

There are 1.5 million people with a learning disability in the UK. Of these, only around a fifth are currently in employment. Mencap believes this must and can change.

## What is a learning disability?

A learning disability is caused by the way the brain develops before, during or shortly after birth. It is always lifelong and affects someone's intellectual and social development. There are different types of learning disability, which can be mild, moderate, severe or profound. It used to be called 'mental handicap' but this term is outdated and offensive. Learning disability is NOT a mental illness nor a learning difficulty, with the latter including things like dyslexia or dyspraxia.

## What does this mean in the context of employment?

People with a learning disability can make great employees! Evidence has shown that they are dedicated workers, having fewer sickness absences on average than other employees. In addition, people with a learning disability generally stay in entry-level jobs longer, saving employers money on recruiting and training new staff.

Many employers also report that their staff team morale increases as a result of working with their colleagues with a learning disability.

However, people with a learning disability find it harder than others to learn, understand and communicate. They may need some support with learning new tasks or with understanding new situations. They may lack confidence and need a little extra support at the start, particularly as many may not have had any work experience before. You can find more information in **Factsheet 5: What support is available**.

You may need to provide some adjustments in the workplace for them to help them to do their job, but this does not mean that they are unable to work. You can find further information about what adjustments you can make to get the best out of an employee with a learning disability in **Factsheet 4: Practical steps**. **Adjustments need not cost a lot of money – in fact, most are free.**

## Types of roles people with a learning disability can typically do

People with a learning disability are all individuals with different skills so they will be able to do many different kinds of jobs. A learning disability can be mild, moderate or severe, so some people with a learning disability can do more complex tasks while others will need more basic responsibilities.

While we would encourage you to keep an open mind about what each individual can offer, there are some general guidelines about the sort of jobs you might be able to open up to candidates with a learning disability.

## The types of jobs that could most easily be made accessible to people with a learning disability include:

- jobs that require practical skills that can be learned through practice and repetition
- jobs that do not require high level qualifications
- jobs that do not require a driving licence
- jobs that have fixed elements and only require a little multitasking
- jobs within teams where tasks can be shared and support can be offered.

## For instance, roles such as, but not limited to:

- warehouse operative
- administrator
- retail
- customer service
- cleaning
- catering

Many employers experience difficulty in recruiting to entry-level roles. Supported employment agencies, such as Mencap, can help guide employers further and can help you to match the right person to the right job. More information about the various programmes on offer and the support available, including apprenticeships for people with a learning disability, appears in **Factsheet 5: What support is available**.

**“What’s not to like about hiring exceptional candidates? We’ve quickly learned that there can be a fabulous overlap between candidates with learning disabilities and exceptional employees – and any employer that isn’t interested in that overlap is missing out in a big way.”**

– Raj Panasar, partner at law firm Cleary Gottlieb.

## Getting the right person for the right job

By welcoming candidates with a learning disability, you will be tapping into a pool of talent that you are unlikely to have reached before. You are more likely to recruit the right person to the right job if you are not excluding a particular group for no good reason.

**“Succeeding in business is your top priority. So finding the best people is essential. Over 7 million people (17.5%) of working age in the UK are disabled or have a health condition.”**

– Disability Confident 2016

If you have jobs that are hard to recruit to, or tasks that your staff struggle to fit in to their workload, you may find that a candidate with a learning disability would be a good fit in your business.

## Reputational advantages

Your customer base will appreciate the efforts you are making to be an equal opportunities employer. Many of your actual and potential customers are disabled people. Your organisation will be more representative of the community. 77% of the public think more highly of companies that make an extra effort to employ disabled people.<sup>1</sup>

## Benefits to staff teams

Your staff will overcome any misconceptions about learning disability by getting to know a colleague with a learning disability. This will also be useful when dealing with disabled clients or customers.

Your staff are likely to respond well to a more diverse team, particularly if they are given the chance to ‘buddy’ or line manage the person.

Most people with a learning disability face multiple barriers to finding employment. Overcoming challenges to find work is a huge achievement and this is often reflected in the positive attitudes they bring to the workplace as a result. Their enthusiasm can be infectious and improves staff morale.<sup>2</sup> Team dynamics and overall performance have been known to improve

as a result of employing someone with a learning disability. To find out more about the benefits to companies employing people with a learning disability, read Good for Business

**“As Head of Talent Acquisition for Clipper and the Project Manager for our Fresh Start Diversity & Inclusion programme, I am delighted with the success of our partnership with Mencap and the traineeship programme they have provided for us.**

**The trainee programme (set up by Mencap) began just over 6 months ago and it has surpassed all my expectations in terms of the impact and success it has had. Mencap worked hard for 6 months before launching the scheme, to understand our business intrinsically which has paid dividends in that the trainees they have provided are completely in tune with our business and are a great asset to Clipper.**

**The trainees I have met are passionate, hard-working and loyal to Clipper. One of them has already received Employee of the Month and I understand that 3 Mencap workers achieved the top 3 pick rates within the operation a week or so ago. This is amazing and proves to me how successful the Mencap scheme is in terms of training the trainees to do the job well. Equally important, Mencap ensure that the trainees enjoy their work, do not feel undue pressure, and are assimilated into the Clipper culture effectively. I am confident that the Mencap trainees are happy in their work and the experience of working with Mencap and Clipper has had a very positive effect on their mental health and wellbeing.**

**Similarly, I have had feedback from my Clipper colleagues that the experience of working with Mencap and the traineeship has been an entirely positive experience, very rewarding, and has enhanced their working life.**

**The Mencap employees are subject matter experts, completely authentic, and a pleasure to work alongside. Nothing is ever too much trouble for them and they are always very responsive to any queries Clipper have. I would highly recommend the Mencap traineeship to all businesses as an effective and positive scheme that benefits all involved.”**

– Jennifer Swain, Head of Resourcing,  
Clipper Logistics plc

1. Charity Awareness Monitor, September 2004  
2. Good for Business, 2018

The Equality Act 2010 legally protects people from being discriminated both at work and in wider society.

The Act was introduced to make the law easier to understand and to strengthen the protection people receive from it. It outlines what treatment of people is unlawful.

## Who is protected under the Act?

There are a number of protected characteristics under the Equality Act, including disability.

A person is considered to be disabled under the Equality Act if they have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities.

- 'Substantial' means that it is more than minor or trivial; for example, it takes much longer than it usually would to complete a daily task like getting dressed.
- Long-term means that your condition or disability has had an adverse impact on someone's life that
  - has lasted for more than 12 months OR
  - is likely to last for more than 12 months OR
  - is likely to last for the rest of their life, if they are expected to live for less than 12 months

There are some people who automatically meet the disability definition under the Act. People with HIV, cancer and multiple sclerosis fall into this category.

## The Equality Act and reasonable adjustments

The Equality Act 2010 requires employers to make reasonable adjustments that will remove barriers to disabled people seeking to find and keep a job. Employers are required to take reasonable steps to avoid disadvantaging a disabled person compared to a non-disabled person. The duty applies during recruitment and all stages of employment, including dismissal. You can find more information about reasonable adjustments in **Factsheet 4: Practical steps**

An employer must make adjustments that are considered to be 'reasonable' to ensure its workplace or practices do not disadvantage a disabled job applicant or employee already with the organisation. Not doing so is likely to be considered disability discrimination under the Equality Act.

Employers should therefore always make sure that they have processes in place to ensure that reasonable adjustments are available to applicants and employees in the context of:

- recruitment and selection
- determining pay, terms and conditions
- sickness absence
- training and development
- promotion
- dismissal
- redundancy

The question of what is 'reasonable' will depend on circumstances. Because the law requires employers to make reasonable adjustments for colleagues who are disabled, more favourable or different treatment afforded to a disabled colleague is not considered discrimination against others who are not disabled. However, the adjustments should be manageable from both a financial and practical perspective.

## The Equality Act and positive action

In order to be able to achieve greater diversity in the workforce, the Equality Act 2010 allows employers, when faced with two or more candidates of equal merit, to select a candidate from a particular group that faces a disadvantage or is under-represented in its workforce over a candidate who is not from that group. Positive action is exercised at the employer's discretion.

## Further guidance

There are a number of useful guidance documents to support employers:

[A quick start guide to using positive action in recruitment and promotion](#)

[Code of Practice for employers](#)

This factsheet outlines practical steps employers can take. But remember that you can access help too! See Factsheet 5: What support is available

One of the greatest barriers for people with a learning disability is the recruitment process, including the following factors:

- online-only applications
- formal interviews
- unrelated qualification requirements

These factors inhibit access to jobs that people with a learning disability may be perfectly capable of doing. Very few people with a learning disability get through the initial recruitment stage unless you make some adjustments right from the start of the process.

Here are some tips about reasonable adjustments that really can make a difference to someone with a learning disability and your ability to recruit the right person.

## Advertisements

If you are using advertisements to recruit, it is good practice to publicly welcome applications from disabled people. Make it clear that you can provide the vacancy information in an accessible format such as large print (which people with a learning disability will find easier to read) or with illustrations. You can ask your local Jobcentre Plus to display your advert, and ask them to make sure that disabled people will see it. You can also mail your vacancy bulletins to your local Mencap service.

## Recruitment days

Jobcentre Plus or your local supported employment agency could also help you to organise a recruitment day where you can welcome people with a learning disability or any disability to come and find out about working for your organisation. Make sure that your staff receive disability awareness training before any event you organise. Mencap or other supported employment agencies can provide this.

If you are a Disability Confident Employer, remember that your organisation is more likely to attract applicants with a learning disability if they see the Disability Confident logo on the advert.

## Application forms

Many companies have an online-only application process. This creates an unnecessary barrier for many people with a learning disability. Furthermore, many of the application forms are lengthy and complicated which compounds the challenge. A reasonable adjustment would be to allow paper applications or the submission of a CV as an alternative. In some cases, a person with a learning disability may need support to complete an application form. There should be an option to declare that support has been provided.

## Selection

When selecting candidates for a job, do not rule out candidates who have little or no paid work experience. Many candidates with a learning disability may not have had the chance of paid work before but will have unpaid work experience.

## Interviews

Formal interviews are daunting to most people. Interviews can be particularly difficult for a candidate with a learning disability because they often play to their weaknesses and give the candidate little or no opportunity to demonstrate their strengths. Interviews are an artificial environment in which candidates are often asked hypothetical questions. This puts a candidate with a learning disability at a substantial disadvantage. Arguably, an interview is an ineffective test of a person's ability to do a job, particularly if the job requires practical skills.

As a reasonable adjustment under the Equality Act, you could waive the interview process altogether. Instead, you could:

- Have a short, practical assessment in the workplace in which the candidate is shown the skills that the job requires and is asked to demonstrate their capacity to do the task – you should encourage the candidate to bring a supporter along if they need one.
- Offer a 'work trial' (also known as an 'on the job' or 'working' interview) of between one and eight weeks depending on the person's ability and the complexity of the role. A work trial is similar to a work experience placement except there is a guarantee of a paid job if the trial is successful. During the work trial the person learns the skills

required for the job and proves their ability to their potential employer. This can be with the support of a job coach.

If you must hold an interview, you could make the following adjustments so that the procedure is less of a barrier. You could:

- Encourage/allow the candidate to bring a job coach/supporter to the interview if they would benefit from having one. This can help people to feel more confident.
- Let the candidate know what to expect in advance. For example, they should know how many people they will be meeting, how many questions they will be asked, the types of questions and how long the interview is likely to last.
- Make the interview as informal as possible.
- Consider whether you need a panel or whether the number of people interviewing could be reduced
- Make sure the candidate and their supporter have time to prepare in advance, particularly if there is an aptitude test. Provide additional time to sit the test and allow more time for the interview.
- Use plain English and make sure the person is following you. It is fine to ask, “do you understand the question?” and to offer to rephrase it if necessary. Avoid hypothetical questions like, “what would you do if...?” and ask questions that relate to the person’s direct experience instead like “can you tell me what you did at the library?”

## On the job

Once you have decided to employ someone with a learning disability, there may be other things that an employee with a learning disability may need to do the job. Some people with a learning disability might benefit from a job coach to help them learn the job. Others may benefit from a daily task list that clearly shows what they need to do. The best thing is to speak to your employee and ask them what they would find useful.

## Job coach

The provision of a job coach is one of the most significant benefits to an employer during the recruitment process and at the onset of employment. A job coach is an individual who is employed to help people with disabilities learn and perform their work duties, usually using a technique called Training in Systematic Instruction (TSI). TSI involves breaking down tasking into small chunks so people can learn through

repetition. A job coach may work with individuals one-on-one and/or in a small group. In addition to working on skills related to performing specific job tasks, a job coach also helps with interpersonal skills necessary in the workplace. If a person with a learning disability is in paid work, or on a Supported Internship or Traineeship programme, a job coach can be paid for through Access to Work, so this support is available at little or no cost to the employer. For more information on how to apply for this support, please see Factsheet 5: What support is available and Factsheet 6: Financial support for workplace adjustments (links)

## Job carving

One approach that often proves helpful in employing people with a learning disability is called ‘job-carving’. Instead of fitting a person into a rigid job description, it can be much more effective to identify different tasks that a person with a learning disability can do, and ‘carve’ out a job from these different tasks.

This might involve freeing up the receptionist from doing the mail distribution or freeing up the office manager from stuffing envelopes and data entry. Removing these tasks from another employee’s job frees up their time to concentrate on the more complex areas of their job role. All of the tasks should be genuine business needs for the employer that the employee with a learning disability could usefully do.

In an office or administrative setting, examples of tasks, which could be carved out of existing jobs might include:

- data entry
- sending out pay slips/post
- compiling information packs
- handing out the post
- photocopying for large mail-outs
- putting labels onto envelopes
- filing
- answering the phone and taking messages.

There are a number of support mechanisms available to employers who want to employ someone with a learning disability. These range from government initiatives like as Access to Work to practical support in the workplace from agencies such as Mencap or other supported employment services. For more information on how to apply for this support, please see Factsheet 6: Financial support for workplace adjustments. Funding plays a big part in what services are available in different parts of the country.

## Supported employment services

Supported employment services such as those offered by Mencap provide specialised employment help for people with a disability. In particular, they will put employers in touch with candidates with a disability and can support those candidates through the recruitment process and beyond. A supported employment agency will work with both the individual and the employer to ensure success.

Some supported employment services, including Mencap, are specifically aimed at supporting people with a learning disability into paid work.

Mencap and other support providers can offer people with a learning disability opportunities for support through a range of employment programmes. Mencap have four main programmes that cater for people with a range of different needs. These include Mencap's 3 Ships model (Supported Internships, Traineeships and Apprenticeships) as well as our more bespoke employment programme, Employ Me.

## Employ Me

This is Mencap's general supported employment model.

It is a modular programme tailored to individual need. We use this model with all programmes which cannot be supported through education funding. We use a place, train and sustain approach which will usually include the provision of a job coach to support in the workplace.

## Supported Internships

A supported internship is a 12-month vocational programme for those furthest from the labour market. This programme involves an extended work-experience placement with an employer, supported by a job coach.

The work experience is unpaid as this is classed as an education programme.

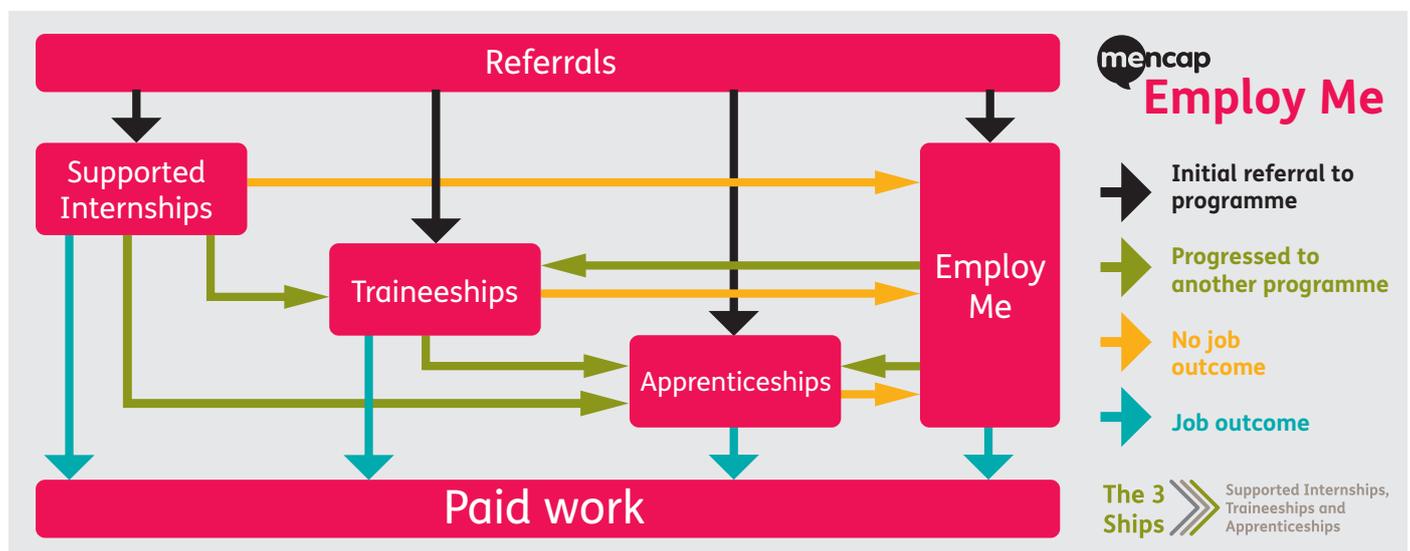
## Traineeships

A traineeship can last between 6 weeks and 6 months in duration; typically Mencap's programmes last about 13 weeks. This programme is developed in partnership with an employer and incorporates a 100 hour work placement, again unpaid as it is considered education, and supported by a job coach where necessary.

## Apprenticeships

Mencap has supported a number of people with a learning disability to undertake an apprenticeship. Apprenticeships can be really well suited to people with a learning disability as they are all about learning on the job. Some of the apprentices we have supported have achieved a distinction!

Mencap's ultimate aim is paid work for everyone, but there are different routes people can take to achieve this. This is how our models complement one another:



However, Mencap does not have complete UK coverage, so we cannot guarantee we currently work in your area. Please refer to the JCP, Local Authority or Local Offer for more information about what support is available in your local area.

### **Disability awareness session**

Organisations such as Mencap can provide disability awareness sessions to your staff, with a particular focus on learning disability.

Contact us to find out more about Mencap's learning disability awareness training.

### **Other information**

#### **Jobcentre Plus**

Jobcentre Plus is a Department for Work and Pensions agency. There are Jobcentre Plus offices throughout the country. Jobcentre Plus staff will advise on benefits and employment and can provide employers with disabled candidates.

Work Coaches in Jobcentre Plus offices are dedicated to supporting disabled people who want to find work, and can help employers who wish to employ someone with a disability. Some Jobcentre Plus sites also have a Disability Employment Advisor (DEA). DEAs can also

advise employers on specialist support services in the area.

To speak to your Work Coach, contact your local Jobcentre Plus office.

#### **Local Offer**

Under the Special Educational Needs and Disability (SEND) code of practice, which can be found [here](#), there is a statutory duty on local authorities to develop and publish a Local Offer setting out the support they expect to be available for local children and young people with SEND aged 0-25. Visit your local authority website to find what is available in your area.

#### **Local Authorities**

For people outside of this age bracket there should be information about what is available on the local authority website under the heading 'Supported Employment'.

#### **BASE**

The British Association of Supported Employment (BASE) is a membership body for providers of supported employment. Information about their members can be found [here](#).

Access to Work is a discretionary government scheme that helps pay for workplace adjustments, such as a job coach. It can also help with extra employment costs that result from a person's disability. This can include a workplace assessment, Mental Health Support Service assistance or a contribution towards specialist aids or equipment that might be required in the workplace. These would be in addition to an employer's reasonable adjustments obligations as part of the Equality Act 2010.

### The level of financial support available via Access to Work

Access to Work will normally cover 100% of the costs for: costs of up to 100% for:

- people who have been working for less than 6 weeks when they first apply for Access to Work
- the Mental Health Support Service
- support workers (job coaches)
- additional travel to work and in-work travel costs
- communication support at interviews

The level of grant will depend on:

- whether the person is employed or self-employed
- how long they have been in their job
- the type of help require<sup>1</sup>

### Cost-sharing between the employer and Access to Work

After 6 weeks, the cost-sharing rules apply. This means that Access to Work will refund up to 80% of the permitted costs between a fixed threshold, which is dependent on the number of employees your company has, and £10,000. As the employer, you will be asked to pay 100% of costs up to the threshold and 20% of the costs of anything in between, up to £10,000.

Number of employees	Amount of threshold
<b>0 to 49 employees</b>	<b>nil</b>
<b>50 to 249 employees</b>	<b>£500</b>
<b>Over 250 employees</b>	<b>£1,000</b>

Any costs above £10,000 will normally be paid for by Access to Work. The maximum amount of Access to Work funding per person is currently £59,200.<sup>2</sup>

For further information, and to find out how to apply, please visit the [DWP website](#).

1. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/791055/employer-guide-access-to-work.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791055/employer-guide-access-to-work.pdf)

2. This amount is valid until 31 March 2020, when it will be reviewed. <https://www.gov.uk/government/publications/access-to-work-factsheet/access-to-work-factsheet-for-customers#how-to-claim>