6 months and leads to marketable skills or qualifications. However, an individual selected for redundancy would not be expected to complete the Return of Service.

Table 1. **Minimum Length of Service**

Rank	RN	Army	RAF
Officer	<p>Direct Graduate Entrants (DGEs) and Naval College Entrants (NCEs) – 3 years from completion of officer initial training</p> <p>University Cadet Entrants (UCEs) - 5 years from completion of officer initial training</p> <p>Defence Technical Undergraduate Scheme (DTUS) Bursars - 3 years from completion of officer initial training</p> <p>Medical Cadets – 6 years from date of full registration with the General Medical Council</p> <p>Dental Cadets – 6 years from date of full registration with the General Dental Council</p>	<p>Officers are required to serve for 3 years from completion of specialist training.</p> <p>After 3 years' service, they become eligible to submit 12 months' notice to terminate their service.</p>	<p>Ground Branch Officers -3 years upon starting initial professional training.</p> <p>Flying Branch Officers - 6 years upon, starting initial professional training</p> <p>The required period will commence on completion of, or withdrawal from the training, irrespective of the final course outcome.</p> <p>Officers awarded a bursary are required to sign an undertaking at the commencement of the</p>

	After the RoS, they become eligible to submit 12 months' notice to terminate their service.		award. They undertake to serve as a commissioned officer for a minimum period of 3-years productive service. For the award of a Medical or Dental Cadetship - 6 years productive service commencing at full registration with either the GMC or GDC.
OR	ORs are required to serve for 2½ years from the end of their initial training before they become eligible to submit 12 months' notice to terminate their service.	ORs are required to serve for 3 years from completion of specialist training before they become eligible to submit 12 months' notice to terminate their service.	Non-Commissioned Aircrew (NCA) -6 years from the date of completion of Operation Conversion Unit training. All Airmen - 3 years upon completion of initial Phase 2 Trade Training.

TABLE 2. Exceptions to Minimum Length of Service

Rank	RN	Army	RAF
Officer	On joining the Naval Service, RN and RM officers have the opportunity to leave at any time up until the end of their initial training (typically around 30 weeks) but, thereafter, they are required to complete their specialist training and then, on joining the trained strength, to provide a variable RoS in recognition of the cost of their initial training.	Officers have the right to withdraw from training by giving 14 days' notice.	A pre-productive officer (ie an officer who is still in training) may voluntarily withdraw from their training with a view to discharge. Personnel who fall into this category have no right to leave the Service in this way. However, if by exception it is deemed in the interests of both the individual and the Service, authority to discharge may be granted in accordance with QR 2905(1)(a).

OR	RN ratings and RM other ranks have a statutory right to leave within their first 6 months in the Naval Service, subject to completing a minimum of 28 days' service, and thereafter until age 18 (if completing the 6-month period beforehand).	ORs have the right to withdraw from training by giving 14 days' notice to their Commanding Officer. ORs retain the right to claim discharge up to their 18 th birthday.	Airmen have the right to claim discharge by giving 14 days' notice in writing to their Commanding Officer subject to the requirement to complete 28 days' service, excluding leave, at any time up to 6 months from the date of enlistment. After the initial 6-month period of service, all Service personnel retain a right to claim discharge up to their 18 th birthday.
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Q16. The Committee recalls that, each time the relevant authorities decide on the permanent withdrawal or temporary suspension of unemployment benefit because the recipient has rejected a job offer, this decision must be open to review by the courts in accordance with the rules and procedures established under the legislation of the state which took the decision (Statement of Interpretation of Article 152, Conclusions XX-1/2012). It is requested that the next report provide updated information on this point.

UNITED KINGDOM

Under Universal Credit and Jobseekers Allowance, a claimant may be granted a 'permitted period'. Where a claimant has a strong work history, the Work Coach may allow them to restrict their work search and availability to only look for work relating to a particular job and location (and its associated salary) they have recent experience in.

This permitted period can be up to three months and will be at the discretion of the Work Coach who will test their prospects of finding this type of work. This discretion is required as it is recognised that, in some circumstances, an inflexible approach (i.e. limiting the work which can be offered to claimants to work of a similar nature or level of remuneration to that of previous work) could hinder an individual's ability to find work and damage future employment prospects by creating a longer spell of unemployment. Where seeking employment in the same field or same salary is reasonable, as may often be the case, the system allows this.

A sanction for refusing an offer of employment, in or out of a permitted period, is not automatic; it will be applied if the claimant has no good reason for refusing this. The claimant will be asked for their reasons for refusing the offer of employment. The Decision Makers must take into account all the claimant's individual circumstances, including any health conditions or disabilities, and any evidence of good reason the claimant has provided, before deciding whether a sanction is warranted.

Every claimant has the right to request a mandatory reconsideration if they wish to challenge their sanction. Should this process uphold the previous decision, they also have the right to appeal the decision which would be considered by the courts.

Q17. The Committee recalls that the right to freely undertaken work includes the right to be protected against invasion of privacy. The report does not provide information on this point. The Committee requests that the next report contain information about measures taken by the state to ensure that employers give due consideration to workers' private lives in the organisation of work and that all interferences are prohibited and where necessary sanctioned (Statement of Interpretation of Article 1§2, Conclusions XX-1/2012).

UNITED KINGDOM

Data Protection is a reserved matter across all of the UK.

The government takes the protection of personal data and the right to privacy extremely seriously. Employers who process their employees' personal data must respect their right to private life in accordance with Article 8 of the European Convention on Human Rights, the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

The GDPR and the DPA set new standards for protecting personal data and ensure that our laws are fit for the digital age in which an ever increasing amount of data is being processed. The new legislation strengthens obligations on all organisations (including employers) to process people's personal data fairly, lawfully and transparently. That means employers must ensure they have legal grounds for processing data about employees and be clear with them about how and why their data is being processed. The legislation also requires organisations to ensure that any data held is accurate and up to date, kept safely and securely and not processed for longer than is necessary. Processing of personal data should also be adequate, relevant and limited to what is necessary for the purposes for which they are processed.

The legislation also strengthens individuals' rights to access personal data held by organisations, to object to its processing or seek to rectify or erase data which they consider is no longer relevant.

The Information Commissioner regulates and enforces the DPA and GDPR and has a number of tools available to ensure compliance which include criminal prosecution, non-criminal enforcement and audits. For those who commit serious breaches there are significant financial penalties including fines up to £18 million or 4% of global turnover that can be applied as well as the backstop of criminal prosecution.

The Government recognises the opportunities presented by new technologies, for example, in improving business efficiency. Where such technology involves the processing of personal data about employees, it is important that it is done in a way which respects individuals' right to privacy and data protection. The GDPR and the Data Protection Act 2018 (DPA) updated our data protection framework, placing more stringent obligations on employers to process people's data lawfully, fairly and transparently with increased financial penalties for non-compliance.

Under the new legislation, employers must ensure they have legal grounds for processing data about employees and be clear with them about how and why their data is being processed. The legislation also requires organisations to ensure that any data held is accurate and up to date, kept safely and securely and not processed for longer than is necessary. Processing of personal data should also be adequate, relevant and limited to what is necessary for the purposes for which they are processed.

The legislation also requires organisations to consider data protection issues during the development of new processing activities, to assess the impact of technologies that are likely to have

a high risk to the rights and freedoms of individuals and to consult the ICO before such processing begins.

The Information Commissioner regulates and enforces the DPA and GDPR and has a number of tools available to ensure compliance which include criminal prosecution, non-criminal enforcement and audits. For those who commit serious breaches there are significant financial penalties including fines up to £18 million or 4% of global turnover that can be applied as well as the backstop of criminal prosecution.

The Centre for Data Ethics and Innovation (CDEI) is a government advisory body led by an independent board of expert members. Its mission is to investigate and make recommendations on how we can maximise the benefits of AI and data-driven technology for our society and economy.

The CDEI is conducting a project looking at the use of Artificial Intelligence and novel data sources to power surveillance in the workplace. This work is in its early stages but is likely to examine how new innovations could impact work-life balance, for example how GPS-enabled devices could be used to track the movement of workers, which may include their location outside of working hours. The findings will be captured in a briefing paper - part of the CDEI Snapshot Paper series - and published in the Spring of this year on the government's website.

Paragraph 3

Q18. In the previous conclusion, the Committee also asked how Jobcentre Plus co-ordinates work with the private employment services. In this respect, the report indicates that the Universal Jobmatch service, is a free service available to all employers and recruiters in the UK, including private employment and recruitment services. An important indicator of this coordination to be provided in the next report is the respective market shares of public and private services (market share is measured as the number of placements effected as a proportion of total hirings in the labour market).

UNITED KINGDOM

Universal Jobmatch service and Find a job

Find a job replaced Universal Jobmatch in May 2018. Data is not available from Universal Jobmatch because all data was securely deleted in line with General Data Protection Regulation requirements after it was decommissioned.

The Universal Jobmatch service ceased to be available to recruiters due to multiple postings of the same vacancy, or non-existent vacancies, which made the service less effective, and Find a job has continued that policy. The only exception is for recruiters solely and wholly responsible for filling a vacancy on behalf of an employer.

Find a job is a job search site not a full applicant tracking system. It enables employers to advertise vacancies, citizens to search for vacancies and apply for them. That application process may be via the Find a job online form, but it may also be via redirection to the employer's own site or via telephone. The channel is decided by the employer.

Find a job does not track whether the jobseeker actually follows through with an application in the latter two channels, nor what the outcome of the application is.

Jobcentre Plus

In the UK, public employment services are provided by Jobcentre Plus. However, Jobcentre Plus does not track which vacancies people enter. This means the UK is not able to provide the information requested.

Q19. As the Department for Work and Pensions doesn't cover Northern Ireland, the report indicates that the Department for Employment and Learning's Employment Service in Northern Ireland delivers many of its programmes and initiatives through a network of 35 Jobs and Benefits offices and JobCentres. The Committee asks the next report to provide the following information concerning Northern Ireland: (i) the placement rate (i.e. placements made by the employment services as a share of notified vacancies), the number of employment services staff in relation to the number of job seekers, and the respective market shares of public and private employment services.

NORTHERN IRELAND

Public employment services are provided by Northern Ireland's 35 Jobs and Benefits Offices (JBOs). Work coaches in the JBOs help the unemployed tackle barriers to employment; ensure that they undertake sufficient work search activity; and provide support to those who are economically inactive to move closer towards and into work. A placement rate is not available as the JBOs do not formally place people into vacancies. However, the Department works with employers to help people obtain and retain employment. This work with employers includes the provision of a vacancy-taking service through Job Centre Online (JCOL). The number of vacancies notified to the Department for Communities through JCOL is available by financial year. For 2015/16 there were 51,738 notified vacancies; for 2016/17 there were 60,898; and for 2017/18 a total of 56,647 vacancies were notified.

There are currently 740 full-time equivalent work coaches across the 35 JBOs. However, it should be noted that in addition to working with the unemployed, work coaches provide support to those who are economically inactive to move closer towards and into work.

Information is not available on the respective market shares of public and private employment services as there is currently no source of information on the total number of vacancies in Northern Ireland. The Department is currently working with NISRA to obtain an estimate of these numbers.

ARTICLE 9 - The right to vocational guidance

Q1. The Committee asks whether careers guidance is provided within the educational system by Skills Development Scotland and Careers Wales respectively and what specific guidance initiatives are taken in this respect. It also asks the next report to describe the legal basis, functioning, expenditure, staffing and number of beneficiaries respectively involved in the provision of careers guidance within the education system in Scotland and Wales.

SCOTLAND

Developing the Young Workforce³⁶ is Scotland's youth employment strategy. The Scottish Government supports 21 regional Developing Young Workforce groups that cover the whole of Scotland. The role of the groups is to engage employers in education via a variety of locally directed activities, including careers fairs, factory visits, work placements, and curriculum influencing.

Careers guidance within the educational system

Standards for Career Education (Career Education Standard 3-18) (Career Education Standard 3-18 (Gaelic version)) and work placements (Work Placements Standard) (Work Placement Standards (Gaelic version)) were published in September 2015.^{37 38}

The Skills Development Scotland (SDS) school offer delivers against the expectations as defined in the Career Education Standard. SDS has at least one dedicated careers adviser working within every maintained school in Scotland - 359 maintained secondary schools and 80 maintained other specialist establishments. The service offer supports broad general education (transition Primary 7/Secondary 1 to Secondary 3) and the senior phase (Secondary 4-Secondary 6).

The service offer is delivered under a universal and targeted approach based on needs, and through an annual school partnership agreement in consultation with senior school leaders. This agreement balances the national entitlement to services with responsiveness to local needs and priorities.

The careers service offer is delivered through 1:1 career guidance, classroom sessions, small group work, digital resources (My World of Work website,³⁹ Apprenticeships.scot⁴⁰) and work-based learning (Foundation apprenticeships), career education resources for teachers and partners, CPD resources for teachers, exam results helpline, parental engagement through subject choice 1:1s, parents' evenings and MyKidsCareer.

Legal basis, functioning, expenditure, staffing and number of beneficiaries respectively involved in the provision of careers guidance within the education system in Scotland

- Letter of guidance (Scottish Government)
- Trade Union Reform and Employment Rights Bill, clause 37/38⁴¹
- In 2017-18:
 - 321 FTE Careers Advisers were delivering the schools offer
 - 145, 813 P7-S3 pupils received face to face services
 - 92, 444 S4-S6 pupils received face to face services⁴²

³⁶ <https://www.dyw.scot/>

³⁷ <https://www.ourskillsforce.co.uk/be-inspired/initiatives/career-education-standards/>

³⁸ <https://education.gov.scot/what-we-do/Developing%20employability%20and%20skills>

³⁹ <https://www.myworldofwork.co.uk/>

⁴⁰ <https://www.apprenticeships.scot/>

⁴¹ <https://api.parliament.uk/historic-hansard/lords/1993/mar/01/trade-union-reform-and-employment-rights>

⁴² http://www.skillsdevelopmentscotland.co.uk/media/44956/ciag_report_2018.pdf

WALES

Careers Wales provides an all age, all Wales, impartial, professional and bilingual service that is free at the point of access for individuals seeking careers information advice and guidance (CIAG) on behalf of the Welsh Government. This includes Young People in School, Colleges and Work Based Learning and services for adults.

The relevant legal powers are:

- sections 2, 8, 9 and 10 of the Employment and Training Act 1973 (ETA);
- section 33 and 40 of the Learning and Skills Act 2000;
- section 12 of the Industrial Development Act 1982; and
- section 14 of the Education Act 2002.

Careers and Work Related Experiences (CWRE) is comprised of two elements, Careers Education and Guidance (CEG) (provided pursuant to the 1997 Act) and Work Related Education (WRE) (provided pursuant to the 2002 Act). CWRE as a whole is concerned with the relationships between young people, their learning and the world of work. It has a non-statutory framework for 11-19 year olds as well as two separate guidance documents that support delivery.

Careers Education and Guidance

CEG is provided for in sections 43-46 of the Education Act 1997 (“the 1997 Act”). The focus of CEG is the provision of guidance and materials to support learner decision in respect of future careers.

- duties on schools and FEI’s to provide learners (13-19) with a programme of careers education (section 43 of the 1997 Act);
- duties on schools and FEIs to co-operate with careers advisers and provide information to that careers adviser (section 44 of the 1997 Act);
- duty on schools and FEIS to provide of careers information to pupils and students (section 45 of the 1997 Act);
- power for careers adviser to require information from the school or FEI on the curriculum provided in that setting (section 45B of the 1997 Act); and
- power to extend or modify sections 43 to 45 of the 1997 Act in limited circumstances set out in that Act by way of Regulation (section 46 of the 1997 Act).

Work-related education

In addition, under section 101 of the Education Act 2002 (“the 2002 Act”) schools must provide as part of the basic curriculum work related education to pupils in the 3rd and 4th key stages. There are no powers for the Welsh Ministers to issue a “curriculum” for this subject, however, a non-statutory guidance and a framework currently supports CWRE. The focus of work related education is on experiences that provide the opportunity for learners to develop wider skills that would be useful in the work place and aid learner engagement with learning and work.

Q2. The Committee asks that updated information be regularly provided in each report on the measures taken in respect of vocational guidance within the education system throughout the United Kingdom, in particular the financial and human resources involved, the number of beneficiaries covered and the measures taken to ensure dissemination of information as regards vocational guidance within the education system.

UNITED KINGDOM

Since 2012, secondary schools have had a statutory duty to secure independent and impartial careers guidance on the full range of education and training options, including apprenticeships. In October 2018 Government published updated [statutory guidance](#) to set out what is expected of schools – this includes an expectation that schools will use the Gatsby Benchmarks to develop and improve their careers programme. In September 2018 we introduced a requirement for schools to publish details of their careers programme. This will improve transparency and enable pupils, parents, employers and others to understand what the school’s careers programme looks like.

A new law, introduced in January 2018 and commonly known as the ‘Baker Clause’, requires all maintained schools and academies to publish a policy statement setting out opportunities for providers of technical education and apprenticeships to visit schools to talk to all year 8-13 pupils, and to make sure the statement is followed. The Careers & Enterprise Company, established in December 2014, helps link schools and colleges to employers to increase young people’s exposure to the world of work and supports schools and colleges to build careers plans and make progress against the Gatsby Benchmarks. The National Careers Service, launched in April 2012, provides free careers information, advice and guidance to both young people and adults through a website and telephone helpline.

It is not possible to quantify just the vocational guidance element of careers guidance from a finance and human resources perspective.

NORTHERN IRELAND

For most of the time since the last report the Assembly has been suspended and there have been no Ministers in place to make decisions to progress this issue.

SCOTLAND

- Skills Development Scotland (SDS) supports pupils, parents and teachers with a comprehensive range of career information advice and guidance services.
- Professionally qualified careers staff provide face-to-face guidance and SDS also operates digital channels, including My World of Work and Apprenticeships.scot.
- The SDS website provides further details regarding the school service offer and the support provided.⁴³

WALES

See response to Q1 above.

ISLE OF MAN

The Department of Education, Sport and Culture (DESC) has two Careers Advisers who work across all 5 Secondary schools, University College Isle of Man (UCM) and the Educational Support Centre

⁴³ <https://www.skillsdevelopmentscotland.co.uk/what-we-do/scotlands-careers-services/our-careers-service-in-schools/>

(ESC) providing Independent Careers Advice and Guidance (ICAG). All Key Stage 4 pupils undertake at least one Careers Interview during Year 10 and 11 focused around the needs, interests and aspirations of the young person. Schools are also able to request additional ICAG meetings directly with the Careers Advisers based on their understanding of individual pupil needs as part of school approaches to personalisation of learning. Often this additional opportunity for ICAG is for pupils who are potentially vulnerable on transition to the next phase of their learning, whether this is training or employment.

In addition to this as part of the educational provision at the Isle of Man Prison through UCM, one of these Careers Advisers undertakes careers interviews with prisoners regarding training and employment opportunities on release. Part of this interview is signposting on to employment services at the Job Centre.

DESC Careers Advisers have maintained close working relationships with Advisers in the Job Centre since changes in provision in this area across Government just over 18 months ago. For example, the DESC Careers Advisers use the Job Centre as a base for careers interviews during and just after exam results during the Summer holidays.

During Summer 2019 the DESC Careers Advisers are operating outreach careers advice sessions in conjunction with the DESC Youth Service during July and August in the North, South, East and West of the island for school leavers. This is aimed at 16 and 19 year olds who may be unsure of next steps and would benefit from additional opportunities to talk through options.

Careers Advisers contribute to the DESC Employability group where they engage with the Careers leads in each of the Secondary schools to develop broader Island provision in the area of Careers and Employability. Careers Advisers also support the arrangement and running of the Employment and Skills Event in November of each year. This is a significant careers event where employers can meet with a large number of young people at key transition points in their lives when they are making choices about which subjects to study and how these could fit with career options and opportunities. Throughout the day members of the public who are seeking employment or perhaps considering a change in role or direction are also able to attend. As such this event is an important contribution by the Department of Education, Sport and Culture to the on-going development and health of the Isle of Man economy.

DESC supports students wishing to undertake courses in higher education. It operates a loan scheme for the first £2,500 of the course fees and means test for balance of the fees and for maintenance grants. In 2019 means testing threshold was increased to £112,000 for fees grants and the maximum maintenance grant was increase to £7,200.

Q3. The Committee asks the next report to provide updated information on the initiatives taken throughout the country to ensure access to vocational guidance in the labour market, including the respective legal basis for the provision of such guidance and the means deployed to disseminate information on vocational guidance.

UNITED KINGDOM

Persons with disabilities

Jobcentres can help persons with disabilities over 18 find a job, gain new skills and find out about disability friendly employers locally. They can also provide information about other support available and refer persons with disabilities to a specialist work psychologist, if appropriate, or carry out an 'employment assessment' of skills and experience and what kind of roles the person is interested in.

<https://www.gov.uk/government/publications/help-and-support-for-young-disabled-people-to-find-and-stay-in-work/help-and-support-for-young-disabled-people-to-find-and-stay-in-work>

ENGLAND

The National Careers Service is available to people who live in England:

<https://nationalcareers.service.gov.uk/>

NORTHERN IRELAND

For most of the time since the last report the Assembly has been suspended and there have been no Ministers in place to make decisions to progress this issue.

SCOTLAND

The SDS Careers Service is an all-age, lifelong universal service including PACE (Partnership Action for Continuing Employment).⁴⁴

WALES

It has been impossible to gain the information above from a Wales perspective.

ISLE OF MAN

The aim of the Isle of Man JobCentre is to provide a high quality service to employers and customers by matching skills, talent and aspirations with the rapidly evolving needs of the local job market, maximising workforce participation and effectiveness within the Manx economy.

Where a person is unemployed, or currently in work and thinking of changing direction, the JobCentre team offer a range of bespoke services and assistance to help. The JobCentre's employment advisors can work with a person on a one to one basis to help, for example, with:

- job searches;
- cover letters and applications;
- CV;
- preparing for interviews.

The JobCentre's services are available on both a drop in basis and by appointment.

The Department for Enterprise (DfE) has provided information relating to sector skills shortages to Department for Education, Sport and Culture and the Department has produced broad principles to support the development of a proposed new vocational training scheme. This is currently with the Agency leads at DfE for their comment and feedback.

⁴⁴ <https://www.skillsdevelopmentscotland.co.uk/what-we-do/employability-skills/partnership-action-for-continuing-employment-pace/>

ARTICLE 10 - The right to vocational training

Paragraph 1

Q1. The Committee asks what measures are taken to make vocational education qualifications relevant from the perspective of professional integration in the job market.

UNITED KINGDOM

Context

In July 2016, responsibility for apprenticeships, skills, higher and further education was transferred to the Department for Education from the former Department for Business, Innovation and Skills.

The Institute for Apprenticeships and Technical Education was established by the Enterprise Act 2016. The Technical and Further Education Act 2017 allowed government to extend the remit of the Institute for Apprenticeships to give it responsibility for the content, procurement and approval of technical qualifications, which form part of T Levels. The Institute assumed this responsibility on 31 January 2019.

The Apprenticeships, Skills, Children and Learning Act 2009 provides the statutory framework for apprenticeships and vocational education initiatives introduced by the Secretary of State.

In 2015 to 2016, the government agreed a series of devolution deals between central government and local areas (Mayoral Combined Authorities) (MCAs) in England.

As part of the devolution deals, certain adult education functions, in the Apprenticeships, Skills, Children and Learning Act 2009, which are funded by the Adult Education Budget (AEB) have been transferred to 6 MCAs in relation to their respective areas by legislative orders made under the Local Democracy, Economic Development and Construction Act 2009. These functions have been delegated to the Mayor of London under section 39A of the Greater London Authority Act 1999 (see delegation letter).

The Finance Act 2016 provides government with the statutory legislation to charge the Apprenticeships Levy.

T Levels

The introduction of T Levels for post-16 students will provide a high-quality alternative to A levels, for students who want to move onto learning technical, practical skills and get a skilled job. A T Level will give young people the knowledge, skills and behaviours they need to enter skilled employment in a particular occupational area, or progress to higher level technical study. T Levels will be largely classroom based and will include a meaningful, high quality industry placement of around 45 days with an external employer. We are introducing T Levels in a phased rollout – the first three will be taught in a small number of colleges and other providers from September 2020.

The outline content of T Levels is defined by *T Level Panels*, advisory groups of employers, professionals and practitioners, who draw on their own experience of the knowledge and skills needed to succeed in occupations within their industries. The employer-led nature of T Levels will

mean that the programmes have real labour market value and equip students with the skills employers need.

A further measure was launched in March 2019. Alongside the development of T levels, a Review of post 16 qualifications at level 3 and below in England aims to ensure that every single qualification approved for public funding is necessary and has a distinct purpose. It needs to be high quality and support progression to positive outcomes as part of a simplified landscape. The current qualification landscape at level 3 and below is complex, comprising around 12,000 qualifications. Some of the qualifications are well recognised and valued, but as the Wolf review (see pages 64-65 of the UK's 35th report on this) and Sainsbury panel identified, too many are poorly understood and poor quality, weakening their currency and value for individuals, employers and the economy as whole.

At level 3 specifically, we want A Levels and T Levels to be the programmes of choice for students choosing classroom-based programmes and for more students to study and achieve at level 3. Removing qualifications that overlap with T Levels and A Levels will ensure clarity for students and employers, but we will consider carefully – through consultation – how such overlaps will be defined. We are consulting in two stages. We are looking first at the principles that should guide the review before moving on in the second stage consultation to detailed proposals for change. We encourage everyone with an interest to contribute to the debate.

It is our firm intention that this review will have a positive effect on disadvantaged students and those with SEND, by making sure all qualifications are high quality and support progression to further study or employment.

More information on T Levels can be found here:

<https://www.gov.uk/government/publications/introduction-of-t-levels/introduction-of-t-levels>

Institutes of Technology

Institutes of Technology are new collaborations between universities, colleges and businesses to make sure young people gain the skills that employers need and build good careers. The government announced the first 12 Institutes of Technology (IoTs) that will be set up across the country to deliver higher technical education, with a clear route to high skilled, high wage employment. They will be the pinnacle of technical training and are a key part of the Government's ambition to create a world class technical education system.

The first IoTs are expected to open in 2019/20. They will focus on technical education in STEM subjects at Levels 4 and 5 and extend to degree level and above with provision tailored to local skills needs. They will be supported by £170M Government funding to invest in state-of-the-art equipment and facilities.

More information on Institutes of Technology can be found here:

<https://www.gov.uk/government/publications/institutes-of-technology--2>

National Colleges

National Colleges aim to set a new standard for higher level technical training by contributing to the development of an FE system which puts technical training on par with academic training. The National Colleges will be specialist technical colleges, leading the way in the design and delivery of higher level technical skills at levels 4+ in those industries or sectors which are critical to economic

growth. Institutes of Technology and National Colleges will form a network of employer led higher technical institutions providing a distinct but complementary offer across England.

The National Colleges are being set up as employer-led institutions with strong employer involvement in their creation and governance, as well as in the development and delivery of training courses and long-term employer investment. They will also help ensure skills availability to support the delivery of major infrastructure programmes including HS2 and New Nuclear. National Colleges will build links with schools, UTCs, academies, sixth forms, general FECs, Institutes of Technology and universities to inform and inspire learners to pursue a dedicated course of study, including the development of courses which have a clear link to specific occupations and professions.

The first National Colleges for Digital, and Creative and Cultural opened in September 2016 while High Speed Rail and Nuclear opened in Autumn 2017.

More information on National Colleges can be found here:

<https://www.gov.uk/government/organisations/national-college-for-teaching-and-leadership>

Level 4 / 5 Review

The consultation on Higher Technical Education (levels 4-5) launched on 8 July 2019. The consultation outlines reforms to raise the prestige of higher technical education and strengthen its value to employers by putting their needs and quality first. It proposes a new, national employer-led system to signify which higher technical qualifications deliver the skills employers want. Alongside this, it proposes that the Government work with the Office for Students to help providers demonstrate and grow high-quality provision, whilst also raising awareness and understanding amongst employers and potential students to make higher technical education a more positive and popular choice. The consultation ran for 12 weeks and closed on 29 September 2019.

The proposals in this consultation are the next steps in our programme to reform technical education. They build on the introduction of T Levels and our investment in Apprenticeships as part of our modern Industrial Strategy to improve productivity and help people progress in their work and lives.

More information on Level 4/5 Review can be found here:

<https://www.gov.uk/government/publications/review-of-level-4-and-5-education-interim-evidence-overview>

Skills Advisory Panels (SAP)

Skills Advisory Panels (SAPs) were announced as part of the Government's Industrial Strategy. They aim to bring together local employers and skills providers to bring together knowledge on skills and labour market needs, and to work together to understand and address key local challenges, including helping to tackle local skills shortages. SAPs will address both immediate needs and challenges and look at what is required to help local areas adapt to future labour market changes and to grasp future opportunities. This will help colleges, universities and other providers deliver the skills required by employers, now and in the future.

More information on Skills Advisory Panels can be found here:

<https://www.gov.uk/government/publications/skills-advisory-panels-saps-role-and-governance>

In December last year, the Education Secretary announced funding of £75,000 to support each Skills Advisory Panel to build their analytical capability. This funding has now been allocated to all Local Enterprise Partnerships, Mayoral Combined Authorities and the Greater London Authority.

Digital Entitlement

The government will introduce an entitlement to fully funded digital qualifications from 2020. Adults with no or low digital skills will have the opportunity to undertake improved digital qualifications, based on new national standards for essential digital skills, free of charge. The new national standards set out the digital skills people need to get on in life and work.

The new national standards for essential digital skills were published in April 2019, based upon the Essential Digital Skills Framework. The national standards were subject to extensive consultation and input from a wide range of education, industry and digital inclusion stakeholders. Examples of new topics include using different devices, navigating the internet and protecting privacy online.

More information for Digital Entitlement can be found here:

<https://www.gov.uk/government/news/plans-launched-to-boost-digital-skills-for-adults>

NORTHERN IRELAND, SCOTLAND AND WALES

Every year the three devolved administrations commission a review of UK-wide National Occupational Standards (NOS), which underpin Apprenticeship Qualifications and Adult Vocational Qualifications established in Northern Ireland, Scotland and Wales. These standards set out what knowledge, skills and competencies are required for a job role and are transferable across employers, sectors and borders, providing portability/mobility of occupational competence.

This annual review of the standards ensures that the standards required for vocational education, training and qualifications are fit-for-purpose and that they adapt to meet current and future needs. The design of NOS is led by employers which means that they will equip the workforce with skills the economy requires.

Q2. The Committee wishes to know the total spending on vocational education as a percentage of the GDP.

UNITED KINGDOM

The figure from the most recently published OECD “Education at a Glance” publication show that the UK government spent 0.6% of GDP on secondary vocational education in 2015-16. The latest figures from the 2019 OECD report “Education at a Glance” can be found here:

https://www.oecd.org/education/education-at-a-glance/EAG2019_CN_GBR.pdf

The question as put by the Council Committee is not clear whether it refers to all spending on vocational education and includes that of employers and of individuals when they fund themselves as well as public investment. There is further uncertainty on what the term covers in the UK system.

Higher education contributes significantly to professional and vocational outcomes at degree level and through qualifications at levels 4 and 5.

Expenditure figures on the main vocational programmes for 2017/18 in England are:

- 16 – 19 FE College funding - £2.4 billion (allocation - expenditure not available).
- Apprenticeships - £1.58 billion (expenditure)
- Adult Education Budget and support funding - £1.45 billion (expenditure)
- Advanced Learner Loans Advanced Learner Loans - £217.2 million (expenditure)⁴⁵

Employer Investment

The Employer Skills Survey covering 2017 shows that employers' expenditure on training for that year was £44.2 billion in the UK. For more information on what this figure comprises, the report is available at: <https://www.educationandemployers.org/research/employer-skill-survey-2018>

Higher Education

The skills that higher education (HE) delivers are vital for our national industrial strategy. HE delivers a broad range of skills, both technical and soft or transferable skills, which contribute to the demands of both the national and local labour markets. Collaboration between universities and business is increasingly important, both in the development of work-ready, highly skilled graduates, and in contributing to local and regional economic growth. There is already a strong track record of collaboration that has been created.

NORTHERN IRELAND

For most of the time since the last report the Assembly has been suspended and there have been no Ministers in place to make decisions to progress this issue.

WALES

This will be as a percentage of UK GDP.

The Welsh Government contract for apprenticeships for a total of £120 million and £214.414 million of the Further Education budget was used to deliver vocational provision in the last full academic year (2018/19).

ISLE OF MAN

In 2018 Training services moved from the then Department of Economic Development to the Department of Education Sport and Culture (DESC). However, the services provided by Training services have remained unchanged since the previous report. In 2017/18 DESC held a budget of £1.49m for vocational training responsibilities, including apprenticeships. DFE/ Treasury hold the balance making it up to £2.4m in last report.

⁴⁵ Advanced Learner Loans Paid in England, Academic Year 2017/18, August to July Inclusive – Student Loans Company, November 2018.

Paragraph 2

Q3. The Committee notes that a number of changes were introduced to the apprenticeship programme. [...] The Committee asks what is the length of the apprenticeship and division of time between practical and theoretical learning.

UNITED KINGDOM

Apprenticeship Standards

Apprenticeship standards are replacing apprenticeship frameworks as a core part of our work to improve the quality of apprenticeships. Standards are short and concise documents developed by employers describing the knowledge, skills and behaviours an apprentice needs to be competent in a defined occupation. They have a 12-month minimum length, with at least 20% off the job training, and an End-point Assessment (EPA). There are over 470 standards that are approved for delivery with over a further 120 in development.

Standards set a minimum duration of 12 months for apprenticeships, but many specify a significantly longer period (for example, some are 4 years). The Institute for Apprenticeships and Technical Education sets out the length of time each standard is expected to take, although the time it takes in practise can vary for different apprentices on the same standard because, for example, it may take longer for some apprentices to prepare for EPA and some apprentices may have the duration shortened because they have significant prior learning.

Before a learner begins their apprenticeship, the training provider must assess their prior learning. The length of the apprenticeship must be adjusted to account for the apprentice's previous experience, education, or qualifications where relevant to the content of the standard. If the learners training requirements fall below a minimum of 12 months with 20% off-the-job training to become occupationally competent then the learner should not be on that apprenticeship, and other training is more appropriate.

The average duration of an apprenticeship has increased. From our published data, the average expected duration has increased from 511 days in 2016/17 to 581 days in 2017/18 (13.6% increase).

Off the job training

All apprenticeships have a minimum of 20% off-the-job training, although many have more. The requirement for a minimum of 20% off-the-job training is one of our core principles that underpins a quality apprenticeship. Off-the-job training must teach new knowledge, skills and/or behaviours that will contribute to the successful achievement of an apprenticeship. Training can be delivered in a flexible way –it does not have to mean one day per week in a classroom. It can take place at an apprentice's normal place of work away from their normal working duties. Activities that can count towards off-the-job training include

- The teaching of theory, for example; lectures, role playing, simulation exercises, online learning or manufacturer training;
- Practical training such as shadowing, mentoring, industry visits and attendance at competitions; or
- Learning support and time spent writing assessments or assignments.

Each apprentice must have a commitment statement that, amongst other information, outlines the training that the apprentice should receive. This statement should set out how the provider intends to fulfil the minimum 20% off-the-job training requirement. Audit will explore whether the training offered aligns with the expected training, as set out in this statement.

The expected number of off-the-job training hours per apprenticeship increased by 25% in the first half of 2017 to 18 compared to the first half of the previous year.

NORTHERN IRELAND

Apprenticeships

Apprenticeships usually take between two to four years to complete and each framework for the specific occupational area is agreed with the relevant industry-led representative body and comprises of directed training, related knowledge, appropriate Essential Skills, and structured workplace training.

Apprentices must be contracted to work 21 hours or more per week.

Higher Level Apprenticeship (HLA) Programme

The HLA programme provides permanent remunerative employment (a minimum of 21 contracted hours per week with one employer, which includes day release/off-the-job training/directed training which must be paid as part of the apprentice's contracted hours while understanding that day release/off-the-job training/directed training days may vary within different academic years) for the apprentice, from day one, for the duration of the HLA.

SCOTLAND

There is no set length for Modern Apprenticeships (MA) and no fixed division of time between practical and theoretical learning. These will vary depending on the needs of the sector concerned. Each sector will set a notional duration for the average learner, though this might be reduced if prior learning can be attributed. Some sectors, such as construction or engineering, set a minimum duration. Moreover, each apprenticeship is delivered at the pace of the learner and according to business need.

Graduate Apprenticeships (GAs) vary in length depending on the level offered. A GA which includes an honours degree may take up to four years. Prior learning is also taken into account and accelerated entry might be possible for people who have an MA and then progress to a GA. It is anticipated that apprentices will spend around 80% of their time in work and 20% of time with a university or college.

Foundation Apprenticeships are delivered in the senior phase alongside other school subject choices. They are generally delivered in two years, but learners can choose a shorter one-year model. In the first year pupils spend time at a learning provider (usually one day/two afternoons per week depending on framework), where delivery and assessment of the relevant National Certificate/National Progression Award takes place. The work-based competence units are delivered and assessed in the workplace primarily in the second year, while the learner is on placement with the employer. Again, this can vary according to the framework.

WALES

In Wales, each apprenticeship is different – they vary in length. An apprenticeship can take between one and four years to complete, depending on the level of the programme, qualifications being undertaken, the industry sector and the apprentice's ability and prior learning. A Foundation Level 2 Apprenticeship usually takes 12 to 18 months to complete and an Apprenticeship Level 3 around 24 months. Individual apprenticeship frameworks may set a minimum recommended duration

reflecting sector and occupational needs. Regarding the division of time between practical and theoretical learning, this would depend on the qualifications being undertaken, the industry sector and the requirements set out by individual awarding bodies.

Paragraph 3

Q4. The Committee asks the next report to provide information about the labour market training and retraining measures specifically for unemployed persons, as well as the numbers participating and the activation rate.

UNITED KINGDOM

Policy context and summary of labour market programmes

Some of the information presented earlier in this report, in the UK's response to questions 1 and 2 on Article 1, should be considered as part of the UK's response to this question.

In addition, pages 2 to 58 of the UK's latest report to the International Labour Organisation on Convention 122 provide the policy context and summary of UK labour market programmes.

Labour market programmes for benefit claimants

There is a wide range of provision available to claimants, both national and local to help them obtain the skills and experience they need to get work, more work or better paid work. Any work related provision which will support the claimant is identified and can be a single activity or several activities which address problems like debt, health or basic skills.

There are broadly 3 types of support to address barriers to work:

- provision delivered as part of the Jobcentre Plus Offer arranged by local Employer and Partnerships Teams, for example, Work Experience, sector-based work academies and provision locally procured through the Flexible Support Fund
- contracted employment programmes for claimants run by providers on behalf of DWP, arranged by district or national contracts
- non contracted provision, that is non-DWP programmes that are also open to claimants, for example:
 - those run by (or contracted to) Department for Education such as traineeships
 - Local Authorities
 - Charities, for example The Prince's Trust
 - the Scottish government or the Welsh government
 - private-sector schemes such as Movement to Work.

The main employment programmes are Work Choice, Work Programme, Work and Health Programme, New Enterprise Allowance, Specialist Employment Support, European Social Fund.

Skills

Having the correct skills is essential for claimants when they are looking for work or progressing in their current employment. It is therefore vital that claimants are screened for essential basic skills, maths, English (spoken and written) and digital capability/information and communications technology (ICT) skills.

Identifying skills gaps (sometimes called skills screenings) is an integral part of the meetings with claimants. This includes observing the claimants and having discussions to gather evidence on skills, qualifications, previous training and work history. The information gathered will help determine whether the claimant has any potential skills gaps and/ or whether they need to reconsider their job goals.

Where further investigation of basic literacy and numeracy skills is needed claimants can be asked to complete the 'Fast Track Screening Tool' in England and Wales or the 'Literacy and Numeracy Alerting Questions' in Scotland.

A claimant may also be referred or signposted to one or more of the following:

- in depth diagnostic skills assessment – giving a specific breakdown of claimants' skills need and identifying claimants' skill levels to make appropriate decisions about training courses for claimants
- basic skills training
- English Speakers of Foreign Languages (ESOL) training
- Information & communication technology (ICT) training
- employability training
- vocational training
- sector based work academy placements
- training funded by the Education and Skills Funding Agency
- training funded by the Scottish and Welsh governments
- training courses offered by organisations locally that are on the District Provision Tool

These are examples, not a full list.

In England, benefit claimants are eligible for training fully-funded by the Department for Education through the Education and Skills Funding Agency (ESFA). All adults are eligible for English and Maths training up to Level 2. Young people aged up to 23 can get fully-funded training up to a first Level 3. Unemployed people receiving Universal Credit, Jobseekers Allowance or Employment and Support Allowance are eligible for fully-funded training up to Level 2 where this will help them find work. Claimants of other benefits may also get this support at the discretion of the training provider. Department for Education rules for England also allow training providers the discretion to fully fund training to learners who are in work, including those in receipt of Universal Credit, if their gross annual salary is less than £15,736.50 (academic year 2018/19; £16,009.50 in 2019/20).

Further education and skills policy and delivery in Scotland and Wales is the responsibility of the Scottish and Welsh Governments.

Periods of education and training are generally expected to be of a fairly short duration. This is usually up to 8 weeks, except in specific circumstances for example where claimants have very low skills, such as maths, English, ESOL and ICT

There may be some variations to this in Scotland and in Wales.

Pre-employment training (PET)

Skills training/Pre-employment Training (PET) is any training to help claimants move closer to progress in the labour market. It can be full or part-time depending on the claimant's needs and

could include literacy & numeracy skills training, ESOL, ICT training, general or specific vocational skills for a sector or job, and employability skills.

These are examples, not a full list.

PET is also one of the parts of a sector-based work academies or a Traineeship.

Traineeships

A Traineeship is an education and training programme to give 16-24 year olds the skills and experience needed to progress to an Apprenticeship or other job. It is targeted at those qualified below level 3 who have minimal experience in work but are focused on the prospect of getting a job and are likely to be ready for employment within 6 months, with appropriate training.

Sector-based work academy

The sector-based work academy (sbwa) scheme helps people who are ready to start a job, and need support to learn the skills and behaviours that employers in particular industries look for. The scheme runs in England and Scotland and offers training and work experience for up to 6 weeks in a particular industry or area of work followed by a guaranteed interview for a real job.

Work Experience

Work Experience placements cover a range of sectors including retail, construction, administration, hospitality industry and IT. It provides claimants who have little or no work related skills the opportunity to gain valuable experience within a work place. It fosters the work habit in unemployed people, particularly young people, whilst boosting their confidence and creating opportunities for them to get on the job ladder. It also provides them with a potential route onto a traineeship or apprenticeship.

Work Experience gives claimants the opportunity to show they have both job role specific skills and core employability skills such as time management, organisational skills, communication skills and team working skills. Work Experience lasts for 2 to 8 weeks and claimants are expected to do 25 to 30 hours a week (unless there are agreed limitations on their availability). Claimants are subject to all existing requirements for their Labour Market regime while on Work Experience and must be actively looking for work and available for work. Acceptance on a Work Experience opportunity may involve an application / interview process.

Three-month Work Experience opportunity

Youth Obligation Support Programme claimants in the Intensive Work Search regime (IWSR) who are still not in employment or on an Apprenticeship at the 6-month point in their claim are eligible for a 3-month work experience opportunity. The 3-month work experience opportunity offers the same assistance to the claimant as the standard work experience offer but for an extended period of 3 months. The 3-month work experience opportunity can be one single placement, or consecutive placements lasting 3 months.

Number of participants

The UK regularly publishes statistics on the number of benefit claimants that have labour market support. These are available at: <https://www.gov.uk/government/organisations/department-for-work-pensions/about/statistics#employment-support-schemes>

There are no specific Youth Obligation Support Programme regulations. The programme is delivered under the provisions of the Welfare Reform Act 2012 (<http://www.legislation.gov.uk/ukpga/2012/5/contents>) and the Universal Credit regulations 2013 (<http://www.legislation.gov.uk/uksi/2013/376/contents>).

Additional programmes also provide support to a wider group of individuals – for example the local programmes offered in collaboration with the European Social Fund. Some information on number of people supported may be available, however because programmes are at a local level it is not possible to cross-reference this information with benefit recipient data to produce a population total figure.

As above, there is no legal framework. The points below outline progress made in this area:

- The Youth Contract (referred to in the pdf attachment, page 22) is no longer applicable
- We have since introduced the Youth Obligation Support Programme for 18 to 21 year olds making a new claim to Universal Credit. It was introduced to Jobcentres in line with the roll out programme for Universal Credit Full Service. This started in April 2017 and was completed on target in December 2018. YOSP is now available in every Jobcentre.
- The programme starts with an intensive activity period of workshops and interventions that encourages claimants to think more broadly about their skills and job goals and helps them identify any training they may need. Those who are still unemployed after 6 months are encouraged to take up work-related training or a 3-month work experience placement to help them achieve their job goals.
- In addition, in January 2019 we announced the national roll out of the mentoring circles programme and the extension from ethnic minority communities to all young people who would benefit from such support.

From June's labour market statistics:

- 6.0 million – 86.5% of 16-24 year olds – are in full-time education (FTE) or work.
- 4.9% of 16-24 year olds are unemployed and not in FTE (338,000 young people).
- 13.6% of the youth population are unemployed or inactive and not in FTE. This equates to 945,000 16-24s.

From July's statistical publication of Youth Obligation Support Programme data:

- 63,000 participants on YOSP between October 2018 and April 2019
- Almost 2 in 3 participants who complete the journey find work
- Over half of participants who find work do so in around 2 months

Activation rate

The Committee of Experts has asked for the UK activation rate, which the Committee defines as “the ratio between the annual average number of previously unemployed participants in active measures divided by the number of registered unemployed persons and participants in active measures,” where active measures only includes “activation measures for unemployed people that strictly concern training”.

The UK cannot give a figure for the UK activation rate as the UK does not collect data in the format requested. The UK has therefore opted to provide a set of proxy measures which provide an

indication of the activation rate for specific population groups. The UK is open to discussing this further with the Committee of Experts if necessary.

In the UK, working age claimants are either on ‘legacy benefits’ (e.g. Jobseeker’s Allowance and Employment and Support Allowance) or Universal Credit. The UK does not collect data on activation measures for claimants on Universal Credit.

Skills Conditionality

Skills Conditionality is a policy that mandates claimants receiving Jobseeker’s Allowance or Employment and Support Allowance (work-related activity group) to undertake activity to address an identified skills need which will aid their movement into work.

In England that can be an interview with the National Careers Service where skills needs are unclear, or an initial provider interview with a training provider, or a referral direct to training. In Scotland it is referral to training from June 2012. In Wales, Skills Conditionality applied to Skills for Work (Wales) until February 2014, from May 2014 until June 2015 to Work Ready Essential Skills training and from November 2014 to DWP funded ad hoc training.

The training includes basic skills (English, numeracy, literacy), occupational skills, employability skills and English for Speakers of Other Languages (ESOL).

The table below presents individuals starting on Skills Conditionality as a proportion of those that have been referred.

- A ‘referral’ to Skills Conditionality is defined as the date the claimant is referred to an initial provider interview, training provision or the National Careers Service, recorded within their adviser interview. This was inputted by the adviser to the Jobcentre Plus’ Labour Market System.
- A ‘start’ on Skills Conditionality is defined as the first date the claimant commenced an initial provider interview, training provision or the National Careers Service. The number of starts was based on the individual claimant level data supplied by Further Education Colleges, training providers and the National Careers Service and entered by an adviser onto the Jobcentre Plus’ Labour Market System. Providers may submit data on starts some time after the actual event occurred.

These figures are based on the latest published Employers Scheme data, released in July 2018: <https://www.gov.uk/government/statistics/employment-schemes-work-experience-sector-based-work-academy-and-skills-conditionality-starts-to-november-2017>

Table 12 in this publication presents data on individuals referred and starting Skills Conditionality between January 2011 and November 2017. Based on this data, the following figures have been calculated:

Individuals starting on Skills Conditionality as a proportion of those that have been referred (%)	Initial Provider Interview (England)	Training (GB)	National Careers Service (England)	Skills Conditionality Total
TOTAL	65.3%	62.2%	67.5%	65.1%

Youth Obligation Support Programme

Published Youth Obligation Support Programme statistics released in July 2019:

<https://www.gov.uk/government/statistics/youth-obligation-support-programme>

17.2% of completed cases in the October 2018 cohort have been referred to provision, compared to 9.1% when averaged across October 2018 to April 2019 cohorts. Older cohorts are more likely to have been referred to provision. This is because they have had time to progress through the Youth Obligation Support Programme journey to reach a six-month point in the journey. Over 17% of completed cases in the October 2018 cohort have been referred to provision. It is possible they can be referred to provision at an earlier point in the journey, if it is appropriate for the claimant's individual circumstances, which is reflected in the figures for newer cohorts.

Sector-based work academies

Relevant statistics for sector-based work academies can be found in the same Employers Scheme publication referred to above, i.e. <https://www.gov.uk/government/statistics/employment-schemes-work-experience-sector-based-work-academy-and-skills-conditional-starts-to-november-2017>

Further Education for Benefit Claimants

Latest statistics for Further Education for Benefit Claimants can found here:

<https://www.gov.uk/government/statistics/further-education-for-benefit-claimants-in-england-2017-to-2018>

Table 3 in this publication presents information on the proportion of benefit spells with training, which represents the closest published proxy to an activation rate. The totals for the reference period of this report (January 2015-December 2018) are as follows:

Benefit type	Proportion of benefit spells with training (%)			
	2014/15	2015/16	2016/17	2017/18
Jobseeker's Allowance	12.4	10.6	11.3	11.9
Employment and Support Allowance (Work Related Activity Group)	6.9	5.1	4.3	4.3
Universal Credit	Data not available	8.7	9.7	8.0
Other Benefits	4.7	3.9	3.5	3.5
Total	7.7	6.3	6.3	6.2

DWP caseload data

<https://www.gov.uk/government/statistics/dwp-benefits-statistics-august-2019>

Apprenticeships

Apprenticeship starts statistics: <https://www.gov.uk/government/statistics/apprenticeship-and-levy-statistics-december-2018>

ENGLAND

Educational programmes

Programmes targeting youth

Figures for volume of participants on the Youth Obligation Support Programme (YOSP) can be found here:

<https://www.gov.uk/government/statistics/youth-obligation-support-programme>

There were 63,000 participants on YOSP between October 2018 and April 2019.

Study programmes for 16-19 year olds

81.9% of 16 to 18 year olds were in education and work based learning at the end of 2016 – an increase of 0.3 ppts since 2015 and the highest level recorded since consistent records began. In 2017 almost two-thirds (63.7%) of 16 and 17 year olds were in full-time education studying for a level 3 qualification as their highest qualification aim, a proportion roughly unchanged for the past two years. more than half of 16-18 year olds (58%) were in full-time education studying for a qualification at level 3 or above.

19+ Further Education & Skills Participation 2017/18 (full year)

For learners aged 19 and over, the Department for Education supports a broad spectrum of learning provision from non-formal, unaccredited learning which helps to engage disadvantaged learners through to Apprenticeships and Traineeships where learners can gain the skills and qualifications needed to get into work. Skills provision is prioritised and focussed towards young adults, those with low skills and unemployed people who are actively seeking work.

Over 2.1m learners participated. Of these learners (some of whom may be counted in more than one group):

- **439,200** participated at below Level 2 (excluding English & maths courses)
- **664,200** participated on English and maths courses
- **773,800** participated at Level 2
- **445,500** participated at Level 3
- **96,400** participated at Level 4 and above
- **504,500** All Age learners participated on Community Learning courses
- **78,000** 18+ offender learners participated in education and training
- **301,400** learners were on out of work benefits
- **109,000** participants had an Advanced Learner Loan

Traineeships

In the first year (2013/14) 10,400 young people started a traineeship, this grew to 19,400 in year two (2014/15) and 24,100 starts in year 3. The number of traineeships declined in 2016/17 to 20,300. There were 17,700 traineeship starts reported for the 2017/18 academic year.

ENGLAND AND WALES

Work and Health Programme

The 2015 UK Spending Review announced that a new employment support programme, named the Work and Health Programme (WHP) would launch in 2017 in England and Wales. Although not a direct replacement, this new programme followed referrals ending to Work Choice and the Work Programme. The programme is delivered via contracted employment provision across England and Wales. Equivalent support for individuals in Scotland was devolved as part of the 2016 Scotland Act.

The Work and Health Programme contracts commenced in England and Wales between November 2017 and January 2018 and are due to end in 2022.

The Work and Health Programme helps people with a wide range of barriers; including disabled people and certain priority groups (who can volunteer to join the programme) as well as Long Term Unemployed people (who can be mandated) to enter into and stay in work, using the expertise of private, public and voluntary, and community sector providers.

The programme will provide innovative support for around 275,000 people over five years. The majority of people starting on the programme (around 220,000) will be disabled people who can volunteer for the programme at any time.

The Work & Health Programme works with the resources and successful programmes available within local areas. This ensures that effective use is made of local funding streams and the expertise of local service suppliers so that participants with multiple barriers to work can receive co-ordinated and holistic support. The type of support will be personalised to the needs of each participant. Examples of the type of support available includes participants having a personal key worker with regular face to face contact, mentoring and peer support, integrated access to specialist support networks at a local level, including health and wellbeing professionals, and support from dedicated employer experts with knowledge of the local labour market and job opportunities.

As part of the Government commitment to devolution and decentralising power, responsibility for the delivery of the programme in London and Manchester has been devolved to the Local Authorities – known as Local Government Partners (LGPs). The LGPs have full control of the contracts, are responsible for performance management and are free to prioritise specific customer groups in their areas.

NORTHERN IRELAND

Steps 2 Success

Steps 2 Success is Northern Ireland's main adult employment programme. It commenced on 20 October 2014 for an initial period of four years. In October 2018, the Department extended the contract for another 2 years, until October 2020.

- 50,730 people have been referred to the programme;
- 47,490 people have attached and participated on the programme;
- 13,694 of the clients who attached to the programme in this period have gone on to find employment. It should be noted that a majority of clients from the latter months of 2018 are still on the programme, and therefore the number moving into employment for this period is expected to increase over time.
- The most recent into employment statistics published by the Department for Communities focus on those clients who started the programme up until March 2018 as the majority of these clients have completed the programme. For the period January 2015 – March 2018, 30% of clients have moved into employment.
- Due to the time-lag involved in clients completing their participation on the programme and then obtaining and sustaining work, the most recent 6-month sustainment statistics published by the Department for Communities only focuses on those clients who started the programme between up until September 2017. For the January 2015 – September 2017 period, 20%

(7,753) of clients have sustained employment for 6 months. This equates to 66% of those who moved into work.

- Due to the time-lag involved in clients completing their participation on the programme and then obtaining and sustaining work, the most recent 12-month sustainment statistics published by the Department for Communities only focuses on those clients who started the programme between up until March 2017. For the January 2015 – March 2017 period, 15% (5,193) of clients have sustained employment for 6 months. This equates to 50% of those who moved into work.

Apprenticeships

The Apprenticeship and Youth Training systems are articulated in ‘Securing our Success’, the Northern Ireland Strategy on Apprenticeships published in June 2014 and ‘Generating our Success,’ the Northern Ireland Strategy for Youth Training published in June 2015.

The ApprenticeshipsNI programme is employer-led training provision, with employers creating apprenticeships in line with their business needs. Apprentices, in paid employment from day one, follow a national training framework which leads to the attainment of industry-approved competence and knowledge based qualifications, at Level 2 or 3, in conjunction with Essential Skills qualifications (where appropriate).

- Training is shared by the employer and a Training Contractor. Training with the Contractor is known as directed training. It is usually carried out on a day-release basis with a Training Contractor who is contracted by the Department for the Economy to ensure apprentices receive training towards recognised qualifications.
- There is no upper age limit to participate on the ApprenticeshipNI programme but certain conditions apply for people aged twenty-five years and over including being employed within an economically important sector needed to rebalance the economy.
- In the case of all apprentices aged 16-24, the Department for the Economy funds 100% of the cost of off-the-job training. Funding for all apprentices aged 25 years and over is focused on priority economic areas and set at fifty percent of that available for 16-24 year olds.

Occupancy

Between the quarters ending October 2013 and October 2018, the number of participants on ApprenticeshipsNI 2013/2017 (at the end of the quarter) increased from 2,070 to 8,614. It should be noted that as apprenticeships can take up to four years to complete, there is a cumulative effect for the number of participants on programme each year.

Statistics up to 31/10/18

For 2015/16 the targets are 65% for the NVQ Level 2 qualification and 62% for Level 3 Full Framework. The NVQ Level 2 target has been achieved at 71%, while 22% have achieved a Full Framework Level 3. It should be noted that 36% of 2015/16 participants are still on the programme.

Targets for 2016/17 are the same as the previous financial year. To date, 50% of participants have achieved an NVQ Level 2 qualification and 15% have achieved a Level 3 Full Framework. It should be noted that 49% of 2016/17 participants are still on the programme.

Further statistics relating to the programme can be viewed at <https://www.economy-ni.gov.uk/articles/apprenticeshipsni-statistics>

Higher Level Apprenticeship Programme

The Higher Level Apprenticeship (HLA) programme was formally launched in September 2017 in response to 'Securing our Success', the Northern Ireland Strategy on Apprenticeships which was published in June 2014.

- The programme provides participants with the opportunity to get an industry approved award from Level 4 through to Level 7 (Masters). The formal launch of the programme followed extensive piloting over a number of years.
- There are HLA Operational Requirements which Training Providers and employers must adhere to including a Tripartite Agreement signed by the employer, apprentice and Training Provider.
- There were 327 enrolments on a HLA programme during the 2017/18 year.

Other programmes

Access to Work - During the period January 2015 and December 2018, a total of 2,891 people were supported on the Programme. Total spend for the period was £7,379k.

Workable (NI) - Between January 2015 and December 2018 the numbers participating on the programme rose from 560 to 842 and overall spend in that period was £13,449,020.

Employment Support - Between January 2015 and December 2018 the numbers participating on the programme fell from 523 to 412 and overall spend in that period was £14,981

Condition Management Programme - During 2018, 899 clients participated on CMP.

European Social Fund (ESF) - during 2018 DfC's Health and Work Support Branch provided match funding to 17 ESF projects and 3912 people with disabilities participated on these projects. The annual budget for DfC match funding is £1.5m

Parkanaur College - DfC spend for the period January 2015 to December 2018 was circa £957k. Parkanaur supported an average of 11 people each year during this period.

SCOTLAND

Apprenticeships

Official statistics published on 11 June 2019⁴⁶ show there were 28,191 Modern and Graduate Apprenticeship starts in 2018-19, with a target of achieving 29,000 Modern Apprenticeship starts in 2019-20 - including over 1,300 Graduate Apprenticeship starts in this target⁴⁷ and a commitment to 30,000 new apprenticeship starts by 2020-21,⁴⁸ continuing to prioritise higher level training and STEM (science, technology, engineering, mathematics) subjects.

⁴⁶<https://www.skillsdevelopmentscotland.co.uk/publications-statistics/statistics/modern-apprenticeships/?page=1&statisticCategoryId=4&order=date-desc>

⁴⁷ <https://www.gov.scot/news/new-modern-apprentice-target/>

⁴⁸ <https://www.gov.scot/publications/developing-young-workforce-scotlands-youth-employment-strategy/pages/5/>

As part of the drive to improve attainment and to give all Scotland's young people an equal chance and choices to succeed at school and in life, considerable progress has been made to expand Foundation Apprenticeships as an emerging qualification in the senior phase of school.⁴⁹ In 2018, 2,600 Foundation Apprenticeship opportunities were made available across 12 frameworks (7 STEM) and 1,532 places were taken up. There are 5,000 opportunities available for 2019.

No One Left Behind

No One Left Behind – Next Steps for the Integration and Alignment of Employability Support in Scotland (March 2018)⁵⁰ contains a comprehensive range of activities to deliver more effective and joined-up employability support across Scotland. It recognises that better integration and alignment of employability with other services is a vital part of the Scottish Government's ambition to tackle labour market inequalities and help more people into work.

Phase 1 of the new No One Left Behind Employability Funding Stream commenced in April 2019, and this has enabled the Scottish Government to work closely with local authorities under a partnership agreement. Phase 1 includes providing tailored support to some young people who have left school to help them prepare for employment, training or education, and for older participants to access support tailored to their individual needs, supporting them to train or retrain for the opportunities available locally. Phase 2 is being planned and, in the meantime, third sector organisations continue to offer various employability support programmes on behalf of the Scottish Government. For example, the 'Inspiring Scotland – Your Future Now' Fund helps disadvantaged young people access education, employment or training; and the 'Discovering Your Potential' programme offers intensive support to young care leavers, helping them to engage with further education, training and employment. In addition, the Employability Fund is administered by Skills Development Scotland, and Community Jobs Scotland is delivered by SCVO.

Parental Employability Support Fund (PESF)

Every Child, Every Chance (March 2018)⁵¹ is the first Tackling Child Poverty Delivery Plan to be published under the Child Poverty (Scotland) Act 2017. It sets out a range of actions to be taken over the period from 2019 to 2022, including implementation of the Parental Employability Support Fund (PESF). The Fund will deliver intensive employability support for low income parents to access and progress in employment, supporting them to address barriers and upskill so they can progress in the labour market.

The PESF will focus on intensive key worker support that provides:

- person-centred help for parents to address their barriers to work - this may include, but is not limited to, signposting to health support, money advice, or motivational support;
- help in meeting the challenge of in-work poverty, targeting support to help parents already in jobs to remain active in the workplace and gain progression through a rewarding career.

Skills development

Individual Training Accounts (ITA) for those seeking work or in low paid work offer up to £200 towards a single training course, or per year, to develop the skills they need for work. Managed by

⁴⁹ <https://news.gov.scot/news/expansion-of-foundation-apprenticeships>

⁵⁰ <https://www.gov.scot/publications/one-left-behind-next-steps-integration-alignment-employability-support-scotland/>

⁵¹ <https://www.gov.scot/publications/child-chance-tackling-child-poverty-delivery-plan-2018-22/>

Skills Development Scotland,⁵² ITA courses must be in one of the curriculum areas aligned to the Scottish Government Labour Market Strategy.⁵³

For those in work, the Flexible Workforce Development Fund provides UK Apprenticeship Levy-paying employers with up to £15,000 of college training to upskill and retrain their existing workforce. Employers are encouraged to consider how they can utilise their allocation to promote inclusive economic growth by addressing skills gaps and training needs within their workforce, and to impact those with one or more protected characteristics and older workers. Recognising the need to enable more in-work training to enable employers and workers to better respond to challenges such as technological advances, the Scottish Government announced in September 2019 that the overall annual budget for the Fund would rise in 2020-21 from £10 million to £20 million.

Scotland's Future Skills Action Plan (September 2019)⁵⁴ sets out the Scottish Government's ambition to re-orientate the skills system in Scotland to enable the development of a more agile and flexible system that can respond at pace to changing employer/worker skills demand.

WALES

Employment statistics

All UK regions saw an increase in the employment rate between June-August 2014 and March to May 2018. Wales saw the most pronounced rise, at 5.2 percentage points; followed by, West Midlands and the North West.

English to Speakers of Other Languages (ESOL)

In Wales, English to Speakers of Other Languages (ESOL) is contracted by Welsh Government and Local Authorities.

ISLE OF MAN

The Isle of Man Government Jobcentre and the Disability Employment Service both of which previously formed part of the former Department of Economic Development, (now the Department for Enterprise) were both transferred to the Treasury in 2017. The rationale for these changes is to more closely integrate these two functions with the Treasury's Social Security Division.

Responsibility for providing vocational guidance and training and apprenticeships was transferred to the Department for Education, Sport and Culture (DESC) by the Transfer of Functions (Economic Development and Education) Order 2017. Section 32 of the Education Act 2001 was consequentially amended to reflect this change. The purpose of this reform was to provide for a single Department to have responsibility for all elements of education, vocational guidance and work-related training. However, the 2017 Order also transferred to the Treasury the provision of employment and training initiatives by way of financial support for arrangements, support or payments (by way of grant, loan, allowance or otherwise) designed to assist persons, including disabled persons, to obtain or retain employment.

The Disability Employment Service is provided by the Treasury to assist individuals with disabilities to gain employment, which may be paid or unpaid. It also assists employers by providing guidance,

⁵² <https://www.skillsdevelopmentscotland.co.uk/what-we-do/employability-skills/sds-individual-training-accounts/>

⁵³ <https://www.gov.scot/publications/scotlands-labour-market-strategy/>

⁵⁴ <https://economicactionplan.mygov.scot/future-skills/>

assistance and equipment where appropriate. The Disability Employment Advisers work closely with the Job Centre, which is also operated by Treasury, and both services are located in the same building.

DESC runs a careers guidance service, supports apprenticeships in a wide range of occupations and operates the Vocational Training Assistance Scheme which can provide financial assistance to both businesses and individuals wishing to undertake vocational training. In November each year DESC hosts an Employment and Skills Event which is an opportunity for employers in different sectors to network with each other and for young people and the general public to explore career opportunities on the Isle of Man.

The apprentice training programme has remained a consistent and robust programme in terms of overall numbers and successful completion. The total numbers of apprentices registered with the Department of Education Sport and Culture, as at 1 September 2015, 2016, 2017 and 2018, were, respectively, 340, 410, 457, 542. During that period, the success rate of those apprentices who commenced their training and successfully completed the qualification has remained at approximately 90%.

Approximately 2132 people undertake full time or part time vocational training (including apprenticeships) each year.

Q5. The Committee asks the next report to provide information about the legislation on individual leave and its remuneration. It wishes to know how the burden of the cost of vocational training is shared among public bodies, unemployment insurance systems, enterprises and households as regards continuing training.

Legislation on individual leave and its remuneration

The UK contacted the Charter Secretariat to request clarification of this question but has not yet received a response.

UNITED KINGDOM

Cost of vocational training

Apprenticeships

Apprenticeships benefit people of all ages and backgrounds including people who are retraining and upskilling and have the support of their employer. Some of this represents continuing training. This training is funded through the apprenticeships levy which came into force on 6 April 2017 and the Department for Education. The Levy requires all employers with an annual pay bill of £3 million or more to pay 0.5 per cent of their pay bill to invest in apprenticeship training. For non-levied employers, both the employer and the government pay the training provider for apprenticeship training – 5 per cent from the employer and 95 per cent from public support. The individual does not contribute anything towards the costs of the training.

Advanced Learner Loans

Advanced Learner Loans are available to adults wishing to train and retrain in higher level skills. Learners aged 19 and above studying at level 3 to level 6 can access loan support to help meet up-front fees, removing one of the main barriers to learning. The loans are income contingent. People do not have to start paying back until they are earning more than £25,725.

Adult Education Budget

The government's Adult Education Budget (AEB) was created in 2016/17 replacing what had previously been three separate budget lines (adult skills, community learning and discretionary learner support). The AEB fully funds or co-funds skills provision from pre-entry up to and including Level 3, for eligible adults aged 19+ to equip them for work, an apprenticeship or further learning. Specifically, the AEB supports:

- Three legal entitlements to full funding for eligible adult learners aged 19+ without the equivalent of a GCSE pass in English and/or maths and young people aged 19-23 without a first full Level 2 or first full Level 3.
- Flexible tailored provision for adults including qualifications and components of these and/or non-regulated learning up to level 2.
- English for speakers of other languages.
- Community learning to support learners to develop skills, confidence, motivation and resilience in order to progress towards formal learning or employment, and/or improve their health and well-being, including mental health, and/or develop stronger communities.
- Traineeships for learners aged 19 to 24.

In the 2018/19 and 2019/20 academic years we are supporting those in work on low incomes to access the AEB through a trial, which allows providers to fully fund eligible learners on low wages.

The government will also introduce an entitlement to fully funded digital qualifications from 2020. Adults with no or low digital skills will have the opportunity to undertake improved digital qualifications, based on new national standards for essential digital skills, free of charge. The new national standards set out the digital skills people need to get on in life and work.

The new national standards for essential digital skills were published in April 2019, based upon the Essential Digital Skills Framework. The national standards were subject to extensive consultation and input from a wide range of education, industry and digital inclusion stakeholders. Examples of new topics include using different devices, navigating the internet and protecting privacy online.

National Retraining Scheme

The roll out of the first part of the National Retraining Scheme started in July 2019. The scheme will help prepare adults for the future changes to the economy, including those brought about by automation, and help them retrain into better jobs.

The scheme is led and overseen by the National Retraining Partnership – a strategic partnership between the Confederation of British Industry (CBI), the Trades Union Congress (TUC) and the government. The Partnership provides strategic direction and guidance on how the scheme will be developed and implemented.

It is critical that the National Retraining Scheme supports those who may have comparatively less access to existing sources of government support and aims to help those whose jobs are most at risk of future changes to the economy, including those brought about by automation. The scheme will initially focus on adults aged 24 and over, without a qualification at degree level and working below a certain wage threshold, which we are testing to focus on those earning low to medium wages.

The scheme is being developed and rolled out in stages. We have now released the first part of the scheme, *Get help to retrain*. This is a digital service to help adults explore alternative roles or

occupations, and find training to unlock opportunities for a broad range of good jobs. This is the first of a series of products that will make up the full National Retraining Scheme service.

NORTHERN IRELAND

For most of the time since the last report the Assembly has been suspended and there have been no Ministers in place to make decisions to progress this issue.

WALES

Employment legislation is not devolved to the Welsh Government.

ISLE OF MAN

The Department for Education Sport and Culture administers an apprenticeship training scheme and the Vocational Training Assistance Scheme (VTAS). VTAS is the primary source of assistance towards vocational areas and is targeted to priority areas within the Isle of Man economy. All requests for funding under this scheme require a business case to be submitted.

Isle of Man College changed its name to University College Isle of Man (UCM) and in partnership with a UK University has increased the number of Higher education courses available on island. The Skills Development Scheme provides assistance towards course fees and to employers to allow apprentices to study on day release at UCM or with private providers. Funding for apprenticeships on island is very different to that in the UK where a levy from employers was introduced which is then used to fund apprentices.

University College Isle of Man includes a Training Centre for many of the apprenticeships and vocational training schemes for adults. Additionally, there are numerous private providers for both apprenticeships and vocational training through the schemes administered by Job Centre.

Apprenticeship funding remains at 100% of the course fees. The training element for apprenticeships is normally taken as part of the working week.

The number of applications for apprenticeships which received 100% funding in 2018 was 481. The total number attending UCM for Vocational courses in 2018 was 2132.

Paragraph 4

Q6. The Committee asks the next report to confirm that to be eligible for student loans and tuition fee support, both UK nationals and non-EEA nationals, who are legally entitled to enter and reside in the UK, must be ordinarily resident in the UK throughout the three-year period, on an equal footing.

UNITED KINGDOM

Undergraduate

To qualify for Higher Education student support for undergraduate courses, students must fall within one of the eligibility categories within the Education (Student Support) Regulations 2011. Generally, to access financial support, a student should be resident in England, have 'settled' status or a recognised connection with the UK on the first day of the first academic year of the course. A 'recognised connection with the UK' can be demonstrated by those who have been recognised as requiring international protection and those who can demonstrate long residency in the UK. With the exception of individuals holding refugee status, all students must demonstrate that they have

been ordinarily resident in the EEA and Switzerland or the UK and Islands for 3 years prior to the start of their course to qualify for support.

EEA and Swiss nationals wishing to study in England benefit from special eligibility rules and can access student finance after residence in the EEA/Switzerland for 3 years; whether or not they will be eligible for both tuition fee loans and maintenance support depends on their individual circumstances. Tuition fee support is available to all eligible EEA/Swiss nationals and their family members who have been ordinarily resident in the EEA/Switzerland for 3 years immediately prior to the start of their course. EEA/Swiss nationals can also access maintenance support if they have been ordinarily resident in the UK and Islands for 5 years immediately prior to the start of their course or hold Permanent Residence. The 5-year requirement was introduced in 2016 to avoid an unreasonable burden arising with consequences for the overall level of assistance granted by the UK to students and is in accordance with the findings of the ECJ in the case of Förster (Case C-158/07).

In the case of Förster, the ECJ ruled that it was permissible for a Member State to grant maintenance support only to students who have demonstrated a certain degree of integration into the society of that Member State. The ECJ held that the Dutch condition of 5 years' uninterrupted residence for non-Dutch EU nationals was appropriate and proportionate to the legitimate objective of requiring a degree of integration, which was in line with the 5-year period required to acquire the right of permanent residence under Article 16(1) of Directive 2004/38.

EEA/Swiss migrant workers and their family members who have been resident in the UK, and who have been ordinarily resident in the EEA/Switzerland for 3 years prior to the start of their course, can access maintenance support without having to have resided in the UK for a defined period. They are, in this respect, treated more favourably than UK nationals and other persons settled in the UK.

Postgraduate

To qualify for a postgraduate master's or doctoral degree loan, students must fall within one of the eligibility categories within the Education (Postgraduate Master's Degree Loans) Regulations 2016 or the Education (Postgraduate Doctoral Degree Loans and the Education (Student Loans) (Repayment) (Amendment) (No. 2) etc.) Regulations 2018. Postgraduate loans are paid directly to eligible students and are intended to be a contribution towards tuition fees and/or living costs. With the exception of individuals holding refugee status, all students must demonstrate that they have been ordinarily resident in the EEA and Switzerland or the UK and Islands to qualify for support. EU nationals are able to access the same support as UK nationals.

Further information on eligibility for student support can be found at <https://www.gov.uk/student-finance/who-qualifies>.

NORTHERN IRELAND

For most of the time since the last report the Assembly has been suspended and there have been no Ministers in place to make decisions to progress this issue.

SCOTLAND

Normally, to be eligible for the home rate fee status and student support, students must be ordinarily resident in Scotland on the relevant date (i.e. the first day of the first academic year of their course), have been ordinarily resident in the UK and Islands for 3 years immediately prior to the relevant date, and be settled in the UK within the meaning of the Immigration Act 1971; or be either (i) under the age of 18 and have lived in the United Kingdom throughout the seven-year period preceding the relevant date; or (ii) aged 18 years old or above and, preceding the relevant date, has lived in the United Kingdom throughout either half of their life or a period of twenty years. There are

a number of exceptions to the ordinary residence criteria, including those who have been temporarily absent from the UK as a result of their (or their parents') education or employment.

These eligibility criteria are applied to both non-EEA nationals and UK nationals. There are several exceptions to these criteria which are set out in Regulations.⁵⁵

WALES

The Welsh Government provides higher education (HE) statutory student support to eligible students who are ordinarily resident in Wales and studying in the UK. Existing eligibility regulations stipulate that only certain categories of students are eligible for undergraduate or postgraduate student support. Similar regulations also apply elsewhere in the UK. In general terms these are persons who have settled status in the UK, EEA/Swiss workers, EU nationals, refugees or persons with leave to enter or remain, including their family members. UK nationals and non-EEA nationals are required to have been ordinarily resident in the UK for three years preceding the first day of the first academic year of the course and to also be ordinarily resident in Wales on the first day of the first academic year of the course. The exceptions to the three-year ordinary residency rule are UK nationals who have exercised the right to residency elsewhere in the EEA /Switzerland and also persons who have refugee status.

ISLE OF MAN

These matters are covered, in particular by regulation 6 of the [Education \(Student Awards\) Regulations 2019](#). In particular, a student is eligible for an award if he or she fulfils the conditions specified in regulation 6(2) and (3) of those Regulations:

“(2) In the case of a course at the University College Isle of Man, (UCM) the student must be 18 years of age or over at the beginning of the first year of the course.

(3) The student must satisfy one of the following Conditions—

Condition 1

The student has been ordinarily resident in the Island for a period of not less than 4 years immediately before the beginning of the first year of the course, which may include a gap year, and will continue to be ordinarily resident in the Island for the duration of the course.

Condition 2

The student has resided in the Island for periods amounting in the aggregate to ten years or more, and 2 of those years fall immediately prior to commencement of the course, and will continue to be ordinarily resident in the Island for the duration of the course.

Condition 3

The student has resided previously in the Island, and as a result is ineligible for financial assistance in the country or territory in which he or she is ordinarily resident.”

For the purpose of regulation 6(3) —

- (a) no account shall be taken of temporary or occasional absences, and
- (b) a person is ordinarily resident in the Island if he or she voluntarily and for settled purposes lives in the Island for an appreciable period (a minor who lives with his or her parent being taken for this purpose to be living voluntarily where the parent lives).

⁵⁵ <https://www.legislation.gov.uk/ssi/2007/153/schedule/1/made>

Q7. The Committee asks what measures are taken to evaluate vocational training programmes for young workers, including the apprenticeships. In particular, it wishes to be informed of the participation of employers' and workers' organisations in the supervision process.

UNITED KINGDOM

Review of the Independent Panel on Technical Education

The Independent Panel's Review built on the work of Wolf Review which is described in the 35TH UK Report. The Independent Panel was established in November 2015 and produced its report in April 2016. All its recommendations were accepted and form the basis of technical education reforms. The central recommendation was for a system of technical education routes which would be college based or employer based through apprenticeships and could be achieved by taking either path.

Institute for Apprenticeships and Technical Education

The core function of the Institute is to ensure the quality of apprenticeships and provide advice to Government on future funding provision for apprenticeship training. It is responsible for:

- developing and maintaining quality criteria for the approval of apprenticeship standards and assessment plans;
- supporting the development of standards and assessment plans by employer groups and reviewing and approving them;
- advising government on the maximum amount of funding that should be assigned to each apprenticeship standard; and
- ensuring all end-point assessments are quality assured.

End Point Assessment

End-Point Assessment (EPA) is a key feature of the apprenticeship reforms. Employer groups design assessment plans that are signed off by the Institute for Apprenticeships and Technical Education as part of the work in developing new apprenticeship standards. These assessment plans contain a suitable mix of assessment methods, such as observations and professional discussions. EPA is conducted by independent, external organisations which should result in robust assessment and employer confidence that the apprentice is ready to do the job. It is designed to improve upon the old system, where apprentices were continually assessed on-programme by training providers.

The apprentice is put forward for EPA after a meeting between the employer, provider and end point assessment organisation. This is where they agree that the apprentice has completed all the training requirements to develop the knowledge, skills and behaviours to demonstrate occupational competency assessed at the end. The apprentice is supported with practice materials during the apprenticeship in order to prepare for the end point assessment. The employer, provider and apprentice should have regular meetings to discuss progress and build in extra support or stretch as required by the apprentice throughout the programme.

End point assessment is quality assured for consistency and validity by external quality assurance providers.

NORTHERN IRELAND

For most of the time since the last report the Assembly has been suspended and there have been no Ministers in place to make decisions to progress this issue.

WALES

The Welsh Government has commissioned an independent evaluation of the apprenticeship programme. The focus of the evaluation is on the performance and impact of the programme, together with review of the programme design and delivery processes. The evaluation has two main phases, interim and final. The interim evaluation phase took a formative approach and focused primarily on programme performance and how delivery has worked in practice. This report was published in April 2018: <https://gov.wales/evaluation-apprenticeships-programme-interim-report>. The final report is to be published in 2020.

We are strengthening our relationship with employers to stimulate growth by putting in place arrangements for developing higher level apprenticeships where we establish evidence for need contextualised against regional and national priorities. The Wales Apprenticeships Advisory Board (WAAB), operating under the auspices of the Wales Employment and Skills Board (WESB), provides strategic input and robust challenge to shape future apprenticeships skills. The WAAB is chaired by the CBI Wales CEO, bringing together employers, employer representative and social partners to offer insight on policy and delivery from a range of perspectives. Membership includes a representative of the Wales Trades Union Congress. The WAAB advises on the scope and range of high performing apprenticeship frameworks to drive forward the Welsh economy, ensuring gaps identified via Regional Skills Partnership plans are considered and the value of apprenticeships are maintained for industries that operate across borders.

Major changes

NORTHERN IRELAND

Student finance – tuition fees and student support

Part-time Tuition Fee Loan, Fee Grant and Course Grant

- Since September 2017 Northern Ireland domiciled part-time undergraduate students have been able to apply for a Part-time Tuition Fee Loan. The loan is non-means tested however students must be studying at least 25 per cent intensity of the same full-time course for the year in order to be eligible. For academic year 2018/19 a loan of up to £3,120 was available.
- Part-time higher education students may also apply for a Fee Grant of up to £1,230, depending on course intensity and household income. Those who obtain a fee grant will see the maximum fee loan available to them reduce accordingly.
- Students may also apply for a Course Grant of £265 towards course costs such as books, travel and other course related costs.

Postgraduate Tuition Fee Loan

From the beginning of the 2017/18 academic year, tuition fee loans were also introduced for Northern Ireland domiciled students, and as such, students who commence studying on a postgraduate certificate, postgraduate diploma, taught Master's or research Master's course at a publicly funded institution in Northern Ireland, England, Wales, or Scotland may be eligible to apply for a Postgraduate Tuition Fee Loan of up to £5,500 for the course to help with the cost of tuition fees.

ARTICLE 15 - The right of physically or mentally disabled persons to vocational training, rehabilitation and social resettlement

Paragraph 1

Q1. In its previous conclusion (Conclusions XX-1 (2012)), the Committee asked to be informed in the next report of any progress made in legislation to prevent discrimination on grounds of disability in the Isle of Man. The report explains that the Government of the Isle of Man no longer intends to bring the Disability Discrimination Act 2006 into operation as it would have dealt with discrimination on the grounds of disability in the provision of goods and services, but not in employment. In 2014, the Government of the Isle of Man presented a new equality act based on the UK Equality Act 2010 which will deal with discrimination in both employment and the provision of goods and services on various grounds including disability. This law should come into force in 2015. The Committee asks that the next report provide all the necessary information on this subject.

ISLE OF MAN

Although a decision had been taken not to bring the Isle of Man's Disability Discrimination Act 2006 into force, following intervention by Tynwald (the Isle of Man parliament) this decision was subsequently reversed. The majority of this Act was brought into operation by 1 January 2018. The exception to this is the requirement to make physical alterations to premises as reasonable adjustments for disabled people; this requirement is scheduled to come into operation on 1 January 2020. It should be noted that the Disability Discrimination Act 2006 does not apply to discrimination in employment.

The Equality Act took longer to progress than had originally hoped but it received Royal Assent in July 2017. The majority of this Act is due to come into operation on 1 January 2019, with the remaining provisions (dealing with discrimination on the grounds of disability and age and the issue of equal pay for work of equal value) are due to come into operation on 1 January 2020. When the Equality Act 2017 is fully in operation the Disability Discrimination Act 2006 will be repealed.

Please find below a link to the Equality Act 2017 and the Disability Discrimination Act 2006 - https://legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/2017/2017-0005/EqualityAct2017_3.pdf?zoom_highlight=equality+act+2017#search=%22equality%20act%202017%22

https://legislation.gov.im/cms/images/LEGISLATION/PRINCIPAL/2006/2006-0017/DisabilityDiscriminationAct2006_1.pdf?zoom_highlight=disability+discrimination+Act+2006#search=%22disability%20discrimination%20Act%202006%22

Q2. The report stipulates that in Scotland, the Curriculum for Excellence aims to ensure that all children and young people receive support to ensure that they have access to the curriculum regardless of their circumstances. In June 2014, the Commission for Developing Scotland's Young Workforce published a report which made a number of key recommendations concerning the need to ensure equality of opportunity for all young people in education and employment, with a focus on disability (among other things). In December 2014, the *Developing the Young Workforce Youth Employment Strategy* setting out a number of actions and measures aimed at tackling

inequalities, was published. The Committee asks that the next report provide information concerning the progress made thanks to this strategy.

SCOTLAND

Developing the Young Workforce Youth Employment Strategy

The *Developing the Young Workforce Youth Employment Strategy* (DYW) continues to make an important contribution towards promoting inclusive growth within Scotland's economy. Through the expansion of new work-based learning opportunities, DYW helps improve opportunities, life chances and wellbeing. The Scottish Government is focused on ensuring these opportunities are available to all young people, regardless of their circumstance or background. For example, the Wood Commission's expectation for gender and equality actions plans has been taken forward by the Scottish Funding Council and Skills Development Scotland. As new DYW opportunities for young people are developed and expanded, the Scottish Government is committed to promoting diversity in the workplace by removing both real and perceived barriers for young people.

In Spring 2019, officials attended a Youth Action Success forum, a group established to promote and facilitate on-going engagement and participation of disabled young people in the development and implementation of relevant legislation and policies. Participants discussed work placements, routes to employment, employers' understanding of their needs and experience, and ways to support young disabled people to take up and benefit from vocational qualifications and Apprenticeships. Recommendations were presented to relevant Scottish Government policy teams, and a programme-wide evaluation will consider the extent to which issues within the scope of DYW that affect young disabled people have improved - for example quantitative and qualitative evidence relating to KPI 10 (Increase the employment rate for disabled young people to the population average by 2021).

Further information concerning progress made thanks to the *Developing the Young Workforce Youth Employment Strategy* is presented in this report as part of responses to questions on Article 1.

Curriculum for Excellence

The Scottish Government is clear that all children and young people should learn in the environment which best suits their needs, whether that is in a mainstream or special school setting, and that all children and young people should reach their full potential. This is achieved through a framework of legislation and policy that sets the expectation of equity and excellence for all.

Under Curriculum for Excellence practitioners are directed to design curriculum delivery with regard to a number of principles including personalisation and choice. This helps to ensure that learners, including those with a disability, have education tailored to their individual needs.

Furthermore, in the broad general education phase of the curriculum (ages 3-15) young people progress through curriculum levels that are stage rather than age appropriate. Therefore, a learner will progress through the levels at a pace suited to them.

Inclusion is a fundamental aspect of Scottish education and ensures that all children and young people can recognise and appreciate diversity as part of everyday life. A cornerstone of the Scottish Government's inclusive approach is the presumption of mainstreaming for those with additional support needs.

This approach recognises that a child or young person’s ability to learn effectively may be impacted in many different ways, from disability or health needs to family circumstances, learning environment and social and emotional factors. Children and young people should receive the support they need, when they need it.

In its 2019-20 Programme for Government, the Scottish Government has committed an additional £15 million to build capacity within education authorities and schools to respond more effectively to the individual needs of children and young people with additional support needs, including those with a disability; and to enhance learning outcomes to ensure young people reach their potential.

Employment

In December 2018 the Scottish Government launched *A Fairer Scotland for Disabled People: Employment Action Plan*.⁵⁶ The Plan focuses on three themes:

- supporting employers to recruit and retain disabled people
- supporting disabled people to enter employment
- young people and transitions

In Scotland, the employment rate for disabled people is currently 45.6%, compared to 81.1% for non-disabled people, which represents a disability employment gap of 35.5 percentage points. In *A Fairer Scotland for Disabled People: Employment Action Plan* the Scottish Government has committed to at least halve the disability employment gap (based on 2016 baseline) by 2038.

Disabled young people aged 16-24 have the second lowest employment rate (43.2%) of any age group and the highest unemployment rate (20.8%), and they are more than twice as likely to be unemployed as non-disabled 16-24 year olds.

The plan includes commitments to support disabled young people, including building on the ‘Seven Principles of Good Transitions’, and broader recommendations from sector experts, disabled young people and their families and carers, as well as work across government to improve transitions. For example, considering how to extend the public sector internship scheme to see greater use by the private sector.

Through the implementation of *The Equalities Action Plan for Modern Apprenticeships in Scotland*,⁵⁷ the Scottish Government is providing young disabled people with the highest level of Modern Apprenticeship (MA) funding, and removing the barriers that have previously prevented young disabled people entering MAs.

Public procurement

The sustainable procurement duty in the Procurement Reform (Scotland) Act 2014 requires public bodies to consider and act on opportunities to achieve socio-economic and environmental benefits; to facilitate involvement of SMEs, third sector bodies and supported businesses; and to promote innovation in the course of their procurements. To help public bodies implement the duty, statutory guidance has been published.⁵⁸

⁵⁶ <https://www.gov.scot/publications/fairer-scotland-disabled-people-employment-action-plan/pages/4/>

⁵⁷ https://www.skillsdevelopmentscotland.co.uk/media/40691/2869_sds_equalities_action_plan_digital_v7.pdf

⁵⁸ <https://www.gov.scot/publications/guidance-under-procurement-reform-scotland-act-2014/>

Public bodies in Scotland must try to include community benefits for any procurement valued at or above £4 million and explain their reasons if they choose not to include them. The use of community benefits can be more readily focused where appropriate on disability employment or training. The Scottish Government's use of community benefit requirements in just one contract (disability benefits contract) resulted in an internship for a disabled person. The statutory guidance helps public bodies identify relevant opportunities to include community benefit requirements.

The ability for public bodies to restrict participation in a tender exercise to supported businesses has been part of national procurement legislation in Scotland since 2006. As of April 2016, a public body is able to reserve contracts to supported businesses, whose main aim is the social and professional integration of disabled or disadvantaged persons and where at least 30% of the employees are disabled or disadvantaged persons.

As part of a wider blended approach to facilitate and encourage contracting with supported businesses in Scotland, a collaborative national framework was established in November 2018, providing public bodies with an easy route to contract with supported businesses.

The Procurement Reform (Scotland) Act 2014⁵⁹ places a requirement on high-spending public bodies to prepare and publish a procurement strategy and report against it annually. An annual procurement report must address all of the matters contained within a public body's procurement strategy, including a summary of any community benefit requirements imposed as part of a regulated procurement that were fulfilled during the period covered by the report as well as information on the steps taken to facilitate the involvement of supported businesses.

In the course of delivering the Disability Employment Action Plan, the Scottish Government will develop its sustainable procurement tools and guidance to help buyers across the public sector in Scotland identify and pursue equality outcomes in procurement; highlight the opportunity and need to use public procurement in Scotland to achieve employment of disabled people; and continue to promote awareness of disability employment as a ministerial priority to contractors across the procurement landscape.

Q3. The report states that the new Children and Families Act 2014 received Royal Assent on 13 March 2014. This law modifies the support system in the health, education and social services sectors. Part 3 of the Act applies to England only and sets out a new framework for children and young people who have special educational needs and disabilities. However, that legislation will continue to apply for young people with learning difficulty assessments until September 2016 and until April 2018 for children with special educational needs statements. The Committee asks that the next report provide information on the practical impact of this legislation on the integration of disabled pupils and students into mainstream education.

UNITED KINGDOM

The Children and Families Act 2014 introduced significant reforms to the system for special educational needs and disability (SEND). The UK's vision for children with SEND is the same as that for all children and young people – that they achieve well in their early years, at school and in college; that they find employment; lead happy and fulfilled lives; and experience choice and control.

⁵⁹ <http://www.legislation.gov.uk/asp/2014/12/contents>

The 2014 Act supports the presumption for mainstream education with provisions ensuring that importance is placed on the preferences of the parent or young person where the individual has complex SEN. In such circumstances local authorities are under a qualified duty to ensure that preferences over educational setting are met wherever possible. Mainstream education cannot be refused by a local authority on the grounds that it is not suitable or too costly. A local authority can rely on the exception of incompatibility with the efficient education of others in relation to maintained nursery schools, mainstream schools or mainstream post-16 institutions taken as a whole only if it can show that there are no reasonable steps it could take to prevent that incompatibility.

This reflects Government policy that:

- the general expectation is that a child with SEND must usually be educated in mainstream schools;
- there are some limited circumstances in which the educational needs of a child with SEND may best be met through specialist provision; and
- parents of children with complex SEN should have a say in accessing places at mainstream and special schools.

Other relevant duties on mainstream schools include having under the 2014 Act to secure that a pupil with SEN can engage in the activities of the school together with pupils who do not have SEN. (There is a significant overlap between those with SEN and those with disabilities.)

The 2014 Act has brought the Further Education (FE) sector into a single coherent SEND system spanning early years, schools and FE. The Act placed new duties on FE colleges and some other post-16 providers, who must have regard to the SEND Code of Practice.

The 2014 Act places four new duties on the FE sector (which comprises FE colleges, Sixth Form Colleges, 16-19 academies and independent specialist post-16 providers approved by the Secretary of State). These duties are in respect of young people with SEND at the college. They are:

- The duty to have regard to the 0-25 SEND Code of Practice;
- The duty to cooperate with the local authority on arrangements for children and young people with SEND;
- The duty to admit a young person if the institution is named in that young person's Education, Health and Care (EHC) plan; and
- The duty to use their best endeavours to secure the special educational provision that the young person needs, regardless of whether students have an EHC plan.

FE colleges and other post-16 providers play an important role in enabling young people with SEND to achieve their best, and to prepare for adult life. The Government has supported the FE sector to implement the SEND reforms and to provide high quality support to young people with SEND.

Colleges receive additional funding for students with additional needs, including those with SEN, through Disadvantage Funding. Colleges are expected to provide appropriate, high quality SEN support using all available resources. Students who need support that costs more than the college's own funding can provide may also be eligible for high needs funding from the local authority, if they are aged 16-18 or up to age 25 with an EHC plan.

Q4. The Department of Education has set up team of National Advisers (SEND advisers) for people with special educational needs and a disability to help local authorities prepare for and implement the reforms. The Committee wishes to know the success rate of children with disabilities as regards access to vocational training, further education and entry on to the mainstream labour market.

UNITED KINGDOM

Latest data (2017/18 destinations for the 2016/17 cohort) on Key Stage 4 Destinations (young people in state-funded education at the end of their compulsory education) show that 91% of pupils with a Statement or Education, Health and Care plan (ie with complex SEN) went onto education or employment; compared to 89% of pupils on SEN Support in schools (ie identified as having SEN but not with complex needs) and 95% of those with no identified SEN.

Source: <https://www.gov.uk/government/statistics/destinations-of-ks4-and-16-to-18-ks5-students-2018> - Destinations of KS4 and 16 to 18 students 2018: Key stage 4 national tables (Table: NA12b_(Char)_TOTSF)

Latest data (2017/18 destinations for the 2016/17 cohort) - based on activity in the year after the young person was deemed to have completed their 16-18 study - showed that 86% of pupils with an identified SEN who reached the end of 16 to 18 study in state-funded mainstream schools went onto sustained education or employment; compared to 88% of those with no identified SEN. 78% of learners with self-declared learning difficulties and disabilities (LDD) who reached the end of 16 to 18 study in state-funded mainstream colleges went onto sustained education or employment; compared to 77% of those with no identified LDD.

Source: <https://www.gov.uk/government/statistics/destinations-of-ks4-and-16-to-18-ks5-students-2018> - Destinations of KS4 and 16 to 18 students 2018: 16 to 18 national tables (Tables: Table: NA12a_(Char)_sch and NA12b_(Char)_col)

Q5. The report states that in England the “Residential Training Colleges” support approximately 800 people with disabilities per year. In 2011/12 around 850 people started courses at Residential Training Colleges and 317 subsequently found employment. The Committee asks that the next report provide information on the conditions under which persons with disabilities can take advantage of this programme and whether this type of programme exist in Scotland, Wales and Northern Ireland and, if not, whether people from Scotland, Wales or Northern Ireland may follow such a programme of study at a college in England.

ENGLAND

Residential Training Colleges

The Residential Training College programme was replaced by Specialist Employability Support (SES) in September 2018. Up to that point, DWP had contracts with 9 Residential Training Colleges (RTCs), located throughout England, to provide specialist disability employment provision for customers from across Great Britain. This typically comprised vocational learning and intensive, complementary work-focused multi-disciplinary support, which could include some training in independent living skills. There were no RTC providers in Wales or Scotland, although one RTC had a satellite site in Cardiff. RTCs accepted referrals from Wales and Scotland.

The RTC programme was intended for those with the most severe barriers to work. Five of the RTCs were pan-disability, three focused on visual impairment and one focused on hearing impairment.

Eligibility for the programme rested on three simple criteria. To be eligible for referral, an individual had to be: a UK resident with a disability; aged 18 or over; and unemployed.

There was no requirement for an RTC candidate to be claiming benefits. Around a quarter of individuals supported through RTCs were not claiming any benefits when they started on the programme.

In Northern Ireland, residential training for adults with disabilities continues to be provided by Parkanaur College, which is the only residential training college in Northern Ireland for people with significant disabilities. Parkanaur College is an independent, specialist further education college for students aged 18 and over with intellectual, physical or sensory disabilities. Training is offered up to NVQ3 in areas such as: business administration, catering, horticulture and upholstery. Suitable candidates who could benefit from attending Parkanaur and who cannot avail of other mainstream programmes are identified by: Work Coaches and/or Careers Advisers based in NI Jobs and Benefits Offices. Each person's suitability for this training and their future potential for progression towards or into employment is assessed by a Work Psychology Team.

Successors to the Residential Training Colleges

The Residential Training Scheme (RTS) closed during the period of this report. The Special Employability Scheme (SES) was launched in September 2015 to focus on those disabled people who need the most support. Referrals to SES closed in November 2019 when it was succeeded by the Intensive Personalised Employment Support Programme (IPES).

The 'Improving Lives: The Future Work, Health and Disability DWP Command' Paper, published in December 2017, confirmed that we were considering the best policy options for continuing to support those with greatest needs and most complex situations, once the Specialist Employability Support (SES) contracts come to an end. Information on the Command Paper can be found here: <https://www.gov.uk/government/publications/improving-lives-the-future-of-work-health-and-disability>

In December 2018, the UK Government announced that a new Intensive Personalised Employment Support Programme (IPES) will see more than £40m invested in a new highly personalised package of support to disabled people who are at least a year away from moving into work without the benefit of support.

IPES is an intensive, highly personalised voluntary support package that is flexible to participants' needs. All participants will receive up to 15 months of pre-employment support to find work. For participants who go into work, there will be a further 6 months intensive in-work-support to help them sustain employment. Even participants who do not find work can expect to receive 16 hours experience of work. The key features of the IPES service will include support to the participant from a consistent key worker, from the outset, providing in-depth help to overcome complex barriers to work including reviewing the participant's personal support network.

Referrals to IPES started in December 2019 following referrals to SES ending in November 2019. The new provision is available in England and Wales with devolved funding made available to Scotland for equivalent provision.

Specialist Employability Support (SES) provided contracted employment provision for disabled people with the highest support needs, intended for customers whose barriers to work mean they are unable to access the support they need through other provision. Participation in IPES (and SES before it) is entirely voluntary and not dependent on claiming any working age income-related benefit.

NORTHERN IRELAND

For Northern Island, see: <https://www.nidirect.gov.uk/information-and-services/schools-learning-and-development/special-educational-needs>

SCOTLAND

As explained above, the UK Government ended its contract with Residential Training Colleges in 2015 and introduced a UK-wide supported employability service to assist those who may have previously been supported through residential training. In Scotland, approximately 250 referrals (all ages) are made to the Specialist Employability Service (SES)⁶⁰ every year. From January 2020, this support will be devolved to Scotland.

WALES

In line with its statutory duties under the Learning and Skills Act 2000, Welsh Ministers support young people (age 16-25) where it is identified that their education and training needs can only be met via specialist provision (including boarding accommodation). Provision is secured at specialist FE establishments, which may include establishments in England. Information on this can be found here: <http://www.legislation.gov.uk/ukpga/2000/21/contents>

Paragraph 2

Q6. In its previous conclusion (Conclusions XX-1 (2012)), the Committee asked that the next report provide information on any development in action taking to prevent discrimination on the grounds of disability in the Isle of Man. The report explains that the Government of the Isle of Man no longer intends to bring the Disability Discrimination Act 2006 into operation as it would have dealt with discrimination on the grounds of disability in the provision of goods and services, but not in employment. In 2014, the Government of the Isle of Man presented a new equality act based on the UK Equality Act 2010 which will deal with discrimination in both employment and the provision of goods and services on various grounds including disability. This law should come into force in 2015. The Committee asks that the next report provide all the necessary information on this subject.

ISLE OF MAN

The facility at University College Isle of Man opened in 2014, has proved very successful in helping young people with complex needs to gain life skills and vocational train, many taking up employment opportunities in the private and public sector. Department for Education, Sport and Culture (DESC) provides a range of support for young people with a disability, through schools providing vocational courses as part of the curriculum through to specialised provision both on and off island. DESC's

⁶⁰ <https://www.gov.uk/specialist-employability-support>

Disability support scheme for young people with a disability wishing to access higher education has been revised to make access easier.

The Disability Employment Service is provided by the Treasury to assist individuals with disabilities to gain employment, which may be paid or unpaid. It also assists employers by providing guidance, assistance and equipment where appropriate. The Disability Employment Advisers work closely with the Job Centre, which is also operated by Treasury, and both services are located in the same building. The Treasury now runs the Employment (Persons with Disabilities etc.) Scheme 1999, the purpose of which continues to be to provide a wide range of financial and non-financial assistance in order for those persons affected by a disability to both find and retain gainful employment. The Equality Act 2017 (which was referred to as the Equality Bill in the previous report) has started its phased introduction with certain protected characteristics coming into force in January 2018. This Act deals with discrimination in both employment and goods and services and the provisions in respect of disability (which is broadly defined) will come into force on 1 January 2020.

In addition to measures operated by the Department of Education, Sport and Culture and the Disability Employment Service of Treasury that persons with a physical or mental disability may access, the Department of Health and Social Care (DHSC) provides support to persons with a learning disability:

- Over the last 5 years DHSC has been transforming the delivery of Day Services for Adults with a Learning Disability, i.e. 18 years old and over. Fundamental to this programme of transformation has been a £5m capital investment by the Isle of Man Government in re-providing the infrastructure that supports the provision of these services.
- The last two years have seen the construction of new Day Service provision with the fundamental belief that each individual has the right to live a full, active and integrated life within the local community.
- The new Learning Disability Day Service focuses on meeting each individual's needs, maximizing their abilities, skills, confidence and unique potential while striving to minimize any possible barriers to community inclusion by using a person centred philosophy of support and championing equality.
- A review of existing individual support plans with increased focus on accessing activities and opportunities in the wider community.
- A significant part of the redesigned day service model is the growth and expansion of the Social Firm, which includes the following areas of business which are operated by adults with a learning disability with person-led packages of support:
 - A garden centre operated by adults with a learning disability;
 - A retail outlet run by adults with a learning disability, selling produce grown and items made on site;
 - A café operated by adults with a learning disability;
 - An industrial centre with opportunities to develop skills in areas such as wood and metal work and recycling.
- The supported employment programme has expanded which provides personalized packages of support to enable adults with a learning disability to access employment opportunities in a range of business sectors.
- Improved transition planning and further development of partnership working with education and third sector partner organisations.

Current figures held in respect of people with learning disabilities who access employment opportunities in either a paid or unpaid capacity are record 85 persons in 2016 and 93 in 2019.

The Disability Employment Service budget is now £150,000.

The average spend per funded client was:

2015/16	£591
2016/17	£719
2017/18	£704
2018/19	£828

The highest level of support in that time was an individual who received £2,500 in support.

See also the response to question 1 on Article 15, above.

Q7. In Wales, the “Lift Programme” was launched in March 2014 and focuses on people who have been out of work for more than six months and face employment barriers, in particular persons with disabilities. The Committee asks that the next report contain information on the practical implementation of this programme and its impact in terms of helping persons with disabilities into both mainstream and sheltered employment.

WALES

The Lift programme finished on 31 December 2017. From 1 January 2015 to 31 December 2017, the programme achieved over 4,200 outcomes including supporting over 900 participants enter employment. Disabled individuals and those with work limiting health conditions, accounted for 20% of the total supported by the programme.

Q8. The Committee takes note of the report of the Independent Advisory Panel set up by the Minister for Disabled People in August 2012 to review residential training provision. The report, which was published in July 2013, made a number of recommendations, which the Department is working to address. The Committee asks that the next report contain information on the progress made with regard to the application of the recommendations of the Independent Advisory Panel.

UNITED KINGDOM

See the response to question 5 on Article 15, above.

ARTICLE 18 - The right to engage in gainful occupation in the territory of other Contracting Parties

Under the current constitutional arrangements in the United Kingdom, immigration is fully reserved to the UK Government.

Paragraph 1

Q1. The Committee requests the next report to specify the refusal rates of work-related applications introduced by nationals of non-EEA states which are parties to the Charter, compared to other non-EEA nationals.

The UK contacted the Charter Secretariat to request clarification of this question. In an email dated 5/11/19, the Charter Secretariat advised that it is not necessary for the United Kingdom to provide this information at the moment.

Paragraph 2

Q2. Administrative formalities and timeframes: The Committee previously noted (Conclusions XIX-1(2008)) that the majority of applications were dealt in one to five weeks. It asks the next report to provide updated information in this respect.

UNITED KINGDOM

UK Service Standards: For straightforward overseas visa applications, we aim to process non-settlement visas in three weeks (15 working days), and for settlement visas in 12 weeks (60 working days), following – where relevant – biometric enrolment. Where a case is defined as non-straightforward due to its complexity (for example Human Right Claims) the case sits outside this service standard. In-country straightforward applications, are subject to an eight week service standard. Where applicable, the UK also offers a ‘priority service’ or ‘super priority service’, for faster visa processing, which are both subject to additional costs.

Under the UK’s future points-based immigration system, for introduction from January 2021, we are aiming to process the majority of skilled work visas within two to three weeks.

ISLE OF MAN

Entry Clearance applications once received by the Isle of Man Immigration Office are dealt with within 28 days, the majority dealt with within 14 days. In-Country applications once received by the Isle of Man Immigration Office are dealt with within 28 days, the majority dealt with within 14 days.

<https://www.gov.im/categories/travel-traffic-and-motoring/immigration/>

Q3. Chancery dues and other charges: The Committee notes the justification given in the report for the level of the fees charged. It asks whether this amount, which is based on the need to strike a balance between the resources required to control migration and to ensure that the United Kingdom continues to attract migrants, is calculated according to any other criteria laid down in the regulations.

UNITED KINGDOM

UK visa fees are set to ensure that those who benefit from the immigration system contribute towards meeting the wider costs of running that system and to reduce the burden on general taxation. We will consider the fees in the round as part of our longer-term review of funding the immigration system.

The Secretary of State's powers to set fees are set out in paragraph 68 of the Immigration Act 2014. Paragraph 68(9) allows the Secretary of State to consider the following, when setting fees in Regulations:

- (a) The costs of exercising the function;
- (b) benefits that the Secretary of State thinks are likely to accrue to any person in connection with the exercise of the function;
- (c) the costs of exercising any other function in connection with immigration or nationality;
- (d) the promotion of economic growth;
- (e) fees charged by or on behalf of governments of other countries in respect of comparable functions;
- (f) any international agreement.

The fees charged reflect the benefits enjoyed by successful applicants and are in line with those for similar products and services offered by other countries. Our analysis, which is backed up by independent research, has shown a visa is only one (comparatively small) element of the total cost or value of coming to the UK, there is little direct relationship between the fees charged for visas and customer behaviour in deciding whether or not to come to the UK. We believe that we are striking the right balance between providing the resources necessary to control migration for the benefit of the UK, and ensuring that our fees structure does not inhibit the UK's ability to continue to attract migrants who make a valued contribution.

In 2015, the UK Government signalled its ambition to achieve self-funding status for its Borders, Immigration and Citizenship (BIC) system, with the intention that this would be achieved through increases to fees for visas and connected services/products. Since then, a range of fee increases have been applied, but importantly, those increases applied to work visas have been kept to a minimum in comparison to increases applied across the wider system. This was in recognition of the importance of the work routes to economic growth in the UK and the Government's desire to continue to encourage the brightest and the best to come to work in the UK. The last increase to work visa fees was in April 2018. These fees have remained static since then.

The UK Government recognises and respects its obligations under the Charter, but it also has to balance its visa fee setting policy for economic reasons and to minimise the financial burden of administering the BIC system, placed on UK taxpayers.

ISLE OF MAN

Since the previous report a simplified fee system has been put in place in order to encourage applications for multi-year permits (a flat fee of £60 regardless of the length of permit whereas previously the fee was based on the duration of the permit). This measure was introduced in order to provide greater certainty to employers and workers.

The fees for entry clearance under the Points Based System were in line with those in the United Kingdom. The fees for entry clearance under the Worker Routes were in line with those in the United Kingdom.

Paragraph 3

Q4. The report indicates that the operation of "priority workers" rules does not typically result in refusal of applications. The information provided does not allow however the Committee to assess whether these rules excessively restrict access to the national labour market for nationals of non-EEA states which are parties to the Charter. The Committee refers in this respect to the question raised under 18§1 and asks the next report to provide evidence that nationals of Contracting Parties to the Charter which are not members of the EEA are not unduly restricted from access to the UK labour market (as employed or self-employed workers).

UNITED KINGDOM

Whilst we impose qualifying criteria on those who wish to come to the UK to live, study and work, immigration statistics for year ending September 2019 demonstrate that thresholds and restrictions in place are achievable. In the year ending September 2019, Skilled (Tier 2) work visa grants were up 12% to 111,035 (Tier 2 accounts for 59% of all work-related visas). In addition, high-value (Tier 1) visas granted were up 14% to 5,817.

Under the United Kingdom immigration system, first priority, for skilled workers under Tier 2) is given to those coming to work in an occupation which is deemed in shortage in the UK. The UK 'Shortage Occupation List' (SOL) identifies which occupations are in national shortage and which would be sensible to fill, in part, through immigration. The list is maintained and updated by a panel of independent and expert labour market economists (the Migration Advisory Committee). Changes were made to the SOL in 2019 following recommendations of the Migration Advisory Committee – adding more occupations and removing a number of existing restrictions. The Shortage Occupation List is entirely based on the occupation that the migrant worker is coming to perform and is not nationality specific.

If a migrant worker is coming to undertake a job on the Shortage Occupation List then broadly, the recruiting employer does not have to undertake a resident labour market test. Additionally, migrants occupying for a shortage role are given priority under the monthly allocation of Tier 2 places within the annual cap – which also benefits others by freeing up places within the existing Tier 2 cap. In the past, when the cap has been reached, the Government has made changes, such as to remove nurses and doctors from the ambit of the limit. Any worker, of any nationality, who is unable to gain a work permit due to the monthly allocation of permits being reached is free to reapply for a permit in the following month. Those applying for an occupation included on the SOL also benefit from a reduced visa application fee and an exemption from the minimum salary threshold for settlement.

In addition, a number of other roles also receive priority including graduates recruited through jobs fairs within Universities and those working in PhD-level occupations. After that, priority is on the

basis of salary, from the highest to the lowest (with the highest earners making the highest economic contribution to the economy). All nationals, who are subject to requirements under the current immigration system, are treated equally under these priority rules. In future, following the UK's exit from the EU, we will introduce a single, global immigration system which removes the current automatic preference (due to EU Free Movement laws) for EEA nationals.

People seeking asylum

Asylum is a matter reserved to the UK Government. People seeking asylum are not currently allowed to work unless they have been waiting for an initial decision on their asylum application for over a year and the delay is not considered to be their fault. Any employment taken must be in an occupation included in the shortage occupation list. People with refugee or another protection status have the right to work.

ISLE OF MAN

The main reforms made by the Control of Employment Act 2014 were described in the previous report. Additional reforms since that report, made both by (i) amendments to the Act included in the Equality Act 2017 and (ii) new secondary legislation are as follows:

- The list of matters to be taken into consideration by the Department when deciding whether or not to grant a work permit has been simplified;
- cohabiting partners of Isle of Man workers, work permit holders and exempt workers are eligible to receive an automatic 1 year permit upon application;
- spouses, civil partners and cohabiting partners of workers from outside the European Economic Area and Switzerland are eligible to receive an automatic 1 year permit upon application;
- persons from outside the EEA and Switzerland (who are subject to immigration controls) do not require a Control of Employment Act 2014 permit if they are in possession of an "immigration employment document", the meaning of which is defined in secondary legislation. The Department for Enterprise, in conjunction with the Isle of Man Passport, Immigration and Nationality Office, has widened the definition of immigration employment document" in order to facilitate more persons from outside the EEA and Switzerland working in the Island.

In general, the changes made by the 2014 Act and subsequent legislation and practice have both liberalised and simplified the previous system of work permit controls.

Persons coming to the Isle of Man from outside the EEA and Switzerland to work continue to be subject to immigration under the United Kingdom's Immigration Acts as extended to the Island.

Various reforms have been made to the administration of the work permit system since the Government's previous report; these include:

- new IT system and implementation of a fully online application process;
- simplified employer only application form;
- faster application processing times;
- creation of a register of persons who are exempt from the requirement for a work permit.

Workers from outside the European Economic Area and Switzerland are not subject to Control of Employment legislation but to UK Immigration legislation which has been extended to the Isle of Man.

Up until 5 April 2018, where employers seek to employ such workers they are required to be licensed by the Department of Economic Development under the Points Based System (PBS) of

Immigration. The employer must subsequently obtain a Certificate of Sponsorship to appoint each worker and the worker can use this certificate to apply for a visa, which enables him or her to both enter and work in the Island.

From 6 April 2018, the Worker Route replaced Tier 2 where employers seek to employ such workers they are required to obtain a Certificate of Employment from Immigration which they provide to the employee. The employer must obtain a Certificate of Employment for each worker, and the worker can use this certificate to apply for a visa, which enables him or her to both enter and work in the Island.

Q5. The Committee recalls that the restrictions initially imposed with regard to access to employment (which can be accepted only if they are not excessive) must be gradually lifted after a person has been legally resident for a given length of time on the territory of another party. In this connection, according to the report, most migrants admitted under Tiers 1 and 2 of the Points Based System do so on terms which allow them to qualify for removal of the time limit on their stay and any restrictions on their access to the labour market after five years. The Committee asks the next report to provide information on the criteria applying to the renewal of work permits.

UNITED KINGDOM

Whilst there is no relaxation of leave conditions over time, under Tier 1 routes and Tier 2 (General), after defined periods of time (normally five years), individuals are able to apply for settlement in the UK, which gives them a permanent right to reside in the UK and access to benefits and services, including health care, on the same basis as British citizens). In certain circumstances, accelerated settlement may apply (three years instead of five). An individual should apply to extend their work visa before their existing immigration leave expires. Failure to do so within 14 days of their leave expiring will, in all but the most exceptional circumstances, result in the application being refused and the individual will fall to being considered an overstayer.

If they are extending their employment with the same employer in the same occupation, they must have been assigned a certificate of sponsorship (work permit) by their UK employer and must continue to be paid at least the appropriate rate for their occupation or the Tier 2 minimum salary threshold, whichever is the higher. Details on what the appropriate salary threshold is are set out in our published Immigration Rules. An employee can be earning less than when they first applied for their work permit as long as that amount is still acceptable for the occupation they are fulfilling. Whilst not a relaxation of conditions over time, within the immigration system exemptions, such as to the minimum salary thresholds for skilled workers, apply to relevant cohorts and we are able to make amends to the Immigration Rules based on experience. For example, we amended the Rules to exempt nurses from the higher salary threshold for a skilled worker under Tier 2 (General).

An individual who is applying in relation to a job in a different occupation or with a different employer may also be subject to additional requirements such as a resident labour market test having been conducted in the relation to the role in question.

ISLE OF MAN

From 06 April 2018, the Worker Route with sub categories Worker and Inter Company Transfer replaced Tier 2 Points Based System(PBS) General and Inter Company Transfer. Tier 1 PBS remains in operation. Most migrants admitted under Tier 1 of the PBS and Worker Route do so on terms which allow them to qualify for removal of the time limit on their stay and any restrictions on their access to the labour market after five years and if they hold Indefinite Leave to Remain.

<https://www.gov.im/categories/travel-traffic-and-motoring/immigration/>

Appendix

UK ILO Article 22 Report of 2018, Convention No. 122

REPORT

For the period 1 June 2015 to 31 May 2018 made by the Government of the United Kingdom of Great Britain and Northern Ireland, in accordance with Article 22 of the Constitution of the International Labour Organisation, on the measures taken to give effect to the provisions of the

EMPLOYMENT POLICY CONVENTION, 1964 (NO. 122)

Ratification of which was registered on 27 June 1966

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New Legislation in the reporting period

Digital Economy Act 2017

<http://www.legislation.gov.uk/ukpga/2017/30/part/6/crossheading/qualifications-in-information-technology/enacted>

The Higher Education and Research Act (HERA) 2017

<https://www.legislation.gov.uk/ukpga/2017/29/contents>

Immigration Act 2016 <http://www.legislation.gov.uk/ukpga/2016/19/contents/enacted>

Technical and Further Education Act 2017

<https://www.legislation.gov.uk/ukpga/2017/19/contents>

Welfare Reform and Work Act 2016

*Acts are broad laws that are passed and the regulations are guidelines that dictate how the legal provisions of the act should be applied

England

Economic and Employment Policy

The Review of Modern Working Practices

The Review of Modern Working Practices was published in July 2017. The Prime Minister asked Matthew Taylor, Chief Executive of the Royal Society of Arts, to carry out his review to consider modern working practices and whether they need to change to keep pace with modern business models.

On 7 February 2018, the government published its response. This followed the Secretary of State for Business, Energy and Industrial's commitment to take responsibility for quality of work.

The Government are taking forward work on 52 of the 53 of recommendations from the review. The Government has committed to firm action and future legislation and has consulted on how best to achieve change. It will be responding to the consultations shortly.

The government response and the consultations can be found here: <https://www.gov.uk/government/publications/government-response-to-the-taylor-review-of-modern-working-practices>

These reforms will help protect the most vulnerable, the lowest paid and those who work in non-traditional ways.

The UK Government are one of the first countries in the world to address the challenges of this changing world of work head on.

Localism, Decentralisation and Devolution

A major step forward in plans to devolve powers from Whitehall and into the hands of local people and business was taken in September 2015. Cities, towns and counties across the United Kingdom presented proposals, for consideration, to government to take control of how public money is spent in their local area. Many areas wanted to support their local residents with health conditions or disabilities to find and progress into work. Local Authorities have a key role in enabling the integration of local health and employment services to help ensure the right resources are targeted to the right people.

Through the Devolution Deal process the Department for Work and Pensions (DWP) agreed to jointly commission the new Work and Health Programme with the four sub regions of London and Greater Manchester. This was to enable them to fully influence every aspect of the strategy and design of the new programme for their city. In the joint development of this commitment, to test what works locally and to test the effectiveness of a localised programme against a national programme, DWP agreed to transfer funding to both cities to allow them to develop, procure and programme manage

their own local Work and Health Programme to ensure their local priorities are fully embedded into the new support provision which started to support local residents in March this year.

We are also working with another 6 City Regions (Sheffield, Liverpool, West Midlands, Cardiff City Region, Cambridgeshire & Peterborough and West of England) to “co-design” the Work and Health Programme. In addition DWP agreed that a number of City Regions could develop a business case for an innovative pilot to support those who are hardest to help. Ministers agreed to support plans for pilots to support the “hardest to help” into work in Sheffield, Liverpool, West Midlands and Tees Valley. For Cambridgeshire & Peterborough and West of England DWP supported the development of local In-Work Progression Pilots. DWP are supporting these pilots with up to £30m over a three year period between April 2017 and March 2020.

DWP are also working in partnership with NHS England, to progress large scale health-led employment trails with West Midlands and Sheffield City Region Combined Authorities. The aim is to test the principles of Individual Placement and Support adapted for new cohorts of patients, with physical health conditions and mild to moderate mental health conditions, and in new settings such as primary and community care. West Midlands will focus on out of work clients, whereas Sheffield City Region will additionally work with in work clients. Both trials started to take referrals earlier this year (2018).

Back to Work Support to Get Britain Working

The Department for Work and Pensions (DWP) continues to deliver its services through a network of Jobcentre Plus offices and partnerships. It has given more autonomy to Jobcentre Plus Work Coaches to assess the individual needs of people and offer the support they think is best. Jobcentre Plus staff are asked to focus on results, reduce bureaucracy and deliver outcomes rather than completing activity and processes.

The model of delivery has three elements: a core regime of regular face-to-face meetings; flexible Work Coach support and a menu of alternative provision. The core regime of regular face-to-face meetings is:

- an interview at the start of the claim to clarify conditions of entitlement and capture job search plans within a claimant commitment;
- at least fortnightly face-to-face job search reviews for those in the intensive support regimes;
- regular interventions for those in Intensive Work Search;
- periodic interventions for those on Work Preparation and Work Focused Interview regimes.

Jobcentre Plus Work Coaches deliver a personalised service to best meet the needs of the claimant and the local labour market. Work Coaches offer claimants a comprehensive menu of support including support with jobs search; skills provision; volunteering; and help to set up their own businesses and provision funded through the European Social Fund. Work Coaches have the flexibility to judge which interventions will help claimants at the most appropriate point and tailor this to individual need.

The other Labour Market programmes mentioned in the last report – New Enterprise Allowance; Enterprise Clubs; Sector-based work academies; and Work Experience – remain in place. In addition the following data is available:

- ‘Sector-based’ work academies: [Latest published figures](#) show there were 314,350 starts to training from the launch of the scheme in August 2011 to May 2017. Of these, 150,450 starts were by 18- to 24-year-olds, 34,000 by those aged 50 years and over.
- Work Experience: [Latest published figures](#) show there were 704,670 starts from the launch of the scheme in January 2011 to May 2017. Of these, 455,260 starts were by 18- to 24-years-olds, 57,980 by those 50 years and over.

The Help to Work Programme - covering in the previous report was introduced in 2014 to support those claimants on Jobseekers’ Allowance (JSA) or Universal Credit (UC) who had completed the two year Work Programme without finding employment. Referrals to all elements of Help to Work support ceased at the end of March 2017, in line with the ending of referrals to the Work Programme. The final statistical release for Help to Work Programme showed that 39% of claimants spent some time in work in the year following referral to the programme; and 28% spent at least 13 weeks in work following referral to the programme.

Since the ending of the Work Programme and the Help to Work Programme, we are continuing to support the long term unemployed – through Jobcentre Plus and through the Health and Work Programme

New Enterprise Allowance

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

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

There have been 212,000 starts to NEA and 115,240 businesses set up through the scheme since it began in April 2011. NEA participants work with a business mentor who provides them with guidance and support as they develop their business idea, and supports them through the early stages of trading.

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

Employment - Summary, analysis and trends

In March to May 2018 there were 32.40 million people in work in the UK, the employment rate was 75.7% of the 16-64 year old population. ILO unemployment was 4.2% of the labour force, while the claimant count for May 2018 stood at 891,000 people other measures of unemployment have decreased since the last report in 2014 as the UK economy has recovered from the recession in 2008-2009.

GDP growth between quarter one in 2017 and quarter one in 2018 in the UK was 1.2%. Inflation in May 2018 was 2.3% , which is above the Bank of England’s target rate of 2.0%.

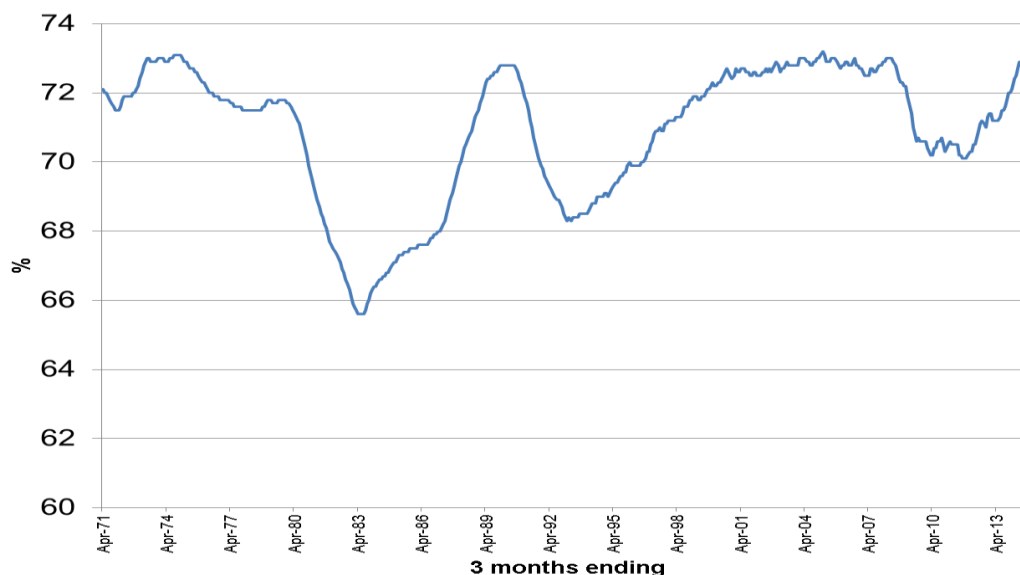
The proportion of unemployed who are long-term unemployed (over 1 year) was 25.8% in March-May 2018, down from 36.2% in June-August 2014.

Employment

The UK employment rate of working age people aged 16 to 64 was 75.7% in January to March 2018. The rate is up 0.7 percentage points in the last year, 2.6 percentage points since the last report in 2014, and is the highest rate on record. There were 31.19 million people in employment, aged 16 to 64, as of March to May 2018.

All UK regions saw an increase in the employment rate between June-August 2014 and March to May 2018. Wales saw the most pronounced rise, at 5.2 percentage points; followed by, West Midlands and the North West.

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



Employment by region

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

16-64	Jun-Aug 2014	March-May 2018	Change 2014-2018
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Employment	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
North East	1,139	69.0	1,177	71.6	+3.3	+2.6
North West	3,173	70.8	3,332	74.4	+5.1	+3.6
Yorks & Humber	2,427	72.2	2,495	73.9	+2.8	+1.7
East Midlands	2,134	73.7	2,191	75.0	+2.6	+1.3
West Midlands	2,467	69.7	2,667	74.6	+8.1	+4.9
East	2,839	76.7	2,965	78.7	+4.5	+2.0
London	4,187	72.3	4,568	74.7	+9.2	+2.5
South East	4,183	76.4	4,379	78.7	+4.7	+2.3
South West	2,498	76.1	2,626	79.2	+5.1	+3.2
Wales	1,314	68.8	1,401	74.0	+6.7	+5.2
Scotland	2,526	74.0	2,570	75.5	+1.8	+1.5
Northern Ireland	792	68.1	818	69.8	+3.3	+1.7

Source: UK Labour Force Survey

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

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

Source: UK Labour Force Survey

Employment by gender and age

The male employment rate was 77.9% in Jun-Aug 2014, compared to a female rate of 68.1%. In the four years to Mar-May 2018, the male employment rate rose by 2.1 points compared to a rise of 3.2 points for women. The number of men in employment rose by 766,000 over this period, compared to a rise of 844,000 for women.

Employment rates vary between a high of 85.3% for those aged 35-49 and a low of 10.2% for those aged 65+ in March to May 2018. The employment rate rose for all age groups, with the greatest change being amongst people aged 25-34 which increased by 3.3 points over this period.

UK employment by gender and age – (seasonally adjusted)

16-64	Jun-Aug 2014		Jan-Mar 2018		Change 2014-2018	
Employment by gender	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
Males	16,374	77.9	17,139	80.1	+4.7	+2.1
Females	14,415	68.1	15,259	71.3	+5.9	+3.2
Employment by age	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
16-17	323	21.5	355	25.5	+10.1	+4.0
18-24	3,512	60.7	3,488	61.9	-0.7	+1.2
25-34	6,937	80.4	7,512	83.7	+7.8	+3.3
35-49	10,792	83.2	10,860	85.3	+0.6	+2.0
50-64	8,086	68.8	8,975	71.9	+11.0	+3.1
65+	1,110	10.1	1,208	10.2	+8.8	+0.2

Source: UK Labour Force Survey

Around 74% of employees were in full-time employment in Mar-May 2018, unchanged on Jun-Aug 2014.

Of all those in work, nearly 15% were self-employed and this was unchanged in the four years between Jun-Aug 2014 and Mar-May 2018. Over the same period, the share of employees in temporary work fell from 6.5% to 5.7%. The proportion of people in temporary work because they couldn't find a permanent job fell from 36.2% to 28.4% over the same period.

The main type of temporary work is the fixed-term contract with around 41.3% of temporary employees on such contracts in Jan-Mar 2018, down from 42.9% in Jan-Mar 2014. There was a small rise over the period in the proportions in agency work, rising from 19.8% to 20.4%. This trend in fixed-term contracts did not hold for men, who saw an increase in the proportion [from 40.2% to 41.9%]. Women saw a fall from 45.2% in 2014 to 40.7% in the latest period.

Employment by sector of activity

83.4% of total workforce jobs were in the service sector in March 2018, compared to 83.4% in June 2014. In March 2018, the largest sectors comprised: 'Wholesale & retail trade; repair of motor vehicles and motorcycles' (14.1% of total workforce jobs); 'Human health & social work activities' (12.6%); 'Professional scientific and technical activities' (8.7%); and 'administrative and support service activities' (8.6%).

'Transport and storage' saw the largest increase of any sector, up 273,000 or 18% over the four year period. This was followed by 'professional scientific and technical activities', which saw an increase of 225,000 or 8.0%. The 'Public administration & defence; compulsory social security' and people employed by other households sectors all saw decreases in the number of jobs over the period.

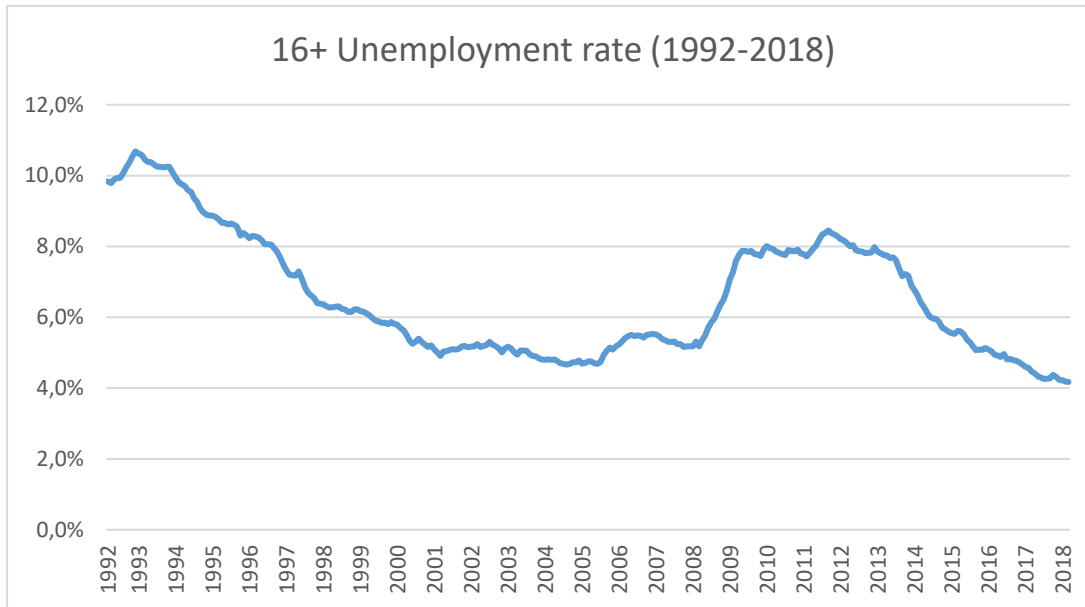
UK workforce jobs by industrial sector (level; seasonally adjusted)

Workforce jobs SIC 2007	June 2014		March 2018		Change 2014- 2018 (% level)
	Level (000's)	% of total	Level (000's)	% of total	
Total Industries	31,110	100.0	35,180	100.0	+5.2
Agriculture, forestry & fishing	434	1.3	436	1.2	+0.5
Mining & quarrying	66	0.20	68	0.2	+0.2
Manufacturing	2,621	7.8	2,694	7.7	+2.8
Electricity, gas, steam & air conditioning supply	116	0.4	140	0.4	+20.7
Water supply, sewerage, waste & remediation activities	197	0.6	215	0.6	+9.1
Construction	2,125	6.4	2,290	6.5	+7.8
Wholesale & retail trade; repair of motor vehicles and motorcycles	4,937	14.8	4,968	14.1	+0.6
Transport & storage	1,513	4.5	1,786	5.1	+18.0
Accommodation & food service activities	2,186	6.1	2,418	6.9	+10.6
Information & communication	1,360	4.1	1,482	4.2	+9.0
Financial & insurance activities	1,132	3.4	1,136	3.2	+0.4
Real estate activities	547	1.6	569	1.6	+4.0
Professional scientific & technical activities	2,825	8.4	3,050	8.7	+8.0
Administrative & support service activities	2,823	8.4	3,019	8.6	+6.9
Public admin & defence; compulsory social security	1,540	4.6	1,498	4.3	-2.7
Education	2,885	8.6	2,932	8.3	+1.6
Human health & social work activities	4,207	12.6	4,432	12.6	+5.3
Arts, entertainment & recreation	946	2.8	1,012	2.9	+7.0
Other service activities	893	2.7	976	2.8	+9.3
People employed by households, etc	95	0.3	61	0.2	-35.8
Services	27,890	83.4	29,337	83.4	+5.2

Source: Office for National Statistics

Unemployment

There were around 1.4 million people ILO unemployed in the UK, aged 16 and over, in Mar-May 2018, or 4.2% of that age group. The unemployment rate had fallen 0.3 percentage points in the year to Mar-May 2018 and was 1.8 points below Jun-Aug 2014.



Regional unemployment

As of Mar-May 2018, London had the highest unemployment rate amongst the UK regions at 5.1%, 1.9 percentage points above the South West of England rate which was the lowest. All UK regions saw a fall in the unemployment rate between Jun-Aug 2014 and Mar-May 2018. The North East saw the most pronounced fall, at 4.5 percentage points, followed by the Northern Ireland at 2.8 percentage points and the North West and the West Midlands with a fall of 2.6 percentage points.

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

16 & Over	Jun-Aug 2014		Mar-May 2018		Change 2014-2018	
	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
Unemployment						
North East	120	9.3	61	4.8	-49.2	-4.5
North West	229	6.5	142	4.0	-38.1	-2.6
Yorks & Humber	189	7.0	122	4.5	-35.4	-2.5
East Midlands	129	5.5	100	4.2	-22.1	-1.3
West Midlands	204	7.4	141	4.8	-30.9	-2.6
East	155	5.0	111	3.5	-28.5	-1.5
London	296	6.4	255	5.1	-13.6	-1.3
South East	217	4.7	166	3.5	-23.8	-1.2
South West	127	4.6	93	3.2	-26.5	-1.4
Wales	93	6.4	69	4.5	-25.8	-1.9
Scotland	154	5.6	120	4.3	-22.1	-1.2
Northern Ireland	55	6.3	31	3.5	-43.9	-2.8

Source: UK Labour Force Survey

Unemployment by gender and age

The male and female unemployment rates were 4.2% and 4.1% respectively in Mar-May 2018. Between Jun-Aug 2014 and Mar-May 2018, the male employment rate fell by 2.0 points compared to a fall of 1.6 points for women.

In Mar-May 2018, unemployment rates varied between a high of 23.6% for those aged 16-17 to 3.0% of those aged 50-64, and 1.8% for the over 65s. All age groups except for over 65s saw the unemployment rate fall between Jun-Aug 2014 and Mar-May 2018, with young people aged 16 to 17 seeing the largest fall, at 9.6 percentage points followed by those aged 18 to 24 (down 3.4 percentage points).

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

16 & Over	Jun-Aug 2014		Mar-May 2018		Change 2014-2018	
Unemployment by gender	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
Males	1,094	6.3	757	4.2	-30.8	-2.0
Females	874	5.7	654	4.1	-25.2	-1.6
Unemployment by age	Level (000's)	Rate	Level (000's)	Rate	Level (%)	Rate (% pt)
16-17	160	33.2	110	23.6	-31.4	-9.6
18-24	571	14.0	414	10.6	-27.6	-3.4
25-34	416	5.6	289	3.7	-30.5	-1.9
35-49	472	4.2	299	2.7	-36.7	-1.5
50 -64	328	3.9	277	3.0	-15.7	-0.9
Over 65	19	1.7	22	1.8	-14.5	+0.1

Source: UK Labour Force Survey

Unemployment by ethnic origin and gender

Unemployment rates vary between 8.6% for people of black, African or Caribbean origin and 3.8% for white people in Jan-Mar 2018. All groups saw falls in the unemployment rate between Jan-Mar 2014 and the same period in 2018.

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

16 & Over	Jan-Mar 2014		Jan-Mar 18		Change 2014-2018	
	Level (000's)	Rate (%)	Level (000's)	Rate (%)	Level (%)	Rate % pt
ILO unemployment by ethnic origin						
White	2,187	6.0	1,128	3.8	-35.1	-2.2
Mixed	51	13.6	28	7.8	-43.8	-5.8
Indian	54	6.4	42	4.7	-22.2	-1.7
Pakistani	78	16.5	35	7.2	-55.6	-9.3
Bangladeshi	27	15.3	18	9.0	-31.6	-6.3
Black/African/Caribbean	150	17.7	86	8.6	-42.6	-9.2
Other Ethnic Group	84	10.3	70	7.7	-16.2	-2.6
Males:						
White	997	6.5	638	4.1	-36.0	-2.4
Mixed	25	13.9	11	5.8	-57.2	-8.1
Indian	25	5.2	16	3.4	-35.1	-1.8
Pakistani	45	13.8	15	4.7	-67.5	-9.1
Bangladeshi	15	11.5	9	6.5	-40.1	-5.0
Black/African/Caribbean	76	18.4	35	7.3	-53.3	-11.1
Other Ethnic Group	42	9.0	27	5.5	-35.5	-3.5
Females:						
White	743	5.5	490	3.5	-34.1	-2.0
Mixed	25	13.4	18	10.0	-30.4	-3.4
Indian	29	7.9	26	6.1	-11.0	-1.8
Pakistani	33	22.7	33	12.0	-39.3	-10.7
Bangladeshi	12	25.9	12	14.2	-21.1	-11.7
Black/African/Caribbean	74	17.1	74	9.7	-31.6	-7.4
Other Ethnic Group	42	11.9	42	10.1	+3.0	-1.8

Source: Labour Force Survey. Note: figures have been compared to the same period in 2014 as the data is not seasonally adjusted.

Unemployment by duration

As unemployment fell in the four years to Mar-May 2018, the numbers of people unemployed for any duration fell.

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

16 & Over	Jun-Aug 2014		Mar-May 2018		Change 2014-2018 (% level)
	Level (000's)	% of total	Level (000's)	% of total	
Total:	1,968	-	1,411	-	-28.3
Less than 6 months	944	48.0	823	58.4	-12.8
6-12 months	312	15.9	223	15.8	-28.5
Over 1 year	712	36.2	364	25.8	-48.8
Over 2 years	389	19.8	192	13.6	-50.6
Males:					
Total:	1,094	-	757	-	-30.8
Less than 6 months	482	44.1	423	55.9	-12.3
6-12 months	164	15.0	120	15.8	-27.2
Over 1 year	447	40.9	214	28.3	-52.1
Over 2 years	251	23.0	113	14.9	-54.9
Females:					
Total	874	-	654	-	-25.2
Less than 6 months	461	52.8	400	61.2	-13.3
6-12 months	148	16.9	104	15.8	-29.9
Over 1 year	265	30.3	150	23.0	-43.4
Over 2 years	138	15.8	79	12.1	-42.7

Job Vacancies

The number of unfilled vacancies increased by around 20% between Jun-Aug 2014 and Mar-May 2018. The largest increases in the share of unfilled vacancies over this period occurred in transport and storage and human health & social work activities (1.6 percentage points) and the largest decreases occurred in wholesale & retail trade; repair of motor vehicles and motorcycles and education (2.2 percentage points and 1.6 percentage points respectively).

Unfilled vacancies by industry, UK

SIC 2007 sections	Jun-Aug 2014		Mar-May 2018		Change	
	Levels (000's)	% of total	Levels (000's)	% of total	Levels (000's)	% of total (% points)
All vacancies	679	-	817	-	+138	-
Mining & quarrying	2	0.3	1	0.1	-1	-0.2
Manufacturing	51	7.5	59	7.2	+8	-0.3
Electricity, gas, steam & air conditioning supply	4	0.6	3	0.4	-1	-0.2
Water supply, sewerage, waste & remediation activities	2	0.3	4	0.5	+2	+0.1
Construction	22	3.2	23	2.8	+1	-0.4
Wholesale & retail trade; repair of motor vehicles and motorcycles	125	78.4	132	16.2	+7	-2.2
Transport & storage	22	3.2	39	4.8	+17	+1.6
Accommodation & food service activities	76	11.2	88	10.8	+12	-0.4
Information & communication	31	4.6	46	5.6	+15	+1.0
Financial & insurance activities	36	5.3	38	4.7	+2	-0.6
Real estate activities	10	1.5	11	1.3	+1	-0.2
Professional scientific & technical activities	59	8.7	74	9.1	+15	0.4
Administrative & support service activities	47	6.9	54	6.6	+7	-0.3
Public admin & defence; compulsory social security	10	1.5	20	2.4	+10	+0.9
Education	51	7.5	48	5.9	-3	-1.6
Human health & social work activities	97	14.3	130	15.9	+33	+1.6
Arts, entertainment & recreation	16	2.4	23	2.8	+7	+0.4
Other service activities	18	2.7	24	2.9	+6	+0.2
Total services	599	88.2	727	89.0	+128	+0.8

Source: ONS Vacancy Survey, seasonally adjusted

Looking at firms by business size, organisations of all sizes saw vacancies rise between Jun-Aug 2014 and Mar-May 2018. Organisations with over 2,500 employees had the largest proportion of total unfilled vacancies, though their share declined over the period.

Unfilled vacancies by size of enterprise, UK

	Jun-Aug 2014		Mar-May 2018		Change	
	Levels (000's)	% of total	Levels (000's)	% of total	Levels (000's)	% of total (% points)
All	679	-	817	-	+138	-
1-9	123	18.1	126	15.4	+3	-2.7
10-49	100	14.7	115	14.1	+15	-0.6
50-249	90	13.3	120	14.7	+30	+1.4
250-2499	117	17.2	164	20.1	+47	+2.9
2500+	249	36.7	292	35.7	+43	-1.0

Source: ONS vacancy Survey, seasonally adjusted

Industrial Strategy

The government's ambitious, modern Industrial Strategy sets out a long term plan to boost the productivity and earning power of people throughout the UK.

It sets out how we are building a Britain fit for the future – how we will help businesses create better, higher-paying jobs in every part of the United Kingdom with investment in the skills, industries and infrastructure of the future

The UK has significant economic strengths on which we can build, but we need to do more to increase our productivity and make the most of our untapped potential right across the country.

By planning for a rapidly changing future, we can shape new markets and build the UK's competitive advantage as well as improve the quality of our everyday lives.

We will boost productivity and earning power across the country by focusing on the five foundations of productivity: Ideas, People, Infrastructure, Business Environment and Places.

This is a long term strategy – making changes now, but also looking to the future. We start by:

- committing to raising investment in R&D to 2.4 per cent of GDP by 2027 and announcing £725m in new Industrial Strategy Challenge Fund programmes to drive innovation;

- investing £406m in maths, digital and technical education as well as creating a new National Retraining Scheme that support people to re-skill;

- boosting spending on the infrastructure of the future, delivering clean energy and spreading 5G digital connectivity right across the country and £400m for electric vehicle charging points

creating a £1.7bn Transforming Cities Fund for projects that drive productivity by improving connections within city regions;

Businesses welcomed our proposal to have Sector Deals - strategic, long-term partnerships between industry and the government, backed by sizeable private sector co-investment. We are announcing deals in construction, life sciences, artificial intelligence and automotive industries, updating on the sectors in advanced discussions and setting out criteria for future deals.

The Strategy sets out Grand Challenges to put the UK at the forefront of the industries of the future, ensuring that the UK takes advantage of major global changes, improving people's lives and the country's productivity. The first four Grand Challenges are focused on the global trends which will transform our future: Growing the Artificial Intelligence and Data Driven Economy, Clean Growth, Future of Mobility and our Ageing Society.

We set out our initial thinking in the Green Paper, and nearly 2,000 businesses, organisations and individuals responded from all sectors of the economy and right across the country. Those responses, and the many thousands of contributions we have received during our programme of engagement throughout the year, have informed this Strategy.

This is the start of our partnership – we will use the framework set out in this strategy to work with industry, academia and civil society over the years ahead to build on the UK's strengths, make more of our untapped potential and create a more productive economy that works for everyone across the UK.

Further details of the Industrial Strategy are given in the following link:

www.gov.uk/government/publications/industrial-strategy-the-grand-challenges

Consultations:

<https://www.gov.uk/guidance/shared-parental-leave-and-pay-guidance-and-tools-for-parents>
<https://www.gov.uk/employee-rights-when-on-leave>
<https://www.gov.uk/government/publications/industrial-strategy-the-grand-challenges>
<https://www.gov.uk/government/consultations/enforcement-of-employment-rights-recommendations>

<https://www.gov.uk/government/publications/government-response-to-the-taylor-review-of-modern-working-practices>

Labour Market Policies

There has been no change since the last report to the following areas:

- Simplifying the welfare system and making sure work pays
- Introducing the Jobseeker's Allowance Claimant Commitment
- Helping people to find and stay in work
- Measures to give Jobcentre Plus flexibility in helping people back to work
- Helping young unemployed people gain work experience

- Providing training, work experience and a guaranteed interview in sectors with high local vacancies
- Helping people who want to start their own business
- Encouraging people who want to become self-employed to share their experiences
- Encouraging people who are out of work to share skills and experience
- Introducing flexibility for some people in full-time training to remain on Jobseeker's Allowance

Youth Obligation Support Programme

In April 2017, Youth Obligation Support Programme was introduced for 18-21 year olds making a new claim to Universal Credit.

The support starts with the Intensive Activity Programme, a 71 hour curriculum of workshops and exercises that encourages young people to think more broadly about their skills and job goals, helps them identify any training they need, and supports them to improve their job search, job application and interview skills. Young people also receive intensive work-focused coaching and referral to additional support tailored to their individual needs, drawn from a wide menu of locally available provision.

The aim is that many young people receiving this valuable intensive support will move into work or an Apprenticeship fairly quickly. Those who are still unemployed after 6 months are encouraged to take up work-related training (sector-based work academy or traineeship (or equivalent)). If this is not suitable or they do not take this up, they are offered a guaranteed 3 month work experience placement to help them achieve their job goals.

Youth Obligation Support Programme offers 18-21 year old jobseekers a three month work experience opportunity when they have been claiming Universal Credit for six months and have not moved into a job or an apprenticeship and are not participating in work-related training (sector-based work academy or traineeship (or equivalent)).

Promoting volunteering to improve employment prospects

DWP continues to recognise the value of voluntary activity in both developing skills which can be transferred into the world of paid work and in terms of benefits for local communities and the wider society. The training package that work coaches complete and the supporting day to day guidance which is available on-line, sets out the types of work preparation activities that help move claimants closer to work, this includes searching for and undertaking voluntary work, and how this should be taken into account against a claimant's work related requirements.

Universal Credit claimants can have their weekly work search hours reduced by up to 50 per cent to accommodate voluntary activity (this would be 17.5 hrs for those expected to do the maximum of 35 hours of work related activity).

People can find volunteering and work experience opportunities through Jobcentre Plus if they are unemployed and looking for work and through Work Together unemployed people are encouraged

to think about volunteering as a way of improving their employment prospects and helped to find placements. Jobcentre Plus also runs volunteering and employment schemes for recruiters and offers space for the Prince's Trust and local volunteer centres to provide advice on volunteering.

Government subsidized training

In the academic year 1 August 2017 to 31 July 2018 (AY17/18):

- The Department for Education's Education and Skills Funding Agency (ESFA) funds study programmes for all 16 to 19 year olds. Study programmes are individually designed for each young person so they can achieve their aspirations for sustainable paid work, further or higher education, an apprenticeship or a traineeship
- Everyone in England aged 19 years and over, regardless of benefit status, will be eligible for basic literacy and numeracy training fully funded by the ESFA;
- People aged 19 to 23 are eligible for fully funded training for a first level 2 qualification (equivalent to five GCSEs at grades A*-C);
- People aged 19 to 23 are eligible for fully funded training for a first level 3 qualification (equivalent to two A levels); and
- People on unemployment benefits are eligible for fully funded training up to level 2 whilst fulfilling the conditions for receiving their benefit.

Those aged 24 and over who are not claiming benefits because of unemployment may get co-funding for a first level 2. Loans are available to all those aged 24 and over for a first level 3.

Skills conditionality

Skills conditionality is a DWP Policy designed to ensure that people referred to careers advice or skills training that will help them turn up and don't drop out, without good cause.

Once it is agreed that a particular training course would help a claimant to get a job and that a suitable course is available, it makes sense to ensure that the individual actually starts and finishes the course.

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

Skills conditionality applies only to unemployed benefit claimants who are required to take action to improve their chances of finding work: Universal Credit claimants in the all-work-related activity group and in the work preparation group Jobseeker's Allowance claimants; and those receiving Employment and Support Allowance in the work related activity group.

Skills conditionality embraces all types of training.

Training and study rules for Jobseeker's Allowance

Benefits such as Jobseeker's Allowance and Universal Credit are designed to support people whilst they are unemployed and looking for work. The ability to get and keep a job and progress in work is the best route out of poverty and improving skills can be one way to achieve this. Jobseekers in receipt of benefits must also be available for and actively seeking full-time employment, which may not be possible where learners are engaged in a full-time course of study. Jobseekers are however able to study or take up training on a part-time basis without it affecting entitlement to benefit.

In Jobseeker's Allowance regulations, DWP defines a "full-time course of study", where this is government funded, as an education or training course that involves more than 16 guided hours of study per week. Where a course is not government funded, Jobcentre Plus Work Coaches will seek information from the learning provider to determine hours of study.

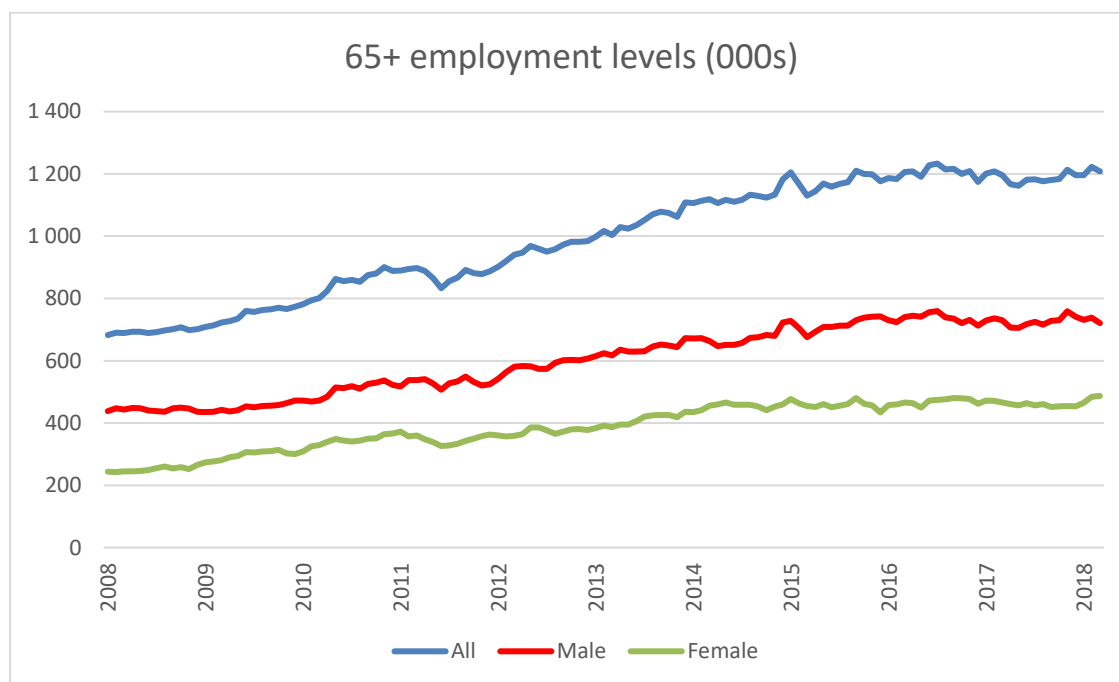
This '16-hour rule' does not apply in all cases. Jobseeker's Allowance claimants can do up to two weeks full-time training in any 12-month period, with the agreement of their Work Coach, without this affecting their benefits. Furthermore, claimants who have been on Jobseeker's Allowance for six months or more can be referred by their Work Coach to up to 30 hours of training a week for a maximum of eight weeks whilst remaining in receipt of benefits.

Universal Credit is replacing means-tested working-age benefits such as Jobseeker's Allowance. There is no equivalent '16-hour rule' for claimants in receipt of Universal Credit. Jobseekers on Universal Credit are permitted to do full-time training where their Work Coach agrees this will improve their chances of finding work. Universal Credit claimants must also be able to demonstrate to their Work Coach that they remain engaged with the labour market whilst on training.

For jobseekers on Universal Credit or Jobseeker's Allowance, government schemes are available that include full-time training to help people find work. Sector-based work academies provide training and work experience linked to a guaranteed interview for a job or an apprenticeship. Traineeships for young people combine basic employability skills and vocational training with work experience, to help participants prepare for an apprenticeship or other work. Apprenticeships offer a route into skilled employment for people of all ages, enabling apprentices to study towards a qualification in a wide range of sectors whilst receiving a wage. Benefit claimants who are care leavers, those with disabilities or health issues, and those who are caring for young children, all have greater flexibility around the receipt of benefits whilst in full-time study.

Older workers

The Government expects shortly to be publishing a comprehensive assessment of the impact of the removal of the default retirement age. This will consider its impact on promoting the participation of older workers.



Having the choice to work longer can open up significant financial opportunities for individuals and their families. By retiring at 65 instead of 55, a male average earner could have £280,000 extra income and might increase his pension pot by 55% and by retiring at 63 instead of 55, a female average earner that took a 10 year career break could have £180,000 extra income and might increase her pension pot by 50%.

There are also gains for the wider economy. Research shows if everyone chose to work 1 year longer, gross domestic product could increase by 1% per year after a period of transition – the equivalent of £18 billion in 2015.

In March to May 2018 there were 721,000 men over 65 in work compared to 521,000 in 2011 and 487,000 women in work, compared to 350,000 in October to December 2011.

Many older workers are driving an entrepreneurial boom helping boost the British economy, with over 469,000 people aged 65 plus in self-employment according to Office for National Statistics data (October to December 2016).

Long term unemployed

The Work Programme

Referrals to the Work Programme ended on 31 March 2017. The final participants will complete the programme 29 March 2019.

Through the Work Programme more than 612,700 people have so far left long term unemployment and found sustained work (Figures accurate at April 2018).

The Work Programme was designed to help people at risk of becoming long-term unemployed and to support a wide variety of claimants into sustained employment. The majority of those being supported by the Work Programme were in receipt of benefit for 9 or 12 months before joining. It was delivered by providers from the private and voluntary sector. Once a claimant joined the Work Programme, they were supported by their provider for up to two years.

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

Whilst no new customers have been referred to the Work Programme after 31 March 2017, Jobcentre Plus Work Coaches continue to assess claimant's needs and identify the most suitable support available to help them into work. Other contracted provision includes New Enterprise Allowance (NEA), European Social Fund (ESF) 2014-2020, the Work and Health Programme, and where they volunteer and are eligible Specialist Employability Support (SES).

Lessons learned from the Work Programme have been considered in the design of current programmes, including the Work and Health Programme.

The Work and Health Programme (WHP) – helping those who face the greatest barriers to find work

The 2015 UK Spending Review announced that a new employment support programme, named the Work and Health Programme (WHP) would launch in 2017 in England and Wales. Although not a direct replacement, this new programme followed referrals ending to Work Choice and the Work Programme. The programme is delivered via contracted employment provision across England and Wales. Equivalent support for individuals in Scotland was devolved as part of the 2016 Scotland Act. The Work and Health Programme contracts commenced in England and Wales between November 2017 and January 2018 and are due to end in 2022.

The WHP complements the Work Coach Delivery Model in Jobcentre Plus and provides enhanced specialist support for those who need it. WHP is a targeted programme focussing on those who are most likely to benefit from the additional support. It will provide personalised support to over 275,000 people over five years. The programme provides employment support for disabled people, the long-term unemployed (defined as 24 months and over) and people in priority groups significant barriers to employment for example, the homeless and ex-prisoners who expect to be able to start work within 12 months of accessing the provision. This support includes linking up with health, social

care and other local services to meet health needs if they are a barrier to work, but the focus is on overcoming the key barriers to employment not just health support.

WHP uses the expertise of private, public and voluntary and community sector providers to deliver sustained employment for disabled people, disadvantaged groups and the long term unemployed.

The Work and Health Programme brings a different and refreshed energy and approach by offering:

- more intensive, tailored support to individuals
- a network of local contacts so that providers can offer unique support to claimants
- strong links to national and local employers to identify employment needs, identify roles and provide more individual training to better match people's skills to jobs.

The main groups that the Work and Health Programme provides targeted support for are:

- Disabled people as defined in the Equality Act 2010, who can volunteer to join the Programme at any time
- Early access disadvantaged groups⁶¹ who need extra tailored support to find employment, including ex- offenders, young people leaving the care system and those with alcohol and/or drug dependency
- Long term unemployed people (more than 2 years)

The programme introduces a real terms increase in funding for employment support for disabled people and people with health conditions. The Government's aim is that everyone has the opportunity to make a contribution to the economy, to help reduce welfare dependency and enhance their own quality of life. Getting and keeping a job gives people the best chance to increase their standard of living. There is also a strong positive link between employment and a higher life expectancy and improved self-esteem. The programme aims to deliver the following benefits:

- Contribute to the Government commitment to get 1 million more disabled people into work over the next ten years so more people can have access to the improved quality of life that employment brings.
- Deliver significant job outcomes that represent good value for money for the taxpayer.
- Meet the Government commitment to devolution and giving people more influence over the public services in their localities and in the decision on how funding is spent.
- Reduce welfare costs

Less than half (49%) of disabled people in the UK have jobs compared to about 80% of the non-disabled population. As described above, the Work and Health Programme aims to help reduce this disability employment gap.

As part of the Government's commitment to devolution, responsibility for delivering a Work and Health Programme equivalent programme in the Greater Manchester Combined Authority (GMCA) and London areas has been devolved. To enable this DWP made arrangements for GMCA and London to design, procure and manage their own Work and Health Programme with Grant Funding paid by DWP.

The programme is one part of the wider Personal Support Package for people with health conditions. It has three critical success factors. Firstly, to help people who have a disability, have experienced long-term unemployment or face significant barriers to employment find and sustain work as measured by earnings received. Secondly, to integrate the Work and Health Programme with local services and local health provision so that Work and Health Programme participants can receive co-ordinated, holistic provision. And to also support the localism by ensuring that the Work and Health Programme meets local priorities in the devolved deal areas and the national programme better reflects local needs. The programme launched in all areas of England and Wales between November 2017 and March 2018.

Local partnership working

In developing the Work and Health Programme, the Department for Work and Pensions prioritised local partnership working with six geographical regions. These are:

- Cambridge and Peterborough
- Sheffield City Region
- West of England
- West Midlands
- Liverpool City Region
- Cardiff Capital Region (A City Deal area)

London and Greater Manchester

The London sub-regions and Greater Manchester Combined Authority (GMCA) have full Devolved Deal status and have procured, designed and manage their own Work and Health programme equivalents.

Disabled people - specialist provision

Employment support for the majority of claimants is provided by Jobcentre Plus, but for those in, or at risk of, long term unemployment (LTU), defined here as 24 months unemployed, or with specialist support needs, DWP uses contracted employment programmes. Through these programmes, a range of private, public and voluntary organisations use their experience and expertise to help claimants to find or move closer to work. DWP's suite of contracted employment programmes provides additional personalised work-focused support for a wide range of individuals.

Work Choice was a specialist employment support programme which provided tailored support for disabled people who need specialist support not available from other government programmes or schemes to find and stay in work.

Referral of disabled people to the Work Choice programme ended in time to ensure continuation of support with the launch of the Work and Health Programme (as set out above). Work Choice referrals ended in Scotland on 31st March 2017. Delivery for customers already in the programme in

Scotland at this time continues until the end of their provision or programme closure on 31st October 2018, whichever is the earliest. Work Choice referrals have also ended in all parts of England and Wales. Service delivery ends in all areas by 31 March 2019.

Work Choice had nearly 148,000 referrals and nearly 112, 000 starts until referrals ended.

Personal Support Package: from April 2017, DWP introduced the Personal Support Package for claimants on Employment and Support Allowance and Universal Credit. These initiatives aim to expand and improve the support we offer to those with disabilities and health conditions.

We want to ensure that people with disabilities and health conditions have the same opportunity as others to benefit from the positive effects work can have. As well as personalised and tailored support our initiatives enable employers to offer more job opportunities to these groups and more training for our colleagues to help people with health conditions and disabilities.

This package includes:

- Introducing Community Partners to Jobcentres across Great Britain,
- Introducing peer support Journey to Employment Job Clubs,
- Deploying trained Small Employer Advisors to deliver the Small Employer Offer,
- Recruiting 300 new Disability Employment Advisers,
- The roll out of the Health and Work Conversation for Employment Support Allowance claimants.

The Small Employer Offer (SEO) was rolled out nationally from June 2017. The scheme is designed to increase engagement by Jobcentre Plus with small employers (those with 1-25 employees), change attitudes towards employing disabled people and undertake job brokering between employers and disabled claimants. It provides an opportunity for Jobcentre Plus to actively engage, establish relationships and raise awareness with small local employers of the support that is available to them if they were to consider employing a disabled person.

As part of the Small Employer Offer, employers can apply for a Small Employer Payment (SEP). The payment recognises the value of in-work support and ensures employers have funds available to provide any additional mentoring, management time and training that might be required, and may not be generally available to Small Employers where time and resources, including a lack of Human Resources, could be a barrier to supporting disabled people staying in work.

To enable the SEP to be tested the payment is only available in half of the Jobcentre Plus Districts. Areas without SEP will act as comparators for the evaluation of the initiative.

The SEO will form part of the wider Enhance Support Offer evaluation. New Small Employer engagements, job entries, work experience, working interviews and job starts will all be collated. In addition the SEO will be measured against a comparator area/ site where the SEO will not be available to measure the effectiveness of the offer.

The SEO is subject to a 'test and learn' approach. Funding is available for 4 years, but a review of outcomes and progress will be undertaken at the end of year one to determine future funding.

The **Local Supported Employment (LSE)** initiative aims to explore how DWP can combine central and local budgets to scale up delivery of Supported Employment locally for people with a learning disability or autism. Working with local authorities offers DWP the opportunity to drive a much stronger focus on job outcomes and on evidence-based commissioning using the Supported Employment model.

The detailed design of the initiative has been developed in partnership with the selected local authorities and DWP is working closely with stakeholders, including the British Association for Support Employment (BASE).

Eligibility is open to ESA claimants in the WRAG or Support Groups and their equivalents in Universal Credit; who have a learning disability or autism; and who are known to adult social care or in contact with secondary mental health services.

LSE went live on at the end of November 2017 and will run until 31 May 2019.

Referrals to provision will cease on 31 January 2019 and there will be a run-on period to enable local authorities to claim DWP Outcome Payments until 01 August 2019.

The **Young Persons Supported Work Experience** is aimed at 18-24 year olds, who flow into the Work Related Activity Group (WRAG)/Universal Credit Work Preparation Group (on the grounds of limited capability for work) and are not eligible for the Work and Health Programme because they are too far away from the labour market. Jobcentre Plus work coaches will identify eligible young people on their caseload.

Access to Young Persons Supported Work Experience is voluntary for those who are willing and able to work but who have had limited or no work experience. Participants remain on benefit throughout their placement, which lasts 4 - 8 weeks.

The provider works with each participant to:

- assess their needs, job goals and provide a fully wraparound supported work focussed experience placement (between 4-8 weeks) with an employer;
- deliver a proportionate level of support before and during the work experience placement to ensure they make maximum use of time in the work place. Support is also be provided to the employer.

The practical experience gained by participants helps them to understand what it is like to work, what is expected of them in the workplace, what type of work they can / cannot do, and also allows them to demonstrate their ability to perform a range of work-related activities.

As a result of the work experience placement some young people may take on further training, apprenticeships or move more quickly into jobs. Young Persons Supported Work Experience was available from 21 August 2017. The last referrals to the provider were made in May 2018 and all support provision will have ended by 31 July 2018.

Tri-Work - Young Persons Supported Work Experience for Schools Proof of Concept (PoC) offers a fully supported work experience opportunity to young people who have an Education Health and Care Plan or receive SEN (Special Educational Needs) support in Years 10/11 in mainstream or special schools.

The programme is modelled on the three way partnership between the young disabled person, their employment support worker and a host employer to enable the young person to get the most from their opportunity in the workplace. Tri-Work aims to improve the young person's confidence, motivation and understanding of work.

The programme consists of:

- a comprehensive initial assessment of the young person, identifying a job goal and support needs;
- a personalised programme of support to prepare for the work experience placement, including behaviours, preparation for the job role, independent travel training etc;
- a work experience placement sourced with a local employer to match the young person's needs with full wraparound support throughout for the young person and employer, including 1-1 workplace support for those with the highest needs, and
- a final report outlining recommendations / next steps for the young person.

The Proof of Concept was launched on 1 March 2018 and runs until July 2018 in three local authority areas in the following Jobcentre Plus districts:

- Durham and Tees Valley – **Durham County Council**
- Devon Cornwall and Somerset – **Devon County Council**
- Dorset, Wiltshire Hampshire and IOW District – **Portsmouth City Council**

An evaluation strategy has been developed to gather evidence to inform future strategy.

Access to Work provides additional support for individuals whose health or disability affects the way they do their job. The type of support is tailored to an individual's needs and can include a workplace assessment, Mental Health Support Service assistance or a discretionary grant as a contribution towards extra travel to work costs, support workers or specialist aids and equipment.

Access to Work does not replace the duty an employer has under the Equality Act to make reasonable adjustments. Instead it provides support that is over and above that which is a reasonable adjustment

Access to Work provision was approved for 25,020 individuals in 2016/17 – an 8% increase on 2015/16.

Specialist Employability Support (SES) is a voluntary programme and focuses on helping those disabled people or people with a long term health condition who are furthest away from the employment market and who are not suitable for any other programme, such as Work and Health Programme. It can be an important part in helping them to move into employment.

In July 2014 the Minister for Disabled People instructed the department to review the Residential Training Colleges (RTCs) provision and explore options for developing a more cost-effective successor.

SES replaced RTCs from 1 September 2015, with referrals due to end on 30th April 2017 and programme support ending no later than 31st August 2017.

In advance of any new provision and to ensure continued support for this customer group SES has currently been extended with referrals up to 31st October 2018

When introduced SES aimed to help nearly 3,400 customers. When SES was extended, a further 1,983 starts were commissioned.

Both 'Improving lives: The Work, Health and Disability Green Paper (DWP, 2016)⁶² and the Government's response 'Improving lives: the future of work, health and disability' (DWP, 2017)⁶³ confirmed that DWP was currently exploring the best policy options for continuing to support those with greatest needs and most complex situations, once the SES contracts come to an end in October 2018.

Since March 2017, Jobcentre Plus **Disability Employment Advisers** (DEAs) have taken on an enhanced role as part of the transition of the future DWP business.

DEAs now coach and support Jobcentre Plus work coaches, enabling them to understand the issues affecting claimants who have complex employment issues because of health conditions or disabilities, as well as providing some face-to-face support to claimants with the most complex needs.

The new DEA role includes

- providing professional expertise and knowledge on the health spectrum (including mental health) to work coaches;
- working with work coaches to support and enhance their ability to deliver an excellent service to claimants who have a complex health condition or disability that impacts their ability to find or sustain work (this will involve supporting a cohort of around 20-30 work coaches (full time equivalent));
- working closely with managers, employer advisers, third party provision managers and work service managers to integrate the work of Jobcentres and other local services to address shortfalls of employment and provision for claimants with a complex health condition or disability.
- Having face-to-face contact with claimants with more complex needs (for a limited time only) to provide specialist support

In addition to working with work coaches, work coach team leaders, employer advisers and Work Psychologists, DEAs will also work with Disabled People's User Led Organisations and Voluntary Sector Organisations, Social Enterprises, GPs and a range of other healthcare and professional organisations, in order to assist in creating local solutions to address shortfalls of employment and provision for claimants with complex health conditions or disabilities.

The Jobcentre Plus **Small Employer Adviser** (SEA) was created in June 2017 to deliver increased employer engagement and facilitate pro-active job matching role. SEAs actively drive engagement with local small employers, providing a focal point for SEO to support the creation of more job opportunities for disabled people and those with long term health conditions. Effective job matching will ensure small employer relationships are maintained and support strategic job matching by ensure vacancies are being obtained in the appropriate sectors.

⁶² <https://www.gov.uk/government/consultations/work-health-and-disability-improving-lives#history>

⁶³ <https://www.gov.uk/government/publications/improving-lives-the-future-of-work-health-and-disability>

The SEAs support Disability Confident and facilitate employer conversations to change attitudes towards employing people with a health condition or disability, including highlighting the benefits of being a Disability Confident employer.

Community Partners are people with a lived experience or expert knowledge of disability, who have been recruited to work with Jobcentre Plus staff to build their capability and provide valuable first-hand insight into the issues individuals with a health condition or disability face in securing and sustaining employment.

They work with local organisations to develop a comprehensive menu of disability support and actively engaging with employers to change attitudes and create employment opportunities for people with a disability or health condition.

Around 200 Community Partners will support Jobcentre Plus (JCP), equating to approximately 6 Community Partners per JCP district. This includes provision for pan-disability, mental health and young people, as well as tailored support for disability and complex health conditions according to local JCP need.

A Lead Partner is appointed for each district. The Lead Community Partner oversees all Community Partner activity in their area to support Jobcentre Plus to identify and consistently implement any necessary service improvements and build a comprehensive menu of local support. They act as a pivotal link between the Community Partner, District Management and National Project Teams, and have line management responsibility in their area.

The Community Partners cadre has been developed to reflect local Jobcentre Plus district claimant base demographics, in consultation with district management teams. Each district will have the opportunity to recruit one mental health specialist and one young people's partner. The remaining partner roles are determined according to local needs, for example, as drug or alcohol addiction specialists or someone who specialises in a specific disability.

The **Disability Confident** scheme has been live since November 2016 and supports the Government's commitment to see one million more disabled people in work within the next ten years. The scheme is supported across Government and has over 6,500 employers signed up, at different levels. Disability Confident replaced the Disability Symbol 'Two Ticks' scheme and its core purpose is to support and encourage employers to attract, recruit, retain and promote disabled people. Retention is particularly important, with 83% of people acquiring a disability or health condition whilst of working age. Disability Confident has been developed with support from: disabled people, disability organisations and employers and is designed as a journey, providing employers with free advice, guidance and information. All employers start at Level 1 and progress through the scheme at their own pace.

The journey is as follows:

Level 1: Disability Confident Committed	Level 2: Disability Confident Employer	Level 3: Disability Confident Leader
<ul style="list-style-type: none"> • Employers can apply for and achieve this level entirely on line via our pages on Gov.UK: https://disabilityconfident.campaign.gov.uk/ • They must commit to set statements and commit to at least 1 action. • The form should take no longer than 10 minutes to complete and send. • Employers don't have to do their actions straight away, but they will be encouraged to develop their commitments over the 12 months. • Employers are awarded this badge for 12 months as a maximum and then during/after this time, they will need to progress to Level 2 or reapply. 	<ul style="list-style-type: none"> • This is an online self-assessment process, where employers review their processes and procedures against set criteria. • This can be completed at the employers own pace. • Once the self-assessment is completed the employer will submit the form on Gov.UK to confirm. • DWP emails the employer their badge. • Employers are awarded this level for 2 years. 	<ul style="list-style-type: none"> • This involves the employer having their self-assessment independently validated by someone outside of their organisation. (Information about this is contained within the scheme). • Employers will need to be able to demonstrate Leadership in promoting Disability Confident with other employers. • Note: Some organisations will validate free of charge or employers can pay a provider to do this (the pack provides examples of the type of organisations employers can go to, such as their disabled staff network or a Disabled People User- Led Organisation). • Employers are awarded this level for 3 years.

Employers that sign-up to Disability Confident will also have access to specialist information from Disability Confident Leader organisations about specific topics, such as: Workplace Adjustments; Mental Health in the Workplace, Recruitment and Retention, etc.

Work In Prison

In 2016/17, on average, around 11,200 prisoners and detainees were working in custody at any one time across HMPPS public sector prisons, privately managed prisons and Immigration Removal Centres. They delivered around 16 million hours of work during the course of a year.

Prisoners are engaged in a wide range of work. This work gives offenders the opportunity to learn new skills and experience which supports them in securing employment on release. This data does not include the significant numbers of prisoners in other learning, vocational training or in-prison work opportunities which contribute to the effective running of a prison. This includes working in the prison kitchens preparing and serving meals or maintenance and cleaning.

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

Prisoners who undertake paid work in the community

In 2016/17 1,675 prisoners undertook paid employment outside prison. Many employers of prisoners working in the community are small local companies. HMPPS also has strong partnerships with national employers, such as Timpsons and Halfords and supports the Employers Forum for Reducing Reoffending ([EFFRR](#)) which ensures that there is a national network of employers who are prepared to employ ex-offenders on release from custody.

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

Prison work

A robust set of rules and regulations ensure that prisoner labour is not abused. In applying these rules Her Majesty's Prison and Probation Service (HMPPS) ensures that both Public and Private Sector prisons workshops are subject to rigorous independent inspections, both domestically (e.g. by Her Majesty's Inspectorate of Prisons) and internationally.

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

Employment support for prisoners

The Ministry of Justice published the Education and Employment strategy on the 24th of May 2018. The strategy sets out how we create a system where each prisoner is set on a path to employment from the outset. For example, we will empower governors to commission education provision that leads to work, we will engage and persuade employers to take on ex-prisoners via the New Futures Network (NFN) and we will consult on proposals to increase the opportunities available to prisoners to gain experience in real workplaces through ROTL (release on temporary licence).

Modern slavery, including forced and compulsory labour

The Employment Policy Convention requires Member States to take measures to ensure 'there is freedom of choice of employment'. The UK continues to take significant steps to improve the domestic and international response to prevent and combat forced and compulsory labour. More detail can be found in the UK's annual reports on modern slavery (latest report: [2017](#)) and in the 2016 reports on the measures taken to give effect to the following ILO Conventions: C105 Abolition of Forced Labour Convention, C182 Worst Forms of Child Labour Convention and C029 Forced Labour Convention.

National Minimum Wage

The UK Government is committed to increasing compliance with minimum wage legislation and effective enforcement of it. Everyone who is entitled to the minimum wage should receive it. Every complaint made to The Advisory, Conciliation and Arbitration Service (ACAS) is investigated and proactive enforcement is conducted in high-risk sectors.

The Government continues to name and shame employers that break National Minimum Wage law and the financial penalty that employers pay for breaking minimum wage law has been increased from 100 per cent to 200 per cent of the arrears owed to the worker, up to a maximum of £20,000 per worker. Over the period from June 2015 to May 2018 the Government has named over 1,500 employers under their naming and shaming scheme, returned over £8.7m in arrears to workers and fined employers £6.2m in penalties for National Minimum Wage non-compliance.

Educational and training policies

Careers Guidance

The Government published a careers strategy in December 2017 - see [here](#) - that focuses on improving careers provision for young people and adults and endorses the Gatsby Benchmarks which define excellence in careers provision. The strategy is co-ordinated through an expanded role for The Careers & Enterprise Company, working across all the Gatsby Benchmarks to help schools

and colleges deliver the ambitions in the strategy.

At the core of the careers strategy is the adoption of the Gatsby Charitable Foundation's Benchmarks. The Department for Education will expect schools and colleges to implement these Benchmarks and have published updated statutory guidance for schools and guidance for colleges to set out what is expected.

We will be funding a range of initiatives to help schools and colleges implement the Benchmarks, including:

- £2.5m investment fund to support employer encounters;
- £5m to trial "career hubs" in 20 areas;
- £4m for training for Career Leaders in schools and colleges;
- £2.5m investment fund to invest in personal guidance to young people; and CDP for careers guidance professionals.

The Government also introduced a new law in January 2018 that requires schools to give providers of technical education, including apprenticeships, the opportunity to talk to pupils about the courses and jobs they offer. The new law will ensure young people learn more about opportunities for education and training outside school before making crucial choices about their future options.

National Careers Service

National Careers Service on line advice and guidance can be viewed via the following link:
<https://nationalcareersservice.direct.gov.uk/Pages/Home.aspx>

Post 16 Learning

Responsibility for funding post 16 learning in England was shared between the Department for Education (DfE) and the Department for Business, Innovation and Skills (BIS) until July 2016, when BIS was re-organised to become the Department for Business, Energy and Industrial Strategy (BEIS) and all responsibility for post-16 learning passed to The DfE.

DfE and BIS were the two Departments with responsibility for the general further education (FE) and sixth-form college sector when the National Audit published its report [*Overseeing financial sustainability in the further education sector*](#) in July 2015. There were already significant concerns about the declining financial position of colleges in England and the extent of their reliance on exceptional financial support from government. Work was done by the Education Funding Agency (EFA) and the Skills Funding Agency (SFA) to look at risks for colleges related to what was expected to be a challenging comprehensive spending review (CSR) settlement for post-16 education and training in September 2015. The potential for an adverse impact was significant. As a result of this evidence from the funding agencies, the then Skills minister, Nick Boles, announced, in July 2015, a fast-paced programme of [area reviews](#), to consider the position of all colleges across England, how their offer met the needs of local learners and employers and what might need to change to ensure that a viable and sustainable offer could be maintained.

- [Guidance on the process](#) was published in September 2015
- During the 18 months from September 2015 to March 2017, the Joint Area Review Delivery Unit (JARDU) completed [37 area reviews](#), working with 332 colleges and a wide range of both national and local stakeholders, departmental and funding agency teams, and

publishing the outcomes to support transparency in local discussions. [Reports from the reviews were published](#) during 2016 and 2017.

- Reviews were supported by the [Further Education Commissioner](#) and a team of Deputy Commissioners
- In 2016, [guidance was provided for local authorities and Local Enterprise Partnerships](#), who were the key stakeholders working with colleges during the reviews.
- Guidance was also provided in 2016 to support [sixth form colleges wishing to convert](#) from college to academy status.
- [Funding was provided](#) from 2016 to support college restructuring/mergers following area review decisions and a Transaction Unit was created within SFA to establish and manage the application and funding decision process.
- Guidance was also provided in 2016 to [support the colleges going through restructure](#) and in undertaking [due diligence prior to merger](#).

The Education Funding Agency and the Skills Funding Agency were formally brought together in April 2017 to form the [Education & Skills Funding Agency](#). This created a single agency accountable for funding education and skills for children, young people and adults. Its remit also includes intervention in failing providers (including schools and academies, colleges and independent learning providers) and supporting the implementation of new skills policy.

Some of the skills developments of 2016 to 2017 were as follows:

- In July 2016, BIS and DfE jointly published a consultation on an [Insolvency Regime](#) for colleges, followed by the Government Response in October 2016.
- In January 2017, the Government announced the creation of an [Opportunity Areas](#) programme
- In November 2017, BEIS published [The Industrial Strategy](#), which sets out the government's plan to create an economy that boosts productivity and earning power throughout the UK. This has been followed up with the publication of more [detailed information](#).
- In December 2017, DfE published [Unlocking talent, fulfilling potential](#), which was the government's national plan to support children and young people to reach their full potential through education.
- In December 2017, DfE published a [Careers Strategy](#) policy paper.

Technical education has been a key development area over the past 2 years. This aims to increase UK productivity, providing employers with the skills they need in the future. The introduction of [T levels](#) will fundamentally change the skills system to provide high quality technical qualifications and a progression route through to higher level technical jobs and skills.

- The Sainsbury Panel published an [independent review of technical education](#) in April 2016. The DfE response to this was the [Post-16 Skills Plan](#), published in June 2016. In March 2017, it was announced in the Budget that there would be additional funding, rising to an extra £500 million per year when T levels are fully rolled out, to increase the hours of learning in these new programmes, rising from 600 hours per year at present to over 900 hours in future, including time spent on placements in industry.
- As the first step, the Government has provided funding to learning providers to support the development of capacity to build and deliver [Industry Placements](#), which will be a key part of the new T Levels. Pilots were run in 2017/18 with 23 providers and lessons learned from this have been collected to provide [guidance](#) to other providers. 415 providers will receive funding in 2018/19.

- The [T Level Consultation](#) was launched in November 2017 and the [Government Response to the T Level Consultation](#) was published in May 2018, setting out next steps.
- The first providers have been selected to in 2020 and local Education and Skills Funding Agency staff will work with these providers for the next 2 years to support them in planning and implementing delivery.

Special Education Needs (SEN) England

Part 3 of [The Children and Families Act 2014](#) Act applies to England only and sets out a new framework for children and young people who have special educational needs and disabilities (SEND).

A major theme of the 2014 SEND reforms was to help children and young people to prepare for adult life. This means preparing for employment, or higher education, for independent living, for participating in society and being as healthy as possible.

We have invested £391m from 2014-15 until 2017-18 inclusive to support SEND implementation.

On 28 November 2017, the Government announced a package of further support worth nearly £45 million pounds to continue driving momentum with implementation of the reforms. This is made up of £29m for councils, £9.7m to establish local internship forums, creating work placements for young people with SEND and training work coaches to provide support; and £4.6m for parent carer forums, which bring parents together with local decision makers and help provide them with a voice.

We have since awarded contracts to support the SEND workforce in schools and develop strategic participation by children and young people with SEND and their parents, and are funding the Education and Training Foundation to support the FE sector to improve its SEN provision.

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

Study programmes

The overwhelming majority of young people with special educational needs and/or disabilities (SEND) are capable of sustained employment with the right preparation and support. All professionals working with them should share that presumption. As such, the study programme principles apply equally to learners with SEND.

Providers should tailor study programmes to the individual aspirations and needs of learners with SEND, in discussion with the student. Where students have an education health and care (EHC) plan, providers should also involve the local authority SEN co-ordinator where appropriate. While some students with SEND should be on study programmes, which help them achieve stretching qualifications, others will gain more benefit from a traineeship, supported internship or other study programme, which helps them prepare for employment and adult life more generally. Young people with SEND may face more barriers to gaining employment than their peers. Providers should consider carefully how the work experience element of their study programme can enable them both to develop and demonstrate the skills that will help them gain employment.

An Access to Work (AtW) grant can cover the job coach element of a supported internship or traineeship, where needed, and application for funding goes through the education provider (or supported employment provider working with the education provider). Providers should communicate the existence of AtW to employers when they are setting up a supported internship or traineeship, or where they are helping a student with SEND to progress to employment when they complete their course, to reassure them that personalised support can be provided to the young person at no additional cost to the employer.

The Preparing for Adulthood website offers further guidance on AtW. Exceptionally, students with severe and/or complex needs, a study programme to develop independent living skills may be appropriate. This would only be apply to students for whom either substantial qualifications or preparation for employment are not – at this stage in their lives – an appropriate option. The student’s EHC plan should confirm that independent living is their primary aim.

The SEND Code of Practice sets out the responsibilities of post-16 providers for young people with SEND, both with and without an EHC plan.

Further information can be found through this link
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/694413/16_to_19_study_programmes_guidance_updated-March_2018.pdf

Pupils with Special Educational Needs (SEN)

In January 2018 some 253,680 (or 2.9 per cent of) pupils across all schools in England had statements of SEN/EHC plans.

The percentage of pupils with statements of SEN or EHC plans placed in mainstream schools (maintained nursery, state-funded primary, state-funded secondary) was 47.3 per cent. The corresponding figure for the proportion of pupils with statements of SEN or EHC plans placed in special schools (state-funded special and non-maintained special) was 45.6 per cent.

In 2017, there were some 1,022,535 pupils with SEN without statements or EHC plans representing 11.7% per cent of pupils across all schools. This is a slight increase compared to the percentage in 2017 of 22.6 per cent, which follows a reduction in this percentage between 2010 and 2016.

Special Educational Needs Statistics

Information from the school census on pupils with special educational needs (SEN), and SEN provision in schools for January 2018 can be found in this link:
<https://www.gov.uk/government/statistics/special-educational-needs-in-england-january-2018>.

Statistics by the following types of need are set out within the published tables at National and Local Authority.

- Specific Learning Difficulty
- Moderate Learning Difficulty
- Severe Learning; Difficulty
- Profound & Multiple Learning Difficulty
- Social, Emotional and Mental Health
- Speech, Language and Communications Needs

Hearing Impairment
Visual Impairment
Multi- Sensory Impairment
Physical Disability
Autistic Spectrum Disorder
Other Difficulty/Disability

Vocational training

T Levels

The Post 16 Skills Plan, published in July 2016, formed the government's response to the recommendations made by the Independent Panel on Technical Education. This panel, chaired by Lord Sainsbury, advised Ministers on how to improve technical education in England.

The Post 16 Skills Plan confirmed the government's acceptance of all of the recommendations of the Sainsbury panel. It outlines a radical reform of post-16 education, which will transform the technical education landscape.

The reforms to technical education will create 15 routes to skilled employment that encompass all employment-based (apprenticeships) and college-based training (T Levels). The routes group together occupations where there are shared training requirements.

Four routes will comprise employment-based training (apprenticeships) and the remaining 11 will comprise new T Level programmes. Alongside apprenticeships, T Levels will form the basis of our new technical education offer.

T Levels will be classroom based and will include a substantial, high quality industry placement with an external employer. A T Level will give young people the knowledge, skills and behaviours they need to enter skilled employment in a particular occupational area.

T Level design

T Levels will be new level 3 technical programmes, taught over two years, with five components:

- An approved technical qualification
- A substantial industry placement
- Maths, English and digital skills requirements
- Any other occupation-specific requirements/qualifications, as set out by the relevant T Level panel
- Any further employability, enrichment and pastoral (EEP) provision

Employer-led panels (T Level panels) are designing the outline content for the qualifications. The employer-led nature of T Levels will mean that the programmes have real labour market value and equip students with the skills employers need.

The first T Levels to be delivered will be in 2020 (in Construction (Design, surveying and planning), Digital (Digital Production, Design and Development), and Education & Childcare).

T Level delivery

We are working very closely with representative bodies, education providers, employers and awarding organisations in the co-creation of T Levels.

T Levels will have more teaching time built in to give all students a consistently high quality education programme. Hours of learning will increase by over 50%, from 600 hours per year to over 900 hours per year. In the 2017 Spring Budget, we announced additional funding, rising to £500 million a year, to cover the additional taught hours and industry placement requirements for T Levels.

All T Level students must complete a rigorous three-month industry placement with an employer. We are working with employers and colleges to make sure there are enough placements available to meet demand. Successful completion of this industry placement will be a requirement for full certification at the end of the course.

We know that T Levels can never be a success without the hard work of our teachers which is why we are also investing £20 million over the next two years to help teachers and leader prepare for the change.

To ensure that T Levels are successful, high-quality programmes, we want providers to have the right support in place. In May we launched a data collection exercise to learn more about what support they will need.

As recommended by the Sainsbury Report, we are intending to make exclusive licensing a central part of the reform process, meaning that a single body or consortium should deliver each qualification under an “exclusive licence” that would be awarded for a fixed time-period following open competition.

The Technical and Further Education Act 2017 allows government to extend the remit of the Institute for Apprenticeships to give it responsibility for technical education in colleges and other providers, as well as apprenticeships. We expect the Institute to take on these additional functions in due course.

Raising the participation age (RPA)

The legislative basis for RPA was set out in the [Education and Skills Act \(2008\)](#) and came into force on 28 June 2013. Legislation placed specific duties with regard to raised participation on young people, education providers, and local authorities.

The government legislated in the [Education Act \(2011\)](#) to delay the commencement of the enforcement process against young people (and sanctions against parents).

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

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

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

Statistics from the Department for Education indicate that the proportion of 16-18 year olds participating in education and work based learning (apprenticeships) has risen by 0.3ppts in 2016 to 81.9%. This is the highest figure since consistent records began in 1994.

Local Authorities (LAs) have duties to secure sufficient suitable education/training provision for all 16-19 year olds; identify and track 16/17 year olds not participating; and encourage, enable and assist young people to participate Further LAs have a duty (September Guarantee) to ensure that all year 11 pupils (and year 12 pupils on one year courses) receive an offer of a place in education/training for the following September.

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

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

Vocational education

Vocational Qualifications Reform 14-16 year olds

The Wolf Review, which reported in March 2011, found that vocational education was immensely valuable as part of a broad curriculum, but made it clear that some students were disadvantaged by the system.

As a result of reforms, key stage 4 students can now choose from a variety of consistently high quality, appropriate qualifications, and build a programme of study which provides them with a comprehensive and respected general education to the age of 16.

In September 2015, a new category of key stage 4 qualifications was introduced that focuses on the development of practical skills and knowledge. These are known as Technical Awards and are taken alongside GCSEs. With a focus on practical and technical subjects such as engineering and technology, they offer an opportunity to gain skills and knowledge not usually acquired through GCSEs.

The list of Technical Awards approved for teaching from September 2018 and inclusion in the school performance tables can be found here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/714415/Key_stage_4_qualifications_and_discount_codes_-_2014_to_2020

To be included in the performance tables, a qualification must meet strict requirements regarding its size, the use of external assessment and synoptic assessment, and grading structure. The content must be appropriate for the age group and must enable progression to a wide range of academic and technical and applied courses. These requirements have been strengthened year on year. Each approved qualification that is at least 120 guided learning hours (GLH) in size now counts as equivalent to one GCSE.

Prior to the reforms some qualifications counted in performance tables as equivalent to multiple GCSEs, enabling schools that offered these qualifications to boost their performance table scores. The new reforms have stopped this practice by counting approved qualifications equivalent to one GCSE regardless of size. The Department has worked with and encouraged awarding organisations to grow this quality offer.

For the 2016 performance tables, the number of high quality qualifications approved for teaching alongside GCSEs from September 2014 was 186. 106 qualifications were approved as Technical

Awards to be included in the 2017 performance tables. This is a 43% decrease in the number of qualifications on the 2016 list, largely due to the decision to remove qualifications in EBacc subjects.

There were 106 qualifications approved for inclusion in the 2018 performance tables and for teaching from September 2016. There are 90 qualifications approved for inclusion in the 2019 performance tables and for teaching from September 2017. The most recent iteration of the list of qualifications approved for use in the 2020 performance tables lists 57 qualifications for teaching from September 2018. The final list of qualifications approved to be included in 2020 performance tables is expected to be published in summer 2018.

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for 2020 performance tables (for teaching from September 2018) will conclude in summer 2018 and the final tables will be published here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/714415/Key_stage_4_qualifications_and_discount_codes_-_2014_to_2020

Vocational Qualifications Reform 16-19 year olds

The Department runs an annual rolling process to identify high-value technical qualifications and publishes lists of qualifications approved for inclusion in the 16-18 performance tables at least twice each year, in parallel to the key stage 4 qualifications approvals process.

The process for approving qualifications for 2020 performance tables (for teaching from September 2018) will conclude in summer 2018 and the final tables will be published here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/714416/16_to_18_qualifications_and_discount_codes_for_the_2018_to_2020_performance_tables.ods

Three categories of qualifications for 16-19 year olds are included in performance tables - Technical Certificates at level 2, and Tech Levels and Applied General qualifications at level 3 – the introduction of these qualifications in 2016 aimed to restore standards and make the vocational education system more closely linked to the world of work.

Each of these categories of technical and applied qualification is reported separately in 16-18 performance tables, alongside academic qualifications.

The first Tech Level and Applied General courses started in September 2014. These qualifications have been reported in the 16-18 performance tables from 2016 onwards.

Technical Certificates have been taught from September 2015 and have been reported in the 16-18 performance tables from 2017 onwards.

Approved qualifications must be publicly backed by industry or universities as supporting progression to employment or further learning. This requirement will give students greater confidence when choosing their qualifications and reduce the likelihood of them enrolling onto courses that are of little value in preparing them for employment or university.

As of December 2013, more than 4,000 level 3 technical qualifications were approved under section 96 for teaching to 16-19 year olds. Over 90% were removed from performance tables in 2016 (affecting courses taught from September 2014).

The numbers of qualifications approved for inclusion in the 2016 16-18 performance tables and for first teaching from September 2014 fell to 321, including 230 Tech Levels and 91 Applied General qualifications.

The list of qualifications approved for inclusion in the 2017 16-18 performance tables and for teaching from September 2015 included 284 Tech Levels, 107 Applied General qualifications, and 162 Technical Certificates.

The list of qualifications approved for inclusion in the 2018 16-18 performance tables and for teaching from September 2016 included 183 Tech Levels, 86 Applied General qualifications, and 173 Technical Certificates.

The list of qualification approved for inclusion in the 2019 16-18 performance tables and for teaching from September 2017 included 211 Tech Levels, 114 Applied General qualifications, and 98 Technical Certificates.

The most recent list of qualifications approved for inclusion in the 2020 16-18 performance tables and for teaching from September 2018 includes 210 Tech Levels, 130 Applied General Qualifications, and 97 Technical Certificates. These figures will be updated in summer 2018.

Moratorium on new qualifications being included in performance tables

The Department has decided to suspend the process for approving technical and applied qualifications for inclusion in performance tables. This will happen upon conclusion of the current approvals process for the 2020 performance tables.

The decision is primarily to ensure a period of stability in the qualification offer before the first T Levels are introduced in September 2020. The list of technical and applied qualifications that are approved for inclusion in the 2020 performance tables should not be supplemented during this moratorium.

Once final decisions have been made about qualifications included in the 2020 performance tables, the process will close and no new qualifications will be accepted for consideration. The list of approved qualifications will be kept under review and, if any are found not to meet requirements, they may be removed from performance tables. The moratorium will last for a minimum of two years, during which time the Department will continue to engage with awarding organisations.

Institutes of Technology

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/536043/Post-16_Skills_Plan.pdf

In the Post-16 Skills Plan (2016), the government committed to establishing a network of prestigious Institutes of Technology (IoTs) across the country as part of the Government's ambitious reforms to technical education. IoTs will:

- Be new kinds of institution, with a prestigious and distinct identity, specialising in delivering the higher-level technical skills, particularly STEM, that employers need.
- Be collaborations between FE providers, HE providers and employers, harnessing the strengths of each to help boost productivity and economic growth and widen participation from learners of all backgrounds.
- Focus on provision at levels 4 and 5, but will also extend to degree level and above (level 6+).

In December 2017 the Government launched a £170m two-stage competition to establish IoTs. Stage 1 of the competition closed in March 2018 and following the Stage 1 assessment, 16 proposals have been invited to proceed to Stage 2 of the competition. The first IoTs are expected to open from September 2019.

Sources: Statistics at DfE:

<https://www.gov.uk/government/publications/institutes-of-technology-competition>

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

National Colleges

- In May 2015, £80m of funding was announced to establish five National Colleges. The new National Colleges are being set up to meet a gap in the delivery of specialist higher level vocational training at Levels 4-6 in sectors critical to economic growth.
- The National Colleges cover the following sectors: Digital Skills, High Speed Rail, the Creative and Cultural Industries, Nuclear Skills and Onshore Oil and Gas.
- 4 National Colleges are now open, Onshore Oil and Gas has requested a slower timetable.
- The National Colleges are employer-led institutions, with strong employer involvement in their creation and governance, as well as in the development and delivery of training courses, and long term employer investment.
- Each National College is working with employers to design a new curriculum based on the latest industry innovations and working practices, and will have access to leading edge facilities and high quality industry practitioners. This will lead to new qualifications and courses that are designed by employers, for employers and with a clear line of sight to specific occupations and professions.

Widening Participation in Higher Education

- The Office for Students (OfS) is the new regulator for higher education. It has a statutory duty to promote equality of opportunity across the whole lifecycle for disadvantaged students and traditionally under-represented groups, not just access, but also student success and progression.
- The first guidance to the OfS in February 2018 set out the priorities for access and participation. Priorities include access to HE for those from white working class backgrounds, ensuring that outcomes are improved for students from BME backgrounds, and considering the barriers for mature learners and part-time provision.
- The guidance also included an expectation that the OfS will challenge the most selective institutions to make greater progress in widening access to higher education.
- The OfS will be able to take action if a provider does not comply with its obligations, including on the access and participation of students from disadvantaged and under-represented groups.
- HE providers wishing to charge tuition fees above the basic fee level must have an Access and Participation Plan, setting out their targets and planned expenditure to improve access for disadvantaged and under-represented groups, and agreed by the OfS. Through these plans HE providers support both access, participation, including non-continuation and non-completion of courses, and student success for disadvantaged groups.

- For the first time alternative providers will be able to submit Access and Participation Plans for agreement by the OfS and so charge higher level fees.
- A Transparency Duty will be introduced requiring HE providers to publish application, offer, acceptance, dropout and attainment rates of students by ethnicity, gender and socio-economic background. This will help to hold the sector to account for their record on access and retention of students from lower socio-economic backgrounds.

Apprenticeships

Apprenticeships reforms were introduced in November 2011 focusing on three priorities to: raise standards & safeguard quality; simplify & speed up processes for employers; and to increase focus where returns are greatest.

A new minimum wage rate for apprentices was introduced from October 2010 and applies to Intermediate and Advanced apprentices aged under 19 and those aged 19 and over in the first year of their apprenticeship. [The rate increases annually and from April 2018 is £3.70 an hour.](#)

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

The Reforms:

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

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

Around 290 trailblazers have developed over 270 (275) standards that are approved for delivery with over a further 260 (262) in development at 21 May 2018.

The apprenticeship levy came into force on 6 April 2017 requiring all employers with an annual pay bill of £3m or more to pay 0.5 per cent of their pay bill to invest in apprenticeship training. The apprenticeship levy is an important part of the changes to raise the quality of apprenticeships; creating long-term, sustainable investment in training. Only c. 2 per cent of employers pay the levy, but they have generated c. 42 per cent of starts so far in 2017/18. The apprenticeship levy is an important part of the changes to raise the quality of apprenticeships; creating long-term, sustainable investment in training. Annual investment in apprenticeships in England will be £2.45 billion by 2019/20, double what was spent in 2010/11.

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Scotland, Wales and Northern Ireland will receive their fair share of the levy - the Devolved Administrations will receive £460 million (in 2019/20). As skills is a devolved matter it will be for the Devolved Administrations to decide how funds raised from the levy should be used in their administrations.

We do not just want to see more apprenticeships; we want better apprenticeships in more sectors, covering more roles; and we want to persuade more employers to offer apprenticeships. The funding reforms give employers a real stake in this.

Since May 2010, there have been over 3.6 million apprenticeship starts, including 194,100 apprenticeship starts in the first two quarters of the 2017/18 academic year reported to date.

Institute for Apprenticeships (IfA)

- We have established the Institute for Apprenticeships, putting employers at the heart of decision-making processes and supporting the quality of new apprenticeship standards, being developed by employers themselves.
- The Institute is a crown non-departmental public body, which puts employers at the heart of decision-making processes, to support the quality of apprenticeship standards in England.
- The Institute's core function is to ensure the quality of apprenticeships and provide advice to Government on future funding provision for apprenticeship training.
- The Institute is responsible for:
 - developing and maintaining quality criteria for the approval of apprenticeship standards and assessment plans;
 - supporting the development of standards and assessment plans by employer groups and reviewing and approving them;
 - advising government on the maximum amount of funding that should be assigned to each apprenticeship standard;
 - ensuring all end-point assessments are quality assured
- The Institute's role is set to expand over the course of the next year as it takes on new responsibilities in relation to classroom-based technical education.
- Sir Gerry Berragan took up his post as the Institute's Chief Executive in November 2017. <https://www.gov.uk/government/news/institute-chief-executive-announcement>
- The Secretary of State issued strategic guidance to the Institute on how it should carry out its functions in April 2017.
- <https://www.gov.uk/government/publications/institute-for-apprenticeships-strategic-guidance-2017-to-2018>
- Within the policy parameters set out in the guidance, the Institute is independent of the Department for Education, determining its own processes and making autonomous decisions.

- The Institute has built up a network of over 100 industry leaders across 15 sectors to make up its route panels – ensuring each apprenticeship standard approved meets robust industry requirements.

Vocational training and retraining of adult workers

The Government recognises the importance of English, maths and digital skills, both in work and everyday life.

We provide full funding for learners who need these skills to undertake a range of English and maths courses in GCSEs, Functional Skills and stepping stone qualifications from entry level to level 2. The entitlement to full funding in these subjects is enshrined in the Apprenticeships, Skills, Children and Learning Act 2009. We will introduce an entitlement to full funding for specified basic digital courses from 2020, mirroring our approach to maths and English.

To ensure learners get the appropriate training and support, we require providers to undertake a thorough initial assessment before enrolling them on a suitable level of course.

As well as enabling learning in other areas, securing good standards of basic skills increases individual productivity, improves earnings and employment opportunities. Without secure basic skills, adults may struggle to progress from low or unskilled roles.

To raise literacy and numeracy standards, we have embedded English and maths across all major strands of technical education, including requirements for 16-19 year olds through conditions of funding, traineeships, apprenticeships and future T levels.

We are improving our qualifications offer through Functional Skills reform in English and maths. This will ensure these qualifications are more rigorous and better recognised by employers.

In 2016/17 the Government provided full funding for 531,600 adults (19+) to participate in English courses up to Level 2, and for 524,100 to participate in maths courses up to Level 2 ([see page 14 of this link](#)). Funding is provided through the Adult Education Budget, administered by the Education and Skills Funding Agency.

The European Social Fund (ESF)

The 2014-20 ESF programme currently delivers £3 billion (over 7 years), to support those who are furthest from the labour/learning market. On average, the total amount of investment in Skills through the Education and Skills Funding Agency (ESFA) is between £250 and £300m per annum.

The overall aim of the programme is to support employment through up-skilling, this includes:

- those who are unemployed to equip them with the skills needed to get them into the labour market; and
- those who are at risk of unemployment or redundancy.

The programmes that the ESF funds are often wrap around provision for learners on AEB funded programmes. Therefore, the ESF prevents any gaps in up-skilling and in particular supports some of the most disadvantaged groups and those furthest away from the labour/learning market.

DWP is the managing authority for the ESF. However it devolves this funding to LEPs who shape the provision in their area, with the ESFA being the largest co-financing organisation.

Adult learning - Community Learning

Community learning delivers unique flexible provision to adults, not fundable from other Further Education budgets, to develop their skills, self-confidence, motivation and resilience in order to progress towards formal learning and employment and/or to improve their wellbeing. Community learning engages people who are most disadvantaged and furthest from learning.

From 2016/17, community learning was combined with the previous Adult Skills Budget to form the Adult Education Budget (AEB), administered and managed by the Education and Skills Funding Agency. The Department for Education was allocated £1.5 billion for the AEB for each year of the Spending Review, as announced in the 2015 Spending Review. By encompassing Community Learning funding within the AEB, we have given providers more flexibility to respond to local learner needs. Providers continue to have the freedom and flexibility to determine how they use their AEB.

DfE contributes approximately £240m a year to support community learning. Most provision is delivered or commissioned by Local Authority adult education providers, but also by some FE colleges, large voluntary organisations and other providers. In 2016/17, 535,800 learners participated on a Community Learning course, a 6% reduction compared to 2015/16. This is a continuing trend since 2010/11, and a continuing trend in Further Education generally.

Provision is informal, reflects local needs and is based on the national objectives published in the AEB funding rules 2018/19 - see here <https://www.gov.uk/government/publications/adult-education-budget-funding-rules-2018-to-2019> It supports wider Government policies on social mobility, basic skills including digital, integrated communities, and healthy ageing. Courses are designed to help people of different ages and backgrounds acquire a new skill, re-connect with learning, pursue an interest, improve their well-being, prepare for progression to formal courses and/or learn how to support their children more confidently.

By being flexible, local and accessible, community learning courses can attract and engage people who are furthest from learning, training and the job market. Courses are usually unaccredited and delivered in accessible community venues. Providers must work in partnership with other organisations to deliver a strategic offer that responds to changing needs. Providers offer flexible timetabling and take account of individuals' needs and learning styles, which helps to attract those furthest from the workplace, often providing a 'stepping stone' into further learning and employment.

Since 2013, Community Learning providers must maximise value for money by using their public funding allocation to:

- lever-in additional funding, e.g. through fee income, sponsorship, grants;
- secure savings, e.g. from contributions in kind, volunteer activities, sharing services and/or pooling resources; and
- use additional funding and cost savings to increase resources or provision for the people who most need, and can least afford, community learning provision.

From 2019/20, approximately half of the national AEB will be devolved to the Mayoral Combined Authorities (MCAs) and the Greater London Authority (GLA) subject to readiness conditions. Community learning is funded through the AEB and therefore will also be devolved to MCAs and the GLA from 2019/20. MCAs and the GLA will take responsibility for deciding whether and how to

deliver and fund this type of non-statutory AEB provision for learners resident in their local areas. The ESFA will remain responsible for funding Community Learning provision for learners resident in non-devolved areas.

We support provision of basic digital skills training for adults in colleges and community learning settings through the Adult Education Budget and other programmes. These include the Future Digital Inclusion programme funded by DfE managed by the Good Things Foundation and delivered through the 5,000 strong Online Centres network. To date this programme has supported over 800,000 adult learners to develop their basic digital skills, many of whom are socially excluded.

Policy Reform

There are no policy changes to outline since the last report.

Providing learning programmes reflect the Community Learning objectives set out in the Adult Education Budget funding rules, the community learning funding allocation can be used flexibly to meet local needs.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/730030/2018-19_AEB_funding_pm_rules_July.pdf

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

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

Research evidence

Around 32,000 learners from 177 learning providers took part in the [Community Learning Learner Satisfaction Survey 2015 to 2016](#). The main findings were:

- 88% of learners indicated they had acquired new knowledge and skills
- 60% felt that they had made new friends which helped their well-being
- 45% were more likely to progress to another course

For the majority of learners engaging in a Community Learning course had exceeded their expectations and they enjoyed additional benefits beyond their initial reason/s for taking part. The survey confirmed findings from previous surveys that for many learners, taking part in Community Learning inspires them to participate in further learning.

Results from the UK Commission for Employment and Skills' (UKCES) Employer Skills Survey 2015 (the publishing date for the 2017 Survey is still to be confirmed) provides a comprehensive picture of

skills needs and training investment, including vacancies and skills shortages, employee skill gaps and the recruitment of education leavers and young people. A copy of the report can be found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/704104/Employer_Skills_Survey_2015_UK_Results-Amended-2018.pdf

The Continuing Vocational Training Survey – Findings from a survey exploring the type and amount of vocational (occupational) training provision was published by DfE in October 2017 - see data table 8 for costs. <https://www.gov.uk/government/publications/continuing-vocational-training-survey>

Further Education & Skills: Learner Participation, Outcomes and Level of Highest Qualification Held – Statistical First Release (SFR) 29 January 2015
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/399453/learner-participation-outcomes-and-level-of-highest-qualification-release-jan15.pdf

Key Points - Further Education:

Provisional data show that for the first two quarters of the 2017/18 academic year 1,495,300 adult learners aged 19 and over participated in government-funded further education.

Provisional data show that 677,300 funded Apprentices participated on an Apprenticeship in the first two quarters of the 2017/18 academic year.

Provisional data show that there were 194,100 Apprenticeship starts in the first two quarters of the 2017/18 academic year.

Provisional data show that there were 82,400 participations for learners with an Advanced Learner Loan in the first two quarters of the 2017/18 academic year reported to date.

Provisional data show there were 10,800 Traineeship starts in the first two quarters of the 2017/18 academic year.

The overall 2016/17 Education and Training success rate for government funded adult learners was 84.0 per cent. This is an increase of 1.2 percentage points compared with 2015/16.

The overall 2016/17 Apprenticeship success rate was 67.7 per cent, an increase of 0.7 percentage points compared to 2015/16. An increase was seen for Intermediate, Advanced, and Higher Apprenticeships. Increases were also seen across all age ranges.

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

Further education and skills data for the first two quarters of the 2017/18 academic year can be found in this link: <https://www.gov.uk/government/statistics/further-education-and-skills-march-2018>

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

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

Since April 2014, all new claimants to Universal Credit (all work-related requirements group) and Jobseekers Allowance are screened for English language skills where an adviser judges this to be a barrier to getting a job. Identified claimants are referred to a provider for a full assessment and are required to undertake training, with further mandatory referrals if they do not reach the required level within six months.

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

As part of the Midlands Engine Strategy, the government has made an additional £2 million available (2017-19) to offer English-language training to people in the Midlands, whose lack of ability to speak English is holding them back from accessing employment. This is part of the government's initiative to strengthen local skills in order to make the Midlands more attractive for business.

In Scotland ESOL training is contracted by the Employability Fund nationally, the Scottish Funding Council and Local Authorities. In Wales ESOL is contracted by Welsh Government and Local Authorities. In Northern Ireland the Department for Employment and Learning funds Further Education Colleges to deliver ESOL through the Further Education recurrent grant funding model in recognition of its importance to individuals, society and the economy. Each college has its own fee policies for those wishing to participate in programmes. Colleges also work with employers to deliver ESOL in the workplace

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

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

In England, National Careers Service advisers have a presence in more than 98% of Jobcentre Plus offices. To ensure the service is meeting DfE and DWP priorities, officials work together to monitor and review the impact and benefits of the arrangements for citizens.

The successful deepening and extension of co-location arrangements between Jobcentres and the National Careers Service since 2011 has ensured that the two services complement each other, roles are aligned and adults are able to access in depth, impartial careers advice and guidance when and where they need it.

The redesign in 2018 of the National Careers Service's national telephone helpline and digital tools and resources, together with the reprocurement of its area-based services (that provide local face-to-face and telephone advice to adults) will ensure delivery of a better service for adults and young people.

The new service will be available from October 2018. It will offer full, comprehensive information, advice and guidance to all customers. The service will encourage customers to self-serve digitally and it will align more closely with Jobcentre Plus's key claimant intervention points approach; and in line with the Careers Strategy (2017) and the government's social mobility strategy, the National Careers Service will extend its enhanced face to face service offer to a broader group of customers.

From October 2018 single parents and customers aged 50 and over, at risk of redundancy, will also be able to access additional face to face support alongside existing priority customer groups such as those with learning difficulties and disabilities, 18 to 24 year old NEETs, low skilled customers and long term unemployed customers.

The National Careers Service will continue to work closely with Jobcentres to provide complementary support to adults.

Measures to Analyse and Collect Statistical Data

UK labour market statistics are made available monthly in Office of National Statistics' First Release, on the web at www.statistics.gov.uk and in the publication Economic & Labour Market Review. Analytical articles are also published on-line on the ONS website and in their Economic & Labour Market Review. Labour Force Survey data for seasonal quarters are published in the LFS Quarterly Supplement, and are available electronically via NOMIS at www.nomisweb.co.uk, as are other labour market datasets.

Procedures to Ensure Effective Evaluation

The UK Government continues to regularly reform and update our welfare policies. Programmes, initiatives and pilots are regularly evaluated to ensure they deliver what is required. Please see www.dwp.gov.uk/research for more details.

Northern Ireland

Overview

Economic conditions in Northern Ireland have been improving with the proportion of people aged 16 to 64 in work (the employment rate) increasing by 1.3 pps over the last year to 69.7% (January – March 2018). Whilst not a statistically significant shift over the year it does demonstrate a significant increase from 2013 rates. More notably the unemployment rate (16+) for Northern Ireland is the lowest on record at 3.1% (January – March 2018) and shows a year on year decline of 2.1 percentage points. It is also below the UK average unemployment rate (4.2%), the European Union Rate (7.1%) and Republic of Ireland rate (6.1%).

Of continuing concern is the Northern Ireland economic inactivity rate (the proportion of people aged 16 to 64 who were not working and not seeking or available for work). It continues to be the highest rate of the twelve UK regions at 28.0% (January to March 2018) and is significantly higher than the UK

average rate of 21.0%.

The low unemployment rate and high economic inactivity rate poses challenges in terms of employability provision as the focus of support needs to shift from those claiming out of work benefits. Work is on-going to provide earlier engagement and more intensive support for those claiming the main sickness related benefit, Employment and Support Allowance with a view to improving employability. In addition a comprehensive review is being undertaken of employment programmes and services to consider the type of future support, programmes and services that people need to help them move closer to work, into work, to remain in and progress in work.

Legislation

Social Security is a devolved matter in Northern Ireland The Fresh Start Agreement on 17 November 2015 provided for a Legislative Consent Motion to be passed by the Northern Ireland Assembly which allowed the Westminster Government to legislate to give effect in Northern Ireland to the 2012 welfare changes in Great Britain and the welfare clauses of the Welfare Reform and Work Bill as initially introduced at Westminster.

Overview

Steps 2 Success

Northern Ireland's main adult return to work programme is Steps 2 Success. This was introduced on 20 October 2014. The programme is operated under the provisions of the Employment and Training Act (Northern Ireland) 1950 supported by the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (NI) and the Employment and Support Allowance (Work-Related Activity) Regulations (Northern Ireland) 2011 (No. 265) Part 3. Steps 2 Success aims to help eligible benefit recipients find and sustain employment thereby supporting the needs of employers and the economy. The flexible, personalised service, tailored to meet individual needs is delivered throughout Northern Ireland by three Lead Contractors and their supply chain partners. The minimum standard of service to be delivered to each participant is defined in a Service Guarantee. Early employment figures for clients who started the programme between October 2014 and March 2018 show that Steps 2 Success has helped 13,661 clients into employment.

Eligibility

JSA - 18 to 24 years / UC Intensive 18-24

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

JSA - 25 + / UC Intensive 25 +

JSA and UC Intensive clients aged 25 and over will become eligible for referral to S2S after 12 months

on benefit.

JSA - Early Entry / UC Intensive Early Entry

JSA clients who have concerns about their ability or opportunities to secure employment without more expert help, can request referral to S2S from Day One of their claim to JSA. In addition, JSA clients who, in the opinion of their Work Coach, have a significant barrier(s) to work which cannot be addressed by the DfC Customer Offer may also be referred to S2S from Day One of their claim to JSA.

ESA WRAG Mandatory / UC Work Preparation (Mandatory)

ESA clients in the WRAG group will become eligible for referral to S2S after 12 months on benefit.

ESA Voluntary

ESA clients in both the WRAG group and the Support group can request referral to S2S from Day One of their claim.

Other Voluntary

Clients in receipt of Income Support (Lone Parents and Carers) and Pension Credit will be able to join the programme on a voluntary basis.

Youth Employment Scheme (YES)

This scheme closed in March 2015 having reached the end of its funding cycle. The Work Experience element of YES, delivered directly through frontline staff, was retained as a standalone support for unemployed and economically inactive customers aged 18-24 until January 2018, when the upper age limit was removed to enable appropriate customers aged 25+ to participate on the programme.

The **Job Introduction Scheme, Condition Management Programme, Priorities for Youth, Careers Service, Training for Success, Widening Access and Participation Plans, Union Learning Fund and Widening Participation – NI Performance** remain in place. See 2015 report for more information.

Access to Work (NI) (updated figures)

The Access to Work (NI) Programme assists people with disabilities obtain and retain employment. It currently provides long term support to 745 people with disabilities (March 18). The range of supports available can be long term, often indefinite or one-off in nature. The long term supports include Travel to Work and Support Worker and the short term supports includes adaptations to premises and provision of equipment.

Workable (NI) (updated figures)

This programme provides a flexible range of long term supports to assist people with a disability with substantial barriers to employment to find and keep employment. Workable (NI) is delivered by a range of organisations with extensive experience of meeting the vocational needs of disabled people. The support needs of each individual are assessed and the provision can include supports such as; a Job Coach to assist the workers with a disability and their colleagues adapt to the needs of the particular job; a financial subsidy to the employer; extra training; and disability awareness training. The Workable programme currently supports 1001 people with disabilities (April 2018).

European Funds

Social fund – Match Funding - The Department for Communities provides public match funding to 17 ESF projects in Call 2, 2018 to 2022. The projects are aimed to raise employment levels within those people with disabilities and assist these participants into the labour market thus contributing to a strong, growing and sustainable economy in Northern Ireland.

In the 2014-2020 Structural Funds Programmes, £345.3m has been allocated to a number of training organisations to fund employability support programmes. Of this £70.1m (£28.04m ESF) aims specifically to target unemployed and inactive young people and get them into long-term and sustainable work, training or education.

Parkanaur Residential College

Parkanaur is a residential college committed to promoting and delivering vocational education and personal development to people with a range of learning difficulties and disabilities. At present The Department for Communities funds up to 15 residential students.

Apprenticeships NI (updated figures)

ApprenticeshipsNI aims to provide participants with the opportunity to take part in a Level2/Level3 apprenticeship. ApprenticeshipsNI is open to those who have reached school leaving age, are either entering or already in employment and contracted to work a minimum of 21 hours per week. The Apprentice is in paid employment from day one. The Apprentices follow a national training framework which leads to attainment of a competence based qualification at Level 2 or 3, Essential Skills and a knowledge based qualification.

There are over 170 Apprenticeships to choose from, which can take between 2 and 4 years to complete depending on the level of study. Apprenticeship frameworks are designed by Sector Skills Councils and Industry Representative Bodies to meet the need of each particular sector.

For those aged 16 -24 years the Department undertakes to pay the full costs of the 'off-the-job' training included in the ApprenticeshipsNI framework for the duration of the apprenticeship. The Department contributes a 50% rate of funding, of that available to 16 -24 years old, for those aged 25 years and over.

Higher Level Apprenticeships

The Department's Higher Level Apprenticeship (HLA) programme launched in September 2017 with apprenticeships at Levels 4 & 5 a regular part of the Department's skills offer. Apprenticeships at Levels 6 and above will be available from September 2018, following a pilot programme.

These pilots were in over 20 occupational areas with more than 400 employers providing opportunities. 242 apprentices commenced a HLA in the 2015/16 academic year, with a further 368 new starts in the 2016/17 academic year. The off-the-job training is delivered across the 6 further Education colleges, Ulster University and the Open University. For those pilots from 2015/16 which have completed, the success rate is 76.5%.

For the 2017/18 academic year there are 316 new starts at Levels 4 & 5 across the 6 Further Education Colleges and 68 new starts at Level 6 across the Higher Education Institutions.

Wales

Economic Overview

Labour Market Context

Overview

Since devolution, there has been an improvement in the performance of the labour market in Wales. The historic gap in employment rates between Wales and the UK has narrowed since 2002 and over the medium-term, the unemployment rate in Wales has been close to the UK average. The historic inactivity gap between Wales and the UK has partially closed since 2002.

Employment

There were 1.5 million people in employment in Wales in February to April 2018, up 7,000 (0.5 per cent) from the same period a year earlier. This is a rate of 73.3 per cent of those aged 16-64, up by 0.4 percentage points from the same period a year earlier.

At 73.3 per cent, the employment rate in Wales is well above the rate of 65-67 per cent experienced in the mid to late 1990s and the early years of the 2000s.

Wales is maintaining an employment rate well above its historical average, with the level up by almost one-fifth, (over 238,000 people) since the start of the Assembly.

Unemployment

There were 67,000 people who were unemployed in Wales in February to April 2018, down 7,000 (9.1 per cent) from the same period a year earlier. This is a rate of 4.4 per cent of the economically active population, down 0.4 percentage points from a year earlier.

Economic Inactivity

There were 439,000 people in Wales who were economically inactive in February to April 2018, down 2,000 (0.5 per cent) from the same period a year earlier. This is a rate of 23.2 per cent of those aged 16-64, down 0.1 per cent from the same period a year earlier.

Since devolution the economic inactivity rate in Wales has fallen by 4.9 percentage points.

Workforce Jobs

The number of workforce jobs in Wales increased by 59,000 (4.0 per cent) between March 2017 and March 2018 to 1.55 million. Between March 1999 and March 2018 the number of workforce jobs in Wales rose by 326,000 (26.7 per cent).

The number of workforce jobs in manufacturing in Wales was up 2,000 (1.5 per cent) between March 2017 and March 2018 to 147,000 (9.5 per cent of all workforce jobs compared to 17.2 per cent in March 1999).

Self-Employment Jobs

The number of self-employment jobs in Wales increased by 11,600 (5.7 per cent) between March 2017 and March 2018 to 215,000 (13.9 per cent of workforce jobs compared to 11.5 per cent in March 1999).

There were 308,000 people employed in the public sector in Wales in 2018 Q1, up 0.9 per cent from a year earlier. This is 9.9 per cent of the population, up 0.1 percentage points from a year earlier.

Earnings

Workplace based median average gross weekly earnings of full-time employees in Wales increased

from £493.70 to £498.40 between April 2016 and April 2017.

Residence based, median average gross weekly earnings in Wales increased from £499.20 to £505.90.

Policy Context

The Welsh economy is highly integrated with that of the rest of the United Kingdom and operates within a largely common institutional context with the rest of the UK. Although since devolution, there has been increasing divergence in certain policy areas (such as health and education, and to some extent business support).

This close integration means, in the short-term, the major determinant of Welsh economic performance is that of wider UK economy. Wales' long and porous border with England is an important consideration in the development and delivery of economic policies.

The major short-run economic policy levers monetary and fiscal policies are by the Bank of England and the UK Government, respectively.

However, the Wales Act 2014 and Wales Act 2017 devolved some taxation and borrowing powers to the Welsh Government and National Assembly for Wales. In April 2018, Land transaction tax replaced stamp duty land tax and landfill disposals tax replaced landfill tax. From April 2019, the Welsh Government will be able to vary the rates of income tax payable by Welsh taxpayers.

Some of the key policy levers that the Welsh Government holds, over education, health and transport, are likely to have effects only over the medium to long term. Over this period, they will shape the fundamental socio-economic profile of Wales, rather than the processes by which this profile is translated into economic outcomes.

Economic Action Plan

In December 2017, the Welsh Government published its [Economic Action Plan](#) is to support delivery of the [national strategy for Wales – Prosperity for All](#).

The Plan drives the twin goals of growing the economy and reducing inequality. It sets out a number of ambitious proposals that commit the Government to a major shift in policy direction in a number of key areas mobilised around a common purpose to work with business and others to build resilience and future proof the Welsh economy.

Context

The Plan, balances the need for short, medium and long term action, recognising the impacts are being felt now and into the future. It recasts the relationship with our partners as we seek greater social and long term economic benefit.

It is the first such Plan in almost a decade and the first to look across government taking a range of actions from childcare and clean growth and procurement and planning to take forward the aim of inclusive growth.

In May 2018, the Welsh Government launched a new operating model was launched at the end of the first major phase implementing the Economic Action Plan. This new model is focussed on drive inclusive growth and future proofing businesses whilst delivering public investment with a social purpose and is comprised of three components:

- An Economic Contract between government and business to drive inclusive growth through a new, ongoing, dynamic and more mature relationship.
- Five mission-based Calls to Action which form future proofing tests the Welsh Government will apply to new investment proposals, and
- The Economy Futures Fund – a streamlining of funding schemes to underpin the model.

The Welsh Government is applying this model to our direct financial support to business but will learn from its implementation and consider its potential to be extended to other areas.

The Plan sets out a number of actions across of the Welsh Government that will be implemented in a phased approach.

The Welsh Government is simplifying its approach to sectors to maximise its impact and focus its financial resources and target its proactive support.

The Foundation Economy is the part of the economy that provides essential goods and services and plays an important role in the lives of people and communities. The Welsh Government will focus on four foundation sectors:

- Tourism
- Food
- Retail
- Care

The Welsh Government is working on a range of issues including skills development, new business models and infrastructure, and working with the sectors to develop enabling plans to capitalise on opportunities for growth and innovation and address key issues.

The Welsh Government is looking to proactively support three national thematic sectors:

- Tradable Services;
- High Value Manufacturing; and
- Enablers

The Plan commits the introduction of a new regionally focused model of economic development and bring greater coherence through the work of its Chief Regional Officers who promote regional interests and issues in Welsh Government to tailor delivery on a broad range of issues.

There are a range of other actions too from transitioning to a low carbon economy to the roll out of the childcare offer for 30 hours of free education and childcare to support working families and remove potential barriers to employment.

Infrastructure is a core element of the Plan with commitment to join up land use and transport planning and given certainty in the Welsh Government's capital funding for transport to encourage investment. There will also be a focus on introducing innovation in procurement to increase the number of Wales based businesses being successful in public sector procurement.

New relationships will be fostered for trade and investment, as well as safeguarding existing relationships and promote Wales effectively on the global stage. This will involve expanding the Welsh Government's international presence and work with other partners, including the UK Government and other administrations linking this to the importance of its relationships with Europe, the wider world, and the impact of exiting the EU.

Skills and Lifelong Learning play a central role in the Economic Action Plan. [The Employability Plan](#) has been published simplifying the Welsh Government's offer to people of all ages who want to gain and retain a good job. The Welsh Government's new employability programme, Working Wales, will start in April 2019 and be responsive to the needs of individuals, employers and the labour market.

The Welsh Government will work with the Regional Skills Partnerships to assess and match skills to the needs of the economy working with to anticipate future skills needs. It is also introducing a strategic planning system for education and skills delivery across post 16 education and deliver at least 100,000 all-age apprenticeships aligned to the needs of our economy.

Welsh Universities are a key strategic asset for Wales through their direct economic impact and through the beneficial links they provide to the wider world through students, research and business relationships. The Welsh Government is bringing together all Welsh Government controlled research funding to reflect Welsh priorities, maintaining the benefits of national and institutional links between research, innovation and skills development.

Employability Overview

Employment has not been devolved to the Welsh Government, however skills and training policy and the provision of employability support are devolved matters.

Employability is one of the five priority areas identified as having the greatest potential contribution to long-term prosperity and well-being in Prosperity for All, Welsh Government's National Strategy.

The Employability Plan published in March (2018), outlines the Welsh Government's new approach to employability in Wales. This is genuinely cross-Government and multi-agency; Welsh Government,

local government, UK Government, and third sector partners working in partnership. It makes the links between skills and training, and other policy areas which impact on employment opportunities such as health, housing, transport and care.

The vision is to work towards making Wales a full employment, high tech, high wage economy which prepares people for a changing world of work; whilst ensuring that the benefits and employment opportunities provided by the Foundation Economy are retained locally. The aim is to provide people of all ages and abilities with high quality education and skills to meet the challenges and work opportunities of tomorrow, and to instil in everyone a passion to learn throughout their lives, inspiring them with the ambition to be the best they can possibly be. The Welsh Government will work in partnership to deliver this, and to remove any barriers which stop people from contributing to the world of work.

[The Employability Plan](#) takes action in four distinct themes; providing an individualised approach to employment support, underlining the responsibility of employers to support staff, closing skills gaps and preparing for a radically changing labour market.

The Plan identifies that work is good for individuals; there is clear evidence that being in good work can promote health and wellbeing, the money earned contributes to independence and self-determination, and being in work is the best way to alleviate poverty. We know that for the benefits of work to accrue it must be good work; fairly paid, stable and meaningful.

Employability is often understood as an individual's personal capacity or suitability for work. Ensuring people have the right skills for the workplace is crucial, but individual circumstances and barriers to work can also impede the opportunity to work for many people.

That is why the Welsh Government is adopting an individualised approach to employability support. We are creating a new service to provide employment-related advice and guidance to people in Wales. The Employment Advice Gateway will provide a common approach to identifying the needs of the individual, as part of reshaping employability support in Wales.

We are also developing a simpler and more efficient offer of Welsh Government employability support which is easier for individuals to navigate and access. Our new employability programme Working Wales is designed to support people of all ages to overcome barriers and gain the skills to achieve and maintain good quality, sustainable employment.

We have set stretching [ten year targets](#) to set the direction for all partners working on employability, so we are more coordinated and efficient, and reduce duplication of activity. These targets will be regularly monitored and we will issue annual progress reports. We will provide statistics on a regional basis to ensure we are on track for delivery.

Employment Advice Gateway

The Employment Advice Gateway will provide a common approach to identifying the needs of the individual, as part of reshaping employability support in Wales. This approach will identify those with employment support needs at the earliest possible stage and create a seamless referral process to

employability support.

The Employment Advice Gateway will provide comprehensive and impartial employability advice and guidance to people aged 16 and older across Wales. It will enable individuals to talk to trained advisers about employment and skills, their aims and aspirations, and any issues they face in obtaining work. Advice and guidance will be provided face to face, over the telephone and online. Advisors will help by identifying barriers to employment, the best route to employment, and by referring people to the most appropriate intervention/s available.

Based on individuals' personal circumstances, needs and aspirations, trained advisors will identify the most suitable support. In agreement with the individual, advisors will then refer individuals to the most appropriate support; this could be to Working Wales, Communities for Work, or other interventions.

The Employment Advice Gateway will be launched in February 2019.

Working Wales

Working Wales is a new programme designed to support people of all ages to overcome barriers and gain the skills to achieve and maintain good quality, sustainable employment.

Working Wales will support delivery of the Welsh Government's Programme for Government, Taking Wales Forward commitment to reshape employability support for all individuals and forms an important part of the government's Employability Plan.

Skills and Training Policies

Prosperity for All: Employability Plan

Employability is one of five priority areas identified as having the greatest potential contribution to long-term prosperity and well-being in Prosperity for All, Welsh Government's National Strategy.

[The Employability Plan](#) published in March (2018), outlines the Welsh Government's new approach to employability in Wales. This is genuinely cross-Government and multi-agency; Welsh Government, local government, UK Government, and third sector partners working in partnership. The Plan makes the links between skills and training, and other policy areas which impact on employment opportunities such as health, housing, transport and care.

The vision is to work towards making Wales a full employment, high tech, high wage economy which prepares people for a changing world of work; whilst ensuring that the benefits and employment opportunities provided by the Foundation Economy are retained locally.

The aim is to provide people of all ages and abilities with high quality education and skills to meet the challenges and work opportunities of tomorrow, and to instil in everyone a passion to learn throughout their lives, inspiring them with the ambition to be the best they can possibly be. The Welsh Government will work in partnership to deliver this, and to remove any barriers which stop people from contributing to the world of work.

The Employability Plan takes action in four distinct themes; providing an individualised approach to employment support, underlining the responsibility of employers to support staff, closing skills gaps and preparing for a radically changing labour market.

The Employability Plan identifies that work is good for individuals; there is clear evidence that being in good work can promote health and wellbeing, the money earned contributes to independence and self-determination, and being in work is the best way to alleviate poverty. We know that for the benefits of work to accrue it must be good work; fairly paid, stable and meaningful.

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Youth Engagement and Progression Framework

[The Youth Engagement and Progressions Framework](#) (YEPF) aims to reduce the number of young people not in education, employment or training (NEET). It is based around 6 component elements, proven to be effective at increasing youth engagement and progression. They aim to:

- identify young people most at risk of disengagement
- provide better brokerage and co-ordination of support
- provide stronger tracking and transition of young people through the system
- ensure provision meets the needs of young people
- strengthen employability skills and opportunities for employment
- provide greater accountability for better outcomes for young people.

Local authorities have the key leadership role in the framework's implementation. They are working closely with Careers Wales, youth services, schools, colleges, work based learning providers and other

partners to ensure those most at risk of becoming NEET or who are already NEET are identified and provided with the support they need to get them back on track.

Policy Statement on Skills

[The Policy Statement on Skills](#) sets out policy actions which will enable Wales to evolve into a highly skilled nation. It is focused on employment and skills and covers four priority areas:

- skills for jobs and growth
- skills that respond to local needs
- skills that employers value
- skills for employment.

The objective of the statement is to create the right conditions for employers across Wales to thrive and prosper.

Apprenticeships

The Welsh Government's Apprenticeship programme offers individuals the opportunity to earn money while they learn, obtain vocational training and build a sustainable career. They help employers to build a professionally skilled workforce, equipped with the knowledge and experience that their business needs to succeed and compete. Apprenticeships incorporate on and off the job training leading to nationally recognised qualifications.

An apprenticeship is not a qualification in itself but a framework containing a number of different qualifications, all of which must be passed in order to complete the framework. The frameworks are designed to equip learners with transferable skills relevant to the wider industry, as well as the specific skills associated with each framework.

The Apprenticeships, Skills, Children and Learning Act (ASCL) introduced minimum standards for Apprenticeship frameworks, set out in the statutory Specification of Apprenticeship Standards for Wales, including requirements for off the job training. Apprenticeship frameworks must comply with requirements set by the Welsh Government in the Specification for Apprenticeship Standards in Wales which governs apprenticeship framework development in Wales.

The apprentice will study for a competence based qualification at level 2 and above, combined with a technical qualification demonstrating underpinning knowledge. The competence qualification should be underpinned by National Occupational Standards where they exist or industry-led standards where they do not. The competence and knowledge elements may be combined within a single qualification.

The Apprenticeship Programme currently consists of three levels of apprenticeship:

- Foundation Apprenticeships - at level 2;
- Apprenticeships – level 3; and
- Higher Apprenticeships at level 4 and above.

Welsh Government funding is available towards the costs of apprenticeship training. Apprenticeship training is available to all people above compulsory school age.

Skills Priorities Programme (SPP)

The SPP programme was piloted in 2014 through to March 2016. This informed the current two year programme covering 2017-19. The current programme focusses on responding to regional demand and aims to expand the capability of the Further Education (FE) sector to deliver job specific higher level skills learning, as identified within the Regional Employment and Skills Plans, which are produced by the three Regional Skills Partnerships (RSPs) and informed by employer-led intelligence.

The programme is at the cutting edge of development and delivery of new and innovative programmes in non-traditional areas such as Hybrid vehicle's, digital literacy, Aerospace, Creative Sector and Drone technology , enabling FE's in Wales to respond to key emerging technologies and the needs of employers and inward investors in Wales.

SPP provides the mechanism for enhancing the capacity of the FE sector to provide employer-endorsed higher level skills, linked to the priorities identified by the RSP's aligned to investment in growth opportunities, including the priorities identified by Enterprise Zones, City Regions/Growth Bids and potential cross-border collaborations.

The programme focuses on two strands; Higher Level Skills delivery and Capability Development. This reflects the need for the programme to focus on delivery, achieving key outcomes and implementing good practice learnt from previous innovative delivery.

For 2018-19 delivery, the option of an Innovation strand has been introduced to ensure that SPP can be even more flexible and respond to emerging regional priorities and new employer demand as it arises throughout the year.

The Wales Union Learning Fund (WULF)

WULF was launched in April 1999 in order to build capacity within the Union movement to maximise learning engagement with both individuals and employers. Since its inception, the WULF programme has assisted and encouraged a wide range of learning and has actively encouraged employers to utilise the support available for their workforce.

The Unions recruit Union Learning Representatives (ULRs) who engage with hard to reach learners and have devised innovative ways of encouraging individuals to return to learning.

The WULF projects also deliver a number of informal learning courses designed to provide learners with the confidence to return to a formal learning environment. The ULRs support WULF by engaging

with hard to reach learners and through devising innovative ways of encouraging individuals to return to learning.

The 2018–2019 WULF prospectus continues its theme from the 2016 - 2018 bidding round, with a focus on Trade Unions developing the employability and essential skills of the workforce, with the particular emphasis on removing barriers for non-traditional learners, in partnership with employers and others.

WULF projects are focused on delivering employability and work-related courses helping to deliver a prosperous Wales, with a particular focus on essential skills.

The WULF projects will directly contribute to the Tackling Poverty agenda by supporting and encouraging skills progression as a route to in-work progression and access to a higher rate of earnings.

Between the 2016 and 2018 financial years, 16045 participants were supported.

Wales TUC

In January 2016, Welsh Government agreed a business plan with Wales TUC to develop and extend learning opportunities, develop learning partnerships and maximise the impact of Union Learning Representatives (ULRs) in the workplace. Wales TUC continues to develop relationships with Unions and employers to promote, develop and sustain employability and essential skills learning in the workplace.

In Oct 2017 Julie James the former Minister for Skills and Science requested Wales TUC focus on sustained jobs outcomes and progression, prioritising employability skills.

Wales TUC's work is divided into two distinctive areas:

Wales TUC Learning Services supports the delivery of the Wales Union Learning Fund (WULF) and is concerned with learning issues relating to all members in Wales of both TUC affiliated and non-affiliated unions.

Wales TUC Education Services is responsible for the education and training of union representatives, including Union Learning Representatives.

Wales TUC proposes that the activity they will undertake will be to;

- Provide trade union education courses, briefings/other materials for unions and their officials
- Support union democratic structures outside the workplace in identifying how to deliver their employability and skills priorities

Lead the wider, public facing activities around the positive union role in achieving fair work and progression opportunities for workers – recognising the importance of these individuals, employers and the economy.

Between the 2014 and 2018 financial years, 8584 participants were supported.

Chwarae Teg

Chwarae Teg is the leading gender equality charity in Wales and has been in existence for nearly 25 years. Its focus is to maximise the contribution women make to the economy by tackling horizontal and vertical segregation in the workplace. Their vision is 'A Wales where women achieve and prosper' and their focus is very much about challenging gender stereotypes and breaking down barriers which limit the range of career opportunities and sectors which many women would consider. They support women to overcome barriers and build their confidence and skills enabling them to enter a wide range of sectors and succeed within them to positions of influence.

Chwarae Teg have revised and strengthened their Annual Operating Plan. They have identified a number of key areas of work to be taken forward for delivery during the final year of their three year strategy. The activities identified within the operating plan all link back to the 3 year strategic plan and in turn through their three Mission Statements which are as follows:

- Working with women to broaden horizons and build confidence and skills.
- Working with employers to create modern workplaces that are successful by harnessing everyone's contribution.

Working with influencers, educators and decision makers to build a society that values, supports and benefits women and men equally.

Wales - Coercion in connection with domestic work

The Welsh Government in its Programme for Government created the post of Anti-Slavery Co-ordinator in March 2011. It is the aim of the Welsh Government to make Wales hostile to slavery and to provide the best possible support to survivors.

To ensure a strategic multi-agency approach to tackling slavery in Wales, the Welsh Government established the Wales Anti-Slavery Leadership Group in January 2013. The Leadership Group has a Delivery Plan with Strategic Objectives which include taking action for preventative measures to tackle labour exploitation in Wales.

Scotland

Scotland's Labour Market Strategy:

[Scotland's Economic Strategy](#) (2016) sets out an overarching framework of how we aim to achieve a more productive, cohesive and fairer Scotland. It prioritises boosting investment and innovation,

supporting inclusive growth and maintaining our focus on increasing internationalisation. Throughout the Strategy, there is a clear focus on the mutually reinforcing objectives of increasing competitiveness and tackling inequality. We have adopted this strategy not just because it ensures better social outcomes but because there is growing international evidence that countries with more equal societies typically enjoy stronger, more sustainable economic growth over the long run.

Building on the Economic Strategy, the Scottish Government's [Labour Market Strategy](#) (2016) demonstrates how a labour market that is fair and inclusive and that provides sustainable and well-paid jobs is key to tackling income inequality and addressing wider social and economic issues including health, crime, deprivation and social mobility. It sets out a vision for *"a strong labour market that drives inclusive, sustainable economic growth, characterised by growing, competitive businesses, high employment, a skilled population capable of meeting the needs of employers, and where fair work is central to improving the lives of individuals and their families"*.

In 2015, we established the [Fair Work Convention](#) which set a vision that we fully endorse, for fair work to be embedded in all workplaces by 2025. We are working with the Fair Work Convention to promote fairer, flexible contracts that offer job security. The Convention's framework recognises Fair Work as work that:

- offers *Respect, Opportunity, Security, Effective Voice and Fulfilment*; and
- balances the rights and responsibilities of employers and workers and that can generate benefits for individuals, organisations and society.

Scottish Government action **to promote fair work** includes:

- Our [Workplace Equality Fund](#) and programmes and policies to tackle the gender gap such as women returners programme and our work on pregnancy and maternity discrimination recognise the value of an inclusive and diverse workforce. A key challenge moving forward is to demonstrate compelling employer benefits.
- The [Scottish Business Pledge](#) celebrates companies that commit to boosting productivity and competitiveness through fair work values. Numbers are growing steadily with 500 businesses recognising the benefits of being an innovative, international company and fair work employer.
- Similarly we have over 1180 [Living wage](#) accredited employers and we are working with [Business in the Community Scotland](#) to deliver their Responsible Business agenda.

The Scottish Government is taking action ensure that every person, regardless of background, has the opportunity to develop the skills required to participate successfully in the labour market. Through implementing [Developing the Young Workforce](#) and developing our labour market intelligence and skills planning through [Skills Development Scotland](#), we are making sure these opportunities are matched to local and sectoral skill demands so Scotland's workforce has the right skills and attributes to meet the needs of our evolving labour market.

In developing the Labour Market Strategy, we looked at how the shape and character of the labour market in Scotland has changed since the recession and considered how it may change further in the coming years. Changing demographics such as our ageing population, globalisation and advances in technology have an important impact on labour market participation, and the economy as a whole. The Strategy is therefore designed to be responsive to change.

Devolution of Employability Services:

Fair Start Scotland (FSS) is one of the first examples of new powers devolved under the Scotland Act 2016 – delivering a distinctly Scottish employment support service; focussing support on those further from the labour market for whom work is a realistic prospect. This service has been designed nationally, but adapted and delivered locally in partnership with stakeholders; it will support Scottish Government ambitions for sustainable economic growth, social justice, inclusion and fair work.

FSS reflects the reality of Scotland geography, regional economies and population spread - with 9 contract areas – rather whole of Scotland together as one area. FSS has encouraged providers to commit to the Fair Work, Workforce and Community Benefits agendas by:

- accrediting and promoting living wage employment;
- no use of zero hours contracts or umbrella companies;
- committing to Modern Apprenticeships and developing the young workforce;
- targeting priority groups for recruitment; and
- supporting the Scottish Business Pledge.
- using public procurement legislation to reserve an £8 million contract for delivery of Fair Start Scotland by a supported business.

III

The information requested is contained within the report.

IV

There have been no changes since the last report.

V

There have been no changes since the last report.

VI

The information requested is contained within the report.

VII

Copies of this report have been sent to the CBI and TUC.

ANNEX 1

Observation (CEACR) - adopted 2015, published 105th ILC session (2016) Employment Policy Convention, 1964 (No. 122) - United Kingdom (Ratification: 1966)

Articles 1, 2 and 3 of the Convention. Active employment policy. Consultation with the social partners.

- *The Committee requests the Government to continue to provide information on the implementation of the Mandatory Work Activity programme and how this programme will translate into productive and lasting employment opportunities for its beneficiaries. Please also continue to include information on the impact of other labour market measures being implemented and on the details of the consultations held with the social partners on matters relating to the Convention.*

England

The Referrals to the Mandatory Work Activity programme ceased at the same time we stopped referring individuals to the Work Programme. We publish all the evidence of our labour market measure trials on the Gov.uk web site:

<https://www.gov.uk/government/publications/evaluation-of-mandatory-work-activity-rr823>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/193330/rrep823.pdf

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/220276/eia-mandatory-work-activity.pdf

An integral part of any policy development is that the Government will produce Green Papers. These are consultation documents. The aim of this document is to allow people both inside and outside Parliament to give the department feedback on its policy or legislative proposals.

Copies of consultation documents such as Green Papers are available on the related departmental websites.

Here is an example:

<https://www.gov.uk/government/consultations/work-health-and-disability-improving-lives>

Open policy making helps create and deliver policy that meets the demands of a fast-paced and increasingly digital world. It means that policy is more informed and better designed for both the government and users by:

- using collaborative approaches in the policy making process, so that policy is informed by a broad range of input and expertise and meets user needs

- applying new analytical techniques, insights and digital tools so that policy is data driven and evidence based
- testing and iteratively improving policy to meet complex, changing user needs and making sure it can be successfully implemented

Wales

This area is not devolved and is the responsibility of the UK Government.

Scotland

Information is already included in the 2018 response to C122 and C140.

Northern Ireland

Information is already provided in the answers to the Direct Request questions.

Long-term unemployment.

- ***The Committee requests the Government to continue to provide information on the impact of the measures taken to address long-term unemployment.***

England

The information requested has already been provided in the main body of the response regarding the Work and Health Programme, the Work programme, support for disabled people, young people and people in custody.

Scotland

Information is already included in the 2018 response to C122 and C140.

Wales

Employment remains reserved to the UK Government; however employability and skills policy and programmes funded through the Welsh Government make a significant contribution to the employment outcomes for the unemployed including the long-term unemployed.

Employability Plan

Employability is one of five priority areas identified by the Welsh Government as having the greatest potential contribution to long-term prosperity and well-being in *Prosperity for All*, Welsh Government's National Strategy.

The Employability Plan⁶⁴ published in March (2018), outlines the Welsh Government's new approach to employability in Wales. This is genuinely cross-Government and multi-agency; Welsh Government, local government, UK Government, and third sector partners working in partnership. It makes the links between skills and training, and other policy areas which impact on employment opportunities such as health, housing, transport and care.

The vision is to work towards making Wales a full employment, high tech, high wage economy which prepares people for a changing world of work; whilst ensuring that the benefits and employment opportunities provided by the Foundation Economy are retained locally.

The aim is to provide people of all ages and abilities with high quality education and skills to meet the challenges and work opportunities of tomorrow, and to instil in everyone a passion to learn throughout their lives, inspiring them with the ambition to be the best they can possibly be. The Welsh Government will work in partnership to deliver this, and to remove any barriers which stop people from contributing to the world of work.

The Employability Plan takes action in four distinct themes; providing an individualised approach to employment support, underlining the responsibility of employers to support staff, closing skills gaps and preparing for a radically changing labour market.

The Plan identifies that work is good for individuals; there is clear evidence that being in good work can promote health and wellbeing, the money earned contributes to independence and self determination, and being in work is the best way to alleviate poverty. We know that for the benefits of work to accrue it must be good work; fairly paid, stable and meaningful.

Employability is often understood as an individual's personal capacity or suitability for work. Ensuring people have the right skills for the workplace is crucial, but individual circumstances and barriers to work can also impede the opportunity to work for many people.

That is why the Welsh Government is adopting an individualised approach to employability support. We are creating a new service to provide employment-related advice and guidance to people in Wales. The Employment Advice Gateway will provide a common approach to identifying the needs of the individual, as part of reshaping employability support in Wales.

We are also developing a simpler and more efficient offer of Welsh Government employability support which is easier for individuals to navigate and access. Our new employability programme Working Wales is designed to support people of all ages to overcome barriers and gain the skills to achieve and maintain good quality, sustainable employment from April 2019.

We have set stretching ten year targets⁶⁵ to set the direction for all partners working on employability, so we are more coordinated and efficient, and reduce duplication of activity. These targets will be regularly monitored and we will issue annual progress reports. We will provide statistics on a regional basis to ensure we are on track for delivery.

⁶⁴ <https://gov.wales/topics/educationandskills/skillsandtraining/employability-plan-for-wales/?lang=en>

⁶⁵ <https://gov.wales/docs/dcells/publications/180321-employability-plan-technical-note-en.pdf>

Employment Advice Gateway

The Employment Advice Gateway will provide a common approach to identifying the needs of the individual, as part of reshaping employability support in Wales. This approach will identify those with employment support needs at the earliest possible stage and create a seamless referral process to employability support.

The Employment Advice Gateway will provide comprehensive and impartial employability advice and guidance to people aged 16 and older across Wales. It will enable individuals to talk to trained advisers about employment and skills, their aims and aspirations, and any issues they face in obtaining work. Advice and guidance will be provided face to face, over the telephone and online. Advisers will help by identifying barriers to employment, the best route to employment, and by referring people to the most appropriate intervention/s available. This could be to Working Wales, Communities for Work, or other interventions. The Employment Advice Gateway will be launched in February 2019.

Working Wales

Working Wales is a new programme designed to support people of all ages to overcome barriers and gain the skills to achieve and maintain good quality, sustainable employment. Working Wales will support delivery of the Welsh Government's Programme for Government, Taking Wales Forward commitment to reshape employability support for all individuals and forms an important part of the government's Employability Plan.

Community Employability Programmes

The Welsh Government's three key community employability programmes – Communities for Work, Parents, Childcare & Employment and Communities for Work Plus – form an integral part of the Welsh Government's Employability Plan.

The mentors and advisors on the programmes work intensively with participants in their communities to identify and overcome barriers preventing them taking up training or employment. They identify reasons why a person may not be in work, such as being disabled, ongoing health issues, caring or childcare responsibilities or lack of qualifications. They work with that person to overcome those barriers and support them to take up suitable training, employment, or self-employment opportunities based on their needs. This could include referral to self-employment advice and support; basic skills training; vocational training; volunteering or work experience.

- **Communities for Work**

Communities for Work, supported by the European Social Fund (ESF) and co-sponsored by DWP, focusses on reducing the number of 16-24 year olds who are Not in Education, Employment or Training (NEET) and increasing the employability of economically inactive and long term unemployed adults who have complex barriers to employment, who by the nature of their unemployment will have no or low skills.

- **Parents, Childcare and Employment**

The Parents, Childcare and Employment programme, is also supported by the ESF and co-sponsored by DWP. It targets economically inactive parents aged 25 and over, and parents

aged 16-24 who are NEET who have childcare as their main barrier to preventing them accessing education, employment or training opportunities.

- **Communities for Work Plus**

Communities for Work Plus provides intensive mentoring and support to both engage participants and address the complex barriers to employment experienced by those furthest from the labour market. It enables employability support to be provided to people either in, or at risk, of poverty who are not eligible for Communities for Work, Parents, Childcare and Employment or other regional ESF programmes.

Northern Ireland

Information is already provided in the answers to the Direct Request questions.

Persons with disabilities.

- ***The Committee requests the Government to continue to provide information on the impact of the measures implemented to address the needs of persons with disabilities in the open labour market.***

England

The information requested has already been provided in the main body of the response.

Scotland

We are implementing a wide range of policies which will support the labour market by removing long-standing barriers to people being able to fulfil their economic potential. For example, [a Fairer Scotland for Disabled People – Our Delivery Plan to 2021 for the United Nations Convention on the Rights of Persons with Disabilities](#) (2016) sets out how we aim to reduce barriers to employment for disabled people and to reduce by at least half, the employment gap between disabled people and the rest of the workforce.

Wales

Employability Plan

The Employability Plan launched in 2018 recognises that too few disabled people are in work, and aims to increase the number of disabled people in work through various measures including commitments to:

- work with partners to address the issues behind this, including employer attitudes, job design and working practices;

- work to increase the number of employers who place emphasis on creating workplaces which are inclusive and supportive environments for disabled people and those with long-term health conditions;
- work with partners to identify suitable targets for increasing the number of disabled people in work;
- ensure our employability programmes are accessible to all;
- work with partners to establish appropriate ten year targets to focus our efforts. Where adaptation to mainstream provision is appropriate, we will encourage organisations funded by Welsh Government to provide tailored traineeship opportunities for those disabled people who need it;
- encourage Anchor Companies and Anchor Institutions in particular to lead the way on providing opportunities for disabled people.

Framework for Action on Independent Living

The Welsh Government's Framework for Action on Independent Living was published in 2013 and is currently being reviewed with the aim of publishing a new version in Autumn 2018.

Our revised Framework will include clear targets and monitoring arrangements. It will set out how we are addressing social barriers to equality and inclusion so that disabled people have access to the same opportunities as everyone else. It will also set out a wide range of priority actions underway across Welsh Government to tackle some of the key barriers identified by disabled people themselves, including transport, housing and access to buildings and places. Enabling disabled people to access employment will be a key element.

The new Framework will continue to be rooted in the Social Model of disability, recognising there are organisational, attitudinal and environmental barriers to equality and inclusion which must be removed to create a level playing field.

Improving Lives Programme

In 2017, the Welsh Government established the Learning Disability - Improving Lives Programme to better understand whether people with a learning disability have what they need to lead successful lives. The Improving Lives Programme focusses on improving services in five key areas including:

- early Years – reducing adverse childhood experiences and improving the ability of parents with a learning disability to bring up their children
- housing – new models of supported housing will be developed, helping people to live closer to their friends and families
- social care – making sure everyone who needs it has access to good quality care and support which is focused on their needs
- health – through reasonable adjustments to mainstream services and access to specialist services when needed. To address health inequalities, making sure people with a learning disability receive the annual health checks they are entitled to and health boards ensure they meet the needs of people with a learning disability when in hospital
- education, skills and employment – supporting young people to make the most of their potential, and when they become adults ensuring they have the right support to allow them to live successful lives, through providing targeted careers advice and making sure more people with a learning disability have paid jobs.

Northern Ireland

Information is already provided in the answers to the Direct Request questions.

ANNEX 2

Direct Request (CEACR) - adopted 2015, published 105th ILC session (2016) **Employment Policy Convention, 1964 (No. 122) - United Kingdom (Ratification: 1966)**

Articles 1 and 2 of the Convention. Employment services.

- ***The Committee requests the Government to continue to provide information on the contribution of the employment services in the implementation of active labour market measures.***

England

The information requested has already been provided in the main body of the response under Back to Work Support to Get Britain Working.

Wales

This area is not devolved and is the responsibility of the UK Government.

Scotland

Fair Start Scotland (FSS) is one of the first examples of new powers devolved under the Scotland Act 2016 – delivering a distinctly Scottish employment support service; focussing support on those further from the labour market for whom work is a realistic prospect. This service has been designed nationally, but adapted and delivered locally in partnership with stakeholders; it will support Scottish Government ambitions for sustainable economic growth, social justice, inclusion and fair work.

FSS reflects the reality of Scotland geography, regional economies and population spread - with 9 contract areas – rather whole of Scotland together as one area. FSS has encouraged providers to commit to the Fair Work, Workforce and Community Benefits agendas by:

- accrediting and promoting living wage employment;
- no use of zero hours contracts or umbrella companies;
- committing to Modern Apprenticeships and developing the young workforce;
- targeting priority groups for recruitment; and
- supporting the Scottish Business Pledge.
- using public procurement legislation to reserve an £8 million contract for delivery of Fair Start Scotland by a supported business.

Northern Ireland

See response from Northern Ireland on pages 96 to 98.

Education and training.

- ***The Committee requests the Government to provide information on the results achieved by the various National Skills Academies in matching skills and labour market needs.***

England

National Skills Academies

In response to the Committee's request, above, about NSAs.

National Skills Academies (NSAs) were rolled out from 2006 as an overall policy to increase employer influence in shaping the quality and content of vocational training across the main sectors of the economy in England. Government investment in NSAs was to co-finance the development of NSAs over 3 years, after which NSAs were expected to become self-financing. Over 6 funding rounds, the number of NSAs increased to 18, including in Nuclear, Food and Drink, Construction, Manufacturing, IT, Creative and Cultural Skills, Power and Rail Engineering. Most NSAs were established as wholly owned subsidiaries of Sector Skills Councils (SSC) and most drew on SSC resources (also Government funded) as Government funding came to an end. All funding for NSAs ceased from after March 2016 as part of an overall Government policy to withdraw funding from Sector organisations, including the UK Commission for Employment and Skills, SSCs and NSAs. Some NSAs continue to operate, either as part of an SSC, as Quality Assurance bodies within the apprenticeships programme (e.g. National Skills Academy for Rail Engineering) or as commercial training organisations. Remaining NSAs are also members of the Federation for Industry Sector Skills and Standards (FISSS), which manages the process for certifying Apprenticeship frameworks in England, Scotland and Wales. See this link <https://www.gov.uk/business-finance-support/national-skills-academies-england>.

The only evidence of the impact of NSAs is set out in the Evaluation report published in 2011. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/32298/11-1069-evaluation-national-skills-academies.pdf

This report indicated that NSAs had had some success in improving the quality of skills supply to their sectors through training for new entrants via

- working with young people in schools (aged 14-16) to help them to understand careers in specific sectors;
- new industry specific programmes through the recruitment and training of apprentices (e.g. in the Creative and Cultural sector) and working with employers and Higher Education Institutions to create new Foundation degrees or other graduate level training.
- Increasing diversity (e.g. Financial Services apprentices' ethnic, age and gender profiles were significantly more diverse than the sector as a whole)

NSAs also developed programmes to up-skill existing staff, for example through

- Development and roll-out of skills passports (e.g. in the Nuclear sector)

- Development of progression routes such as leadership and management courses and Continuing Professional Development (CPD) frameworks.
- Promotion of specific qualifications such as Business Improvement Techniques and development and delivery of new short courses aimed at supervisors, team leaders and managers.

There is no later published information available on the achievements of NSAs.

In terms of successor arrangements, the UK Government in England has moved to a genuinely employer-led approach to apprenticeships, whereby groups of employers (“Trailblazers”) work with stakeholders to develop new apprenticeship standards. The overall management of apprenticeship standards and content is being led by the Institute for Apprenticeships (established by the Enterprise Act in 2016), which started operations in April 2017 and is responsible for approving standards through its 15 (sector) route panels. These route panels will also be responsible for approving the new Technical Level qualifications (T levels), due to be rolled out from 2020.

Wales

This area is not devolved and is the responsibility of the UK Government.

Scotland

Information is already included in the 2018 response to C122.

Northern Ireland

National Skills Academies do not operate in Northern Ireland.

Youth employment.

- ***The Committee requests the Government to continue to provide information on the impact of the measures taken to address youth unemployment.***

England

The information requested has already been provided in the main body of the response under the Youth Obligation Support Programme.

The Department is investigating the possibility of publishing statistics from the Youth Obligation Support Programme. This will be announced in accordance with the Code of Practice for Official Statistics.

Wales

Employability Plan

The Welsh Government Employability Plan outlines the Welsh Government's new approach to employability in Wales. The vision is to work towards making Wales a full employment, high tech, high wage economy which prepares people for a changing world of work; whilst ensuring that the benefits and employment opportunities provided by the Foundation Economy are retained locally. The aim is to provide people of all ages and abilities with high quality education and skills to meet the challenges and work opportunities of tomorrow, and to instil in everyone a passion to learn throughout their lives, inspiring them with the ambition to be the best they can possibly be. The Welsh Government will work in partnership to deliver this, and to remove any barriers which stop people from contributing to the world of work.

The Employability Plan was published in March 2018 and as such is it too early to report on progress. We have however, set stretching ten year targets⁶⁶ to set the direction for all partners working on employability, so we are more coordinated and efficient, and reduce duplication of activity. These targets will be regularly monitored and we will issue annual progress reports. We will provide statistics on a regional basis to ensure we are on track for delivery.

Youth Engagement and Progression Framework⁶⁷

The Youth Engagement and Progressions Framework (YEPF) aims to reduce the number of young people not in education, employment or training (NEET). It is based around 6 component elements, proven to be effective at increasing youth engagement and progression. These elements aim to:

- identify young people most at risk of disengagement
- provide better brokerage and co-ordination of support
- provide stronger tracking and transition of young people through the system
- ensure provision meets the needs of young people
- strengthen employability skills and opportunities for employment
- provide greater accountability for better outcomes for young people.

Our YEPF is having a real impact. We are pleased that the numbers have reduced again this year - as at 2017, 9.5% (9,800) of 16-18 year olds were NEET compared with 10.5% (11,200) at the end of 2016. For 19-24 year olds as at 2017, 16.2% were NEET (40,100) compared with 18.5% (46,000) at the end of 2016.

The numbers of young people NEET have reduced every year since the YEPF was introduced. As at 2012 before the introduction of the YEPF, 12,500 16-18 year olds were NEET compared with the latest figure of 9,800 and there were 59,900 19-24 year olds NEET in 2012 compared with the latest figure of 40,100.

It is also positive that the Careers Wales destination survey is showing that the number of young people NEET at 16 has fallen again and is now 1.6% compared to 2.0% in 2016.

A key success of the YEPF has been the availability and sharing of data in order to reduce the number of young people not in education, employment and training (NEET).

⁶⁶ <https://gov.wales/docs/dcells/publications/180321-employability-plan-technical-note-en.pdf>

⁶⁷ <https://gov.wales/docs/dcells/publications/131007-ye-framework-implementation-plan-en.pdf>

The data has allowed local authorities to identify those NEET or at risk of becoming NEET and put in appropriate support, to re-engage them/ keep them engaged in education, training or employment. The data also helps local authorities refocus their expenditure on provision that is delivering effective outcomes and value for money.

The Framework's success is down to the commitment of local authorities, Careers Wales and other partners to work collaboratively to ensure young people are getting the support they need, when they need it.

Embedding systems takes time and the Youth Engagement and Progression Framework is creating cultural change within local authorities. This cultural change is based on the effective use of data and targeting of resource to ensure improved and positive outcomes for those most at risk.

More information on [The Youth Engagement and Progressions Framework](#) is in the main body of this report.

Jobs Growth Wales

Jobs Growth Wales is aimed at unemployed young people aged 16-24, giving them valuable work experience for a 6-month period, paid at or above the National Minimum Wages between 25 and 40 hours per week. The ambition for the programme is that the job opportunities will be sustained by the employer after the 6 months has completed.

Jobs Growth Wales not only provides a valuable career opportunity, it enables young people to gain the essential skills employers are looking for and helps companies to grow.

Since 2012, the Programme has successfully engaged with thousands of employers across Wales. 23,377 job opportunities have been created and over 18,382 job opportunities have been filled.

Traineeships

More information on traineeships is in the main body of this report.

Traineeships is a non-employed status training programme for 16-18 year olds not otherwise engaged in post-16 education or employment. The primary objective of the programme is to equip young people; with the skills, qualifications and experience to enable them to progress to learning at a higher level or to employment.

Between August 2013 and July 2017, 33,315 learners started on the Traineeship programme

Working Wales

The existing Traineeship and Jobs Growth Wales programmes will close in 2019. These, along with other employability support programmes, will be consolidated into the new Welsh Government all-age employability programme, Working Wales which will commence delivery in April 2019.

Working Wales will provide a new approach to delivering employability and skills support, designed to meet what individuals need to gain employment rather than fitting them into narrow programme eligibility criteria. It will consist of 3 strands: Youth Engagement, Youth Training and Adults.

This programme will commence in 2019.

Scotland

[Developing the Young Workforce](#) (DYW) is Scotland's youth employment strategy and through DYW, we aim to reduce youth unemployment levels by 40% by 2021.

The strategy aims to create an excellent, work relevant education offer to young people in Scotland, giving them the skills for the current and anticipated jobs market.

This includes creating new vocational learning options; enabling young people to learn in a range of settings in their senior phase of school; embedding employer engagement in education; offering careers advice at an earlier point in school; and introducing new standards for careers guidance and work experience.

Together with [Getting It Right for Every Child](#) and **Curriculum for Excellence**, DYW is the key policy approach through which the SG is creating excellence and equity in Scottish education.

In comparison with the UK, we have a higher youth employment rate (56.3% vs. 54.0%), a lower youth unemployment rate (8.9% vs 10.8%) and lower youth inactivity rate (38.2% vs. 39.5%). (*Scotland and UK Labour Force Survey (LFS): Feb-Apr 2018*).

The Scottish Government has concluded the **Education Delivery Plan** commitment to "review the learning journey for all 16-24 year olds to ensure that education provision for young people is as effective and efficient as possible and provided more stepping stones for those needing most support".

This commitment was recast into a [15-24 learner journey review](#), to encompass all young people in the senior phase. The Review commenced in 2016 and considered how best to increase the efficiency of the learning system which enhancing quality and access for learners, acknowledging the importance of learner personalisation and choice alongside system efficiency. The Review has now concluded and the report was published on 10 May 2018.

Northern Ireland

In Northern Ireland, the Department for the Economy offers a guarantee of a training place through its Training for Success (TfS) programme for all unemployed 16-17 year old school leavers who do not wish to remain in, or are not able to benefit from, mainstream education or further education. This guarantee is extended for young people with a disability or from an in-care background up to the ages of 22 and 24 respectively.

Between the academic years 2012/13 and 2017/18 (up to October 2017), 19,710 participants started on TfS 2013/2017.

Between the academic years 2013/14 and 2017/18 (up to October 2017), 14,721 participants left TfS.

Between the academic years 2013/14 and 2017/18 (up to October 2017), 1,279 participants left Skills for Your Life (Entry Level training provision). Of these, 59% gained a qualification

Between the academic years 2013/14 and 2016/17 (up to October 2017), 12,554 participants left Skills for Work (Level 1 and Level 2 training provision). Of these, 66% gained a qualification.

The Department's Apprenticeships NI also supports apprentices (in paid employment from day one) with the opportunity to work towards achieving industry-approved qualifications. Programme funding is focused on apprentices aged between 16 and 24 years old.

Between the commencement of the programme (August 2013) and 2017/18 (up to October 2017), 25,515 participants started ApprenticeshipsNI 2013/2017. Of this total, 46% have been targeted at Level 2, 11% at Level 2/3 and 41% at Level 3.

Since the 2013/14 academic year, 17,367 participants left the programme. Of these, 61% achieved all targeted (Apprenticeship Framework) qualifications..

Older workers.

- ***The Committee requests the Government to continue to provide information on the impact of the measures taken in terms of promoting an increased participation of older workers in the labour market.***

England

Through a combination of headline measures in September 2017 the government published '[Economic labour market status of individuals aged 50 and over, trends over time](#)' on Fuller Working Lives. The Office for National Statistics also publish a monthly statistical bulletin on the UK labour market which provides estimates of employment, unemployment, economic inactivity and other employment-related statistics for the UK, including an age breakdown. The latest release can be found here: '[UK Labour Market: June 2018](#)'. Both measures are publically available so that individuals, employers and stakeholders as well as government, can monitor change.

Wales

Since 2016, the Welsh Government has been delivering a communications campaign to highlight the issues of demographic change, an ageing population and the impact of an ageing workforce. The 'People Don't Have a Best Before Date' campaign challenges perceptions and encourages employers to retain, train and invest in the skills of older workers as well as recruiting older workers as part of a multi generational workforce.

The campaign is designed to challenge attitudes and is a long term strategy to encourage attitudinal change and influence behavioural change. Whilst it is too soon to evaluate the full impact of the campaign on employers' attitudes, we can report that in 2017, the total PR reach of the campaign was 7,842,521 people.

Scotland

Older people are an asset to Scotland. We are committed to promoting and protecting equality and human rights for older people and are working with older people's organisations to shape our policies

and services to ensure that, wherever possible, older people can enjoy a thriving ‘third age’. We will be guided by the [UN Principles for Older Persons](#), including in relation to actions which deliver against important economic, social and cultural rights such as the Right to Health, the Right to Work, and the Right to an Adequate Standard of Living. This will be underpinned by participation to ensure access to services and address social exclusion.

We have published [Older People and Employment in Scotland](#) (2017) to build on this earlier research and to develop understanding of the motivations, opportunities and barriers experienced by older workers (defined here as 50+) and employers around later-life working, in order to inform policies on supporting older people who wish to extend their working lives.

We will be examining these findings to determine how we can help ensure older workers achieve a good work life balance.

Northern Ireland

In Northern Ireland Steps 2 Success (S2S) is the Department for Communities’ (DfC) main return to work programme. The aim of S2S is to help eligible benefit recipients find and sustain work thereby supporting the needs of employers and the economy. It was developed to build on the success of the previous Steps to Work programme and was introduced in 2014.

Steps 2 Success is a new approach to the delivery of employment programmes in Northern Ireland. The focus is firmly on job outcomes and Contractors are paid on the basis of results achieved. Contractors have been given freedom and flexibilities as part of the design of Steps 2 Success enabling them to focus on individual’s needs and barriers to work, instead of providing a menu of provision as was the case with New Deal and Steps to Work.

Participation on Steps 2 Success is mandatory for all Jobseeker’s Allowance (JSA) claimants who are:

- aged between 18 and 24 and have been claiming JSA for 9 months and;
- aged 25 and over claiming JSA for 12 months or more.

Jobseeker’s Allowance (JSA) clients who, in the opinion of their Employment Adviser, have significant barriers to work which cannot be addressed by the Working Age Service, may be considered for referral to the Steps 2 Success programme at an early stage.

Employment and Support Allowance (ESA) claimants who are in the Work Related Activity Group (WRAG) can be referred to Steps 2 Success if it is agreed that Steps 2 Success would be the best opportunity to help meet their needs. Clients referred from the ESA (WRAG) category are expected to fully participate in the programme.

Voluntary participation on Steps 2 Success can be offered to existing ESA clients in the Support Group, lone parents in receipt of Income Support, Carers and Pension Credit claimants who are looking to prepare for and find work and wish to join the programme.

Clients remain on the programme for a period of 12 or 18 months depending on their client category.

Following the completion of S2S, all JSA claimants who either remain on benefit or return to benefit for 26 weeks are required to return to the programme for a second 52 week spell.

Key Statistics

- The Labour Force Survey (LFS) unemployment rate for March to May 2018 was unchanged over the quarter and fell by 1.8pps over the year to 3.5%, below the equivalent UK rate (4.2%) and below the EU (7.1%) and the Republic of Ireland (5.9%) rates for April 2018.
- The number of people claiming unemployment benefit in June 2018 (which includes some out-of-work claimants of Universal Credit) was 28,600 (3.1% of the workforce). This is a decrease of 200 from last month's revised figure and a decrease of 1,800 (6.0%) over the year.
- The long-term unemployment rate was 59.0%, markedly higher than the equivalent UK rate.
- Economic inactivity rates over the period were estimated at 27.5%, the highest of any UK region and substantially higher than the national average (21.0%).
- The proportion of people aged 16 to 64 in work (employment rate) from March to May 2018 has increased by 0.3pps over the quarter and by 1.1pps over the year to 69.8%, but remains well below the UK average (75.7%) and the lowest of the twelve UK regions.
- At the end of March 2018 a total of 49,426 clients had started S2S, of which 72% were in the JSA 25+ category, 23% were in the JSA 18-24 category and 4% were in the JSA Early Entry category. Only a small number of ESA and Voluntary clients have started the programme
- The into employment statistics contained in the bulletin focus on those clients who started the programme during the first 30 months (between October 2014 and March 2017) as the majority of these clients have completed the programme. For this period 29% (12,166) of clients have moved into employment. Performance increased from 29% in the first quarter of the programme to 38% in Jan – Mar 16 but has subsequently fallen to 27% in Jan - Mar 17.
- The percentage of clients moving into employment varies across the three Contract Areas from 32% in the Southern region to 30% in the Belfast region and 26% in the Northern region. The overall baseline performance level is 28%.
- For the JSA 18-24 category, 40% of participants who started the programme between Oct 14 and Mar 17 have moved into employment. This increased from 35% in the first quarter to 46% in Jan – Mar 16 and has fallen to 37% in the most recent quarter. During the same period the JSA 25+ category seen performance improve from 26% in the first quarter to 35% in Jan – Mar 16 before decreasing to 24% in the most recent quarter and sits at 26% overall.
- To date, the percentage of returners moving into employment has been considerably lower than for first time participants. In the most recent quarter (Jan – Mar 17) 37% of first time participants have moved into employment in comparison to only 20% of returners.
- Between October 2014 and September 2016 19% (6,883) of clients have sustained employment for 6 months. This equates to 65% of those who moved into work.
- Between October 2014 and March 2016 15% (4,206) of clients have sustained employment for 12 months. This equates to 50% of those who moved into work.

- Early into employment figures for clients who started the programme during the first 42 months (between October 2014 and March 2018), show that Steps 2 Success has helped 13,661 clients into employment. As the majority of clients from the latter cohorts are still on the programme, the number moving into employment for this period is expected to increase over time.

ANNEX 3

UK Government response to UK workers - Trade Union Congress (TUC) comments on C122:

Page 5 Employment policy

TUC comments:

Although the UK currently has record levels of employment, insecure work is prevalent, pay growth is weak, jobs growth has not been regionally balanced, and low pay is widespread.

The TUC has highlighted the numbers in insecure work. The most recent analysis shows there are 3.8 million UK workers in these insecure forms of employment (agency, casual, seasonal, zero-hours contracts work and the low-paid self-employed). This is 11.9 per cent of the workforce, or one in nine workers. This rise in insecure work has affected all nations and regions across the UK, with workers often also experiencing low pay, economic hardship and a lack of control over their working hours.

TUC analysis shows UK workers are suffering the longest squeeze on real wages in modern history. Our analysis compared the current wage squeeze (including the forecast) with every major earnings crisis over the past two centuries. The TUC estimated that due to pay not keeping pace with the cost of living, by 2025 the average worker will have lost out on around £18,500 in real earnings. A decade on from the financial crisis, real wages are worth £24 a week less than they were in 2008. By the time they are forecast to return to their precrash level in 2025, real wages will have been in decline for 17 years. This is the longest period since the beginning of the nineteenth century.

Furthermore, the jobs growth has not been shared fairly among regions. Regional data from 2007–17 showed that over half the net growth in employment in the UK has been in London and the south-east.

On low pay, 4.9 million employees (18 per cent) earn less than two-thirds of median earnings, which is the most commonly used benchmark for low pay.

All data cited from TUC General Council Report 2018

https://www.tuc.org.uk/sites/default/files/General_Council_Report_2018.pdf

UK Government response:

Full Time Employment

Full-time employment is up by over 2.63 million since 2010 to a record high of 23.86 million, accounting for over ¾ of the total rise in employment. The number of employees is up by over 2.5 million since 2010, driven entirely by a rise in permanent employees (up by over 2.5 million). Employment itself is up by over 3.3 million since 2010, with 60% of the growth in employment being outside London and the South East.

Pay Growth

The introduction of the National Living Wage (NLW) delivered the lowest earners' fastest pay rise in 20 years. In April this year, we also increased the NLW by 4.4% from £7.50 to £7.83. These changes have increased a full-time worker's annual pay by over £2,000 since its introduction in 2016. And now the Resolution Foundation has found that the share of workers on low pay is 18.1% (4.9 million workers) – the lowest level since 1982.

Forms of Work

Twenty years ago people in permanent employee jobs made up around 80% of total employment. Today they still make up around 80% of total employment. The number of people on zero hours contracts (ZHCs) remains a very small proportion of the workforce (2.4 per cent) – because, for a small proportion of the workforce, that may be the kind of contract that's right for them. On average, people on ZHCs work 25 hours a week. It is important to note that some individuals might choose to have a ZHC alongside a permanent job or that for some this type of work allows them to access the workplace because of personal circumstances such as having caring responsibilities or health issues.

The Office of National Statistics (ONS) have this August also released the latest figures which show that the number of ZHCs that individuals report as being their main job has fallen by 104,000 in the past year to 780,000 people.

Page 18 Welfare Reform

TUC comments:

*The government report states that there has been no change since the last report to **simplifying the welfare system and making sure work pays**: the last report covered up to May 2015, and the roll out of Universal Credit has been gathering pace over the last few years. Roll out of the Full Service began in 2016, when the Full Service is introduced in an area, new claims are taken from all claimant types and existing Live Service claimants are moved over to the new system. The full system is set to be in place across all job centres in the UK by the end of the year.*

The introduction of Universal Credit (UC) is one of the most significant social security reforms in recent decades in the UK. Currently just under a million are on UC in the trial areas, and eventually around seven million families will be on UC, including half of all families with children.

The TUC believes the roll out of UC has been shambolic. Warning after warning about the new system has been ignored. And the TUC has repeatedly called for the roll out of UC to be stopped and for a fundamental rethink of the policy.

The problems with UC are well documented; difficulties in registering a UC claim online, excessive payment delays, housing arrears, financial hardship and increased use of foodbanks. And it is not just the delivery of UC; there are serious issues with the design and the policy of UC embedded within the new system. This includes the rigidity of the monthly assessment periods not working for all claimants, financial cuts to UC which have made it less generous than the previous system, questions

on the notion of 'making work pay', and the lack of detail on how in-work conditionality will work in practice.

The government is now proposing the managed migration of UC begins in January 2019. The TUC believes that UC based on its current design, and on the experience of the roll out so far, is not fit for purpose and the roll out should be halted.

UK Government response:

Whilst there is a lot of campaigning about Universal Credit (UC) and its alleged impact, the facts are that UC is working. 83% of UC claimants are satisfied with their experience of UC, and only 0.07% of claimants have registered a complaint, below the level of Job Seekers' Allowance (JSA). UC claimants are more likely to look for work, and to attempt to increase their work hours once in employment than those on legacy benefits.

UC replaced an expensive and outdated system, which suffered from two fundamental problems: poor work incentives and complexity. As a result the legacy system hindered rather than helped millions of individuals in poverty. Halting the rollout of UC would cause confusion for claimants already receiving UC and leave millions trapped on a legacy system, with no extra support and no incentive to work. It is in any event in around three quarters of jobcentres already. As the National Audit Office rightly acknowledged in their recent report, changes to the benefit system have become increasingly embedded across the department, and any attempt to halt or reverse this process would be complex and expensive.

Page 23-27 Disabled people - specialist provision

TUC comments:

The Work and Health Programme (WHP) – helping those who face the greatest barriers to find work

This new programme commenced in November 2017, so any evaluation at this point would be inconclusive.

Personal Support Package

This new programme commenced in April 2017, there is not a comprehensive evaluation of its success.

Local Supported Employment

This new programme commenced in November 2017, so any evaluation at this point would be inconclusive.

The above are new programmes and therefore a proper evaluation of their success is not available. The TUC has concerns about the government's current approach to disabled people and work.

The UK is a signatory to the United Nations Convention on the Rights of Persons with Disabilities.

In August 2017 the UN Committee made concluding observations on the UK's performance against the convention. The committee listed as its concerns that disabled people were less likely to be in employment and, if they were, more likely to be paid less. They highlighted problems with in work benefits such as Employment and Support Allowance (ESA) and included the fact that the Work Capability Assessment did not take account of all the barriers to work faced by disabled people.

The Committee recommended that the UK acts to:

- Develop, introduce and monitor an effective employment policy for disabled people, to ensure that they can access decent work and that there is equal pay for work of equal value.*
- Ensure that reasonable adjustments are made for disabled people who need them to do their jobs, that regular training on reasonable adjustments is available to employers and employees, and that there are effective penalties when reasonable adjustments are not made.*
- Ensure that the process of assessing the ability to work, including the Work Capability Assessment, takes into account the various barriers to work that disabled people face, in line with the human rights model of disability, also known as the social model of disability.*
- Ensure that the support disabled people need to work, as well as financial support, are not subject to sanctions or conditional upon disabled people seeking jobs.*

However, to date, the UK Government has not made any commitment to implementing the UN Committee's recommendations in 2017 or on the steps it needs to take to comply with the UN Convention.

The government has made cuts to disabled people's financial support for in work and out of work benefits, having a detrimental effect on disabled workers' abilities to secure good work. This has been exacerbated by poor, slow and inaccurate assessments of disabled workers' entitlements.

This is particularly concerning when the TUC's own research confirmed the issues raised in the UNCRPD Committee are specifically linked to the UK's persistent disability employment and pay gap. TUC research found the disability employment gap is currently over 30 percentage points when compared to their non-disabled peers and the UK's overall figures. This gap has remained relatively unchanged, despite government's promises to address it. ¹ It also identified the disability pay gap as another of the major UK employment inequalities faced by disabled people. TUC analysis shows that the pay gap is around 15 per cent. This means that on average a disabled worker (as defined by the Equality Act) earns £1.50 less an hour than a nondisabled counterpart.

The [Public Accounts Committee](#) found in July 2018 that thousands of claimants were failed by the DWP 'culture of indifference.' It estimated that 70,000 disabled benefits claimants were underpaid between £5,000 and £20,000 between 2011 and 2016 when moving them onto the new ESA.

[Further evidence](#) reveals that many DWP assessments have been successfully appealed. The Works and Pensions Select Committee found issues with the DWP's treatment of benefit claimants before, during and after assessments. It also found that in a large minority of cases the proper benefit was not awarded after the first assessment.

The TUC has strong concerns regarding benefits conditionality and sanctions and believe they should be addressed as priority. Evidence points to them penalising disabled workers more than others and being ineffective in facilitating the transition of disabled people from unemployment into paid work. This was confirmed in a recent report by [the Economic and Social Research Council](#) which found:

- Benefit sanctions have no tangible positive effects in moving disabled people closer to paid work. As with other service user groups interviewed, benefit sanctions routinely trigger profoundly negative personal, financial and health impacts that are likely to move disabled people further away from the paid labour market.*
- The application of welfare conditionality exacerbates many disabled people's existing illnesses and impairments. Its detrimental impact on those with mental health issues is of particular concern.*

UK Government response:

The UK Government is absolutely committed to provide financial support for those people with long-term health conditions or disabilities who need it. The UK will be spending an estimated £54 billion this year on benefits which support disabled people and people with health conditions. As a share of Gross Domestic Product, the UK's public spending on disability and incapacity is higher than all other G7 countries bar Germany.

The UK Government has provided a written response to the recommendations of the UN Committee on the Rights of Persons with Disabilities following its review last year of the UK's implementation of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The UN Committee asked the UK to respond to selected recommendations 12 months after the review, which is a standard part of the reporting cycle. The response includes the recommendations highlighted in relation to Article 27 of the Convention – work and employment, and Article 28 – Adequate standard of living and social protection, which can be found in section 2 and 3 of the published response: <https://www.gov.uk/government/publications/disabled-peoples-rights-information-following-the-uks-first-periodic-review/concluding-observations-on-the-initial-report-of-the-united-kingdom-of-great-britain-and-northern-ireland-initial-government-response>

The overall system of support and conditionality underpinned by sanctions delivers positive outcomes for anyone whose health condition or illness does not prevent them looking for and preparing for work, just as it does for other benefit claimants.

Employment rates for disabled people have risen substantially, reaching 49.2% in quarter 2 (Apr-Jun) 2017 are, up 5.6 points over the previous four years. We have also seen an average of 400,000 moving in to work from out of work who have a disability.

The UK does everything possible to ensure that individuals are not in a position where they may be sanctioned. We engage at a personal and individual level with all of our claimants and are committed to tailoring the support that we give. Work-related requirements are tailored and agreed according to the claimant's capability and personal circumstances, making them realistic and achievable. No one is expected to undertake an activity that is beyond their capability.

The proportion of benefit decisions that are overturned at appeal need to be considered in context: since Personal Independence Payment (PIP) was introduced 3.5 million decisions have been made; of these 9 per cent have been appealed and 4 per cent have been overturned. And between April 2014 and March 2018, 3.5 million Employment and Support Allowance (ESA) (post-Work Capability Assessment) decisions have been made; of these 8 per cent have been appealed and 4 per cent have been overturned. The main reasons decisions are overturned on appeal are oral evidence given by the claimant, and new written evidence provided at the hearing which has not previously been seen by the Department for Work and Pension's (DWP) decision makers.

There are strands of work in progress to drive continuous improvement in the decision making process. This has included the deployment of approximately 150 Presenting Officers, who are presenting DWP's case in a number of PIP and ESA appeals. Presenting Officers have a role in gaining valuable insight into tribunals' view of DWP's processes - both at the original decision stage and at mandatory reconsideration - and why decisions may be overturned. Their feedback is being directed to the relevant parts of the business in order to drive long term improvements to the claimant journey. DWP is also running a series of tests exploring the different ways evidence could be gathered, and the quality of decision making.

DWP is correcting some historic underpayments of ESA, which arose while reassessing incapacity benefit claims. The proportion of cases with an underpayment is estimated to be a small percentage of those who transferred over from incapacity benefits. Departmental analysts are currently working on refining estimates to reflect the decision announced on 18 July 2018 to pay arrears to those affected back to the date of conversion to ESA.

DWP identified this problem and started taking steps to put it right as quickly as possible, we have been clear in our responses to the National Audit Office and Public Accounts Committee that we are taking this issue seriously and are ensuring that we learn from the issues raised. DWP spends over £50 billion per year to support disabled people and those with health conditions; it is unfortunate, but given the size and complexity of our operations, mistakes are sometimes made. What is important is that we put them right and learn from them, which is what we are doing.