

Chapter 4 (In 'Disabled People in Britain and Discrimination : A case for anti-discrimination legislation', Colin Barnes (1991))

Employment

It was noted in the last chapter that paid employment is widely recognised as a major signifier of adulthood. Indeed, work is central to our society, not simply because it produces the commodities which are necessary for survival but also because it has a profound influence on human relationships. People are categorised through work in terms of class, status and influence. Apart from income, work provides a sense of identity and self esteem, opportunities for social contacts outside the family home, skill development and creativity, as well as a sense of time, obligation and control (Fagin and Little, 1984). The economic, social and psychological implications for people who are excluded from the workplace are clear. The majority of disabled people have been denied access to the work- place since the industrial revolution.

Prior to industrialisation most disabled people were able to make an economic contribution to the life of the community because of the nature of work and the way it was organised. With the coming of the urban factory-based system, however, the nature of work changed and as a result disabled people were excluded from the workplace. A group who were once economically productive suddenly became economically unproductive and dependent. Disabled people were systematically removed from the community and put into workhouses or other 'residential' settings. While the wholesale incarceration of disabled people has largely disappeared, the attitudes which stimulated it persist, particularly in relation to work. Disabled people are still denied access to meaningful employment because of their supposed inabilities.

This chapter is divided into three main sections. The first provides substantial quantitative evidence of institutional discrimination against disabled people in employment. The second examines the main factors which cause that discrimination. And the third evaluates Government policies concerned with the creation of employment opportunities for disabled people, in particular, strategies of enforcement and persuasion, and employment services for disabled people.

Evidence of Institutional Discrimination in the Labour Market

Unemployment. There is little dispute that disabled people are more likely to be out of work than their able-bodied contemporaries. In the mid-1960s, for example, the general unemployment rate was well below 2 per cent whilst among disabled people it was over 7 per cent. Until the mid-1970s disabled workers were three times more likely to be out of work than their able-bodied counterparts. In the early 1980s the gap narrowed somewhat not because unemployment among disabled people declined but because of the rise in unemployment generally. In 1982 it was estimated that the general unemployment rate was 12 per cent and 16 per cent for disabled workers (Grover and Gladstone, 1982).

The newly-published 'Employment and Training for People with Disabilities' (DE, 1990) suggests that up-to-date comparisons are difficult because current unemployment figures include only people available and looking for work, and the more recent estimates of unemployed disabled people incorporate those who want work, but are not actually looking for it. However, the same source notes:

It is clear that the chances of someone with a disability being unemployed are significantly higher than someone without a disability. The 1989 EC Labour Force Survey puts the rates at 20.5070 and 5.4070 respectively (DE, 1990, p. 13).

The most recent official assessments suggest that 3.8 per cent (1,272,000) of the working-age population, 16-65 for men and 16-60 for women, termed 'economically active', that is in work or seeking it, are 'occupationally handicapped', the current term used to describe people who encounter institutional discrimination in the workplace. Of these 22 per cent (285,000) are unemployed and want a job (DE, 1990). However, these estimates do not take into account the 84,400 disabled people of working age living in residential establishments (Martin, White and Meltzer, 1989). Nor do they include those disabled people who would be termed 'discouraged workers'.

As noted earlier the phrase 'economically active' usually means in work or looking for it; it does not include people who choose not to work, or who do not have to work. Disabled people are far more likely than non-disabled people to be in one of these two categories. This is because the majority of individuals with impairments are only too aware of the obstacles facing them in their search for work, as well as the type of low-grade jobs they are likely to find in the modern labour market (see for example Morris, 1989, 1990; Oliver et al., 1988; Thomas, 1982; Walker

1982). Disabled people are also aware of the economic and social pressures placed upon them not to look for work.

Recently researchers have acknowledged the difficulties encountered by disabled people in the search for jobs, and extended the concept 'economically active' to include people who want work but are not 'actually seeking it' (Prescott Clarke, 1990; Martin, White and Meltzer, 1989). This does not account for that group of people referred to immediately above. The OPCS surveys, for example, found that 85 per cent of the men and 65 per cent of the women who were not looking for work and who defined themselves as 'unable to work' had previously taken steps to find work but given up (Martin, White and Meltzer, 1989, p. 68).

There is also evidence that at every age disabled people are likely to experience unemployment for considerably longer periods than others. In 1982 it was reported that three times as many disabled people as able-bodied people were unemployed for more than two years. This trend has persisted throughout the 1980s (Lonsdale, 1986; Hansard, 1989; DE, 1990), and people who are born with an impairment are less likely to be in work than those who acquire impairments later in life. A succession of studies since the mid-1970s have found that unemployment among disabled school-leavers is disproportionately high in comparison with their able-bodied equivalents (see for example Walker, 1982; Hirst, 1987; Kuh et al., 1988).

Additionally, the recently-published government-sponsored Social and Community Planning Research (SCPR) study noted that a higher proportion of disabled people without employment had been born with an impairment (Prescott Clarke, 1990). At the other end of the age range disabled workers are far more likely than their able-bodied counterparts to withdraw early from work (Glendinning, 1990). The OPCS survey found that 31 per cent of disabled men and 16 per cent of disabled women 'retired' early (Martin, White and Meltzer, 1989).

Direct Discrimination. There is substantial quantitative evidence to show that employers discriminate against applicants with impairments looking for work. For example, a recent survey of the employment policies of Regional and District Health Authorities demonstrated that almost a third of the twenty-six Authorities sampled chose not to employ disabled people. They claimed that disabled workers were not employed because they could not fulfil the employment criteria necessary for work in the

health service. These criteria included lifting of patients and general heavy work, the need for a professional qualification or 'a range of physical and intellectual skills', and the need for staff to be medically and/or scientifically trained 'in addition to having all their faculties'. It is notable that many disabled people are capable of lifting and heavy work generally, some have qualifications in nursing, accounting and general administration, and others are in full possession of all their faculties (Dyer, 1990).

Two studies published by the Spastics Society found similar results in the private sector. Using scientifically approved techniques similar to those used to measure racial discrimination, research carried out by Fry (1986) and Graham, Jordan and Lamb (1990) has established conclusively that employers discriminate directly against disabled people at the initial point of applying for a job. Discrimination was measured by examining employers' responses to two fictitious applications, which differed only on that one purported to be from a disabled applicant and the other was not. The applications were sent in response to 152 job applications in the first study and 197 in the second. The second survey was controlled in order to account for changes in the employment market during the period between the two studies, in particular the relative decline in unemployment generally and the increase in job vacancies. It showed that the level of discrimination encountered by disabled people remains virtually unchanged; almost identical results were achieved. Able-bodied applicants were around 1.5 times more likely to receive a positive response to an application than were applicants with an impairment, and a disabled candidate was six times more likely to receive a negative response (Graham et al., 1990, p.5)

Underemployment. When disabled people do find work the majority find themselves in poorly-paid, low-skilled, low-status' jobs which are both unrewarding and undemanding - the type of work which has been termed 'underemployment' (Walker, 1982; Thomas, 1982). Social analysts who have looked at the labour market in relation to other forms of employment disadvantage such as race and gender have developed what is termed the dual labour market theory. This is where the labour force is divided into two sections referred to as the primary and the secondary sectors. Primary sector jobs are those with high wages, high skill levels, good working conditions, job security and ample opportunities for promotion; examples include lawyers, doctors and engineers. Secondary sector jobs are those with low wages, low skill levels, poor working conditions, little job security, and few if any possibilities for promotion

and advancement. Routine office work, general labourers, catering jobs and cleaners would fall into this category

Table 4.1. Comparison of Occupations of Disabled and Non-Disabled Workers

Type of Work	Disabled workers			Non-disabled workers		
	Men %	Women %	All %	Men %	Women %	All %
Professional or managerial	15	8	12	30	11	21
Other non-manual	19	44	30	17	53	33
Skilled manual	37	10	26	38	8	25
Semi-skilled or personal service	21	30	25	13	20	16
Unskilled manual	5	7	6	3	7	5

Source: Adapted from Prescott Clarke, 1990, p. 34

In 1982 Walker found that the overwhelming majority of disabled school-leavers 'lucky' enough to find jobs were working in the secondary sector (Walker, 1982). There is substantial evidence that this is so for the vast majority of disabled workers of all ages. For example, the SCPR survey found that considerably greater numbers of disabled workers work in semi-skilled jobs than is the case in the working population as a whole and considerably fewer are in professional or -managerial posts. Compared with able-bodied male workers, only half as many disabled men are in professional or managerial jobs. For women the most marked fall is in the number of non-manual jobs, with a correspondingly larger proportion in semi-skilled and personal service jobs. There is a heavy concentration of disabled women in two sorts of occupation, namely routine clerical work and the service sector, notably cleaning and catering. Table 4.1 compares the type of work done by disabled workers with that done by non-disabled workers.

It has been shown that advancement in many organisations is determined by the original entry job (McCrudden, 1982). In the Civil Service, for example, only university graduates occupy the top jobs. Research on the employment of disabled people in the Civil Service by Greville Janner

MP (a member of the Select Committee on Employment) has shown that there are no disabled people employed in the highest grade of the service, and none in the top seven grades of the eight Departments (Janner, 1990 quoted in Graham et al., 1990).

Although this unequal division of labour is prevalent throughout industry as a whole it is also true of most of the organisations claiming to specialise in the affairs of disabled people, not only in the public sector (see below) but also in voluntary agencies. For example, Outset is a national charity which was set up in 1970 to 'improve the quality of life of disabled people' (Mainstream, 1990, p.54). A major part of Outset's work is concerned with employment, yet the majority of its senior staff are able-bodied people (Hurst, 1990).

In terms of earnings generally, disabled workers earn much less than their able-bodied counterparts. A comparison of the weekly earnings of disabled men in full-time employment (311 or more hours per week) with those of their non-disabled colleagues, taken from the SCPR study and the 1989 New Earnings Survey shows that the wages of the former are much lower than those of the latter. On average disabled men in full-time work earn almost a quarter less per week than their able-bodied equivalents. On average disabled men earn £150-£199 per week before deductions for tax and so on, whilst the corresponding figure for non-disabled male workers is £200-£249 (see Table 4.2).

Table 4.2. Comparison of Gross Weekly Wages of Disabled and Non-Disabled Males in Full-Time Employment

Weekly gross pay	1989 SCPR Survey %	1989 New Survey %	Earnings
Under 100	13	2	
100-149	25	12	
150-199	25	21	
200-249	16	21	
200-299	10	16	
300-399	7	17	
400-599	3	9	
600 or more	2	3	

Source: Adapted from Table 9.3 in Prescott Clarke, 1990, p. 88.

The SCPR study did not collect information on the gross weekly earnings of disabled women workers. There is, however, evidence that in line with the disparity in earnings in the working population as a whole disabled women are paid less than disabled men. The recent OPCS studies, for example, showed that disabled women workers earned almost a third less per week than their male equivalents (Martin and White, 1988).

It cannot be argued that the different wage levels paid to disabled and non-disabled workers is due to the former working fewer hours than the latter. The SCPR study found that the majority of employed disabled people worked a full 5-day week and a 7- or 8-hour day. Part-time work accounted for only a quarter of those with jobs, but of a much higher proportion of women (46 per cent) than men (9 per cent). About a quarter worked regular overtime, averaging 45 or more hours a week (Prescott Clarke, 1990).

Table 4.3. Comparison of Hourly Pay of Disabled and Non-Disabled Workers, 1985

Type of work (full-time)		Disabled workers	Able-bodied workers	Disabled workers' pay as % of able-bodied workers' pay
Men	Non-Manual	4.80	2.57	84
	Manual	3.20	3.60	90
	All	3.80	4.50	84
Women	Non-Manual	3.40	3.60	94
	Manual	2.40	2.50	96
	All	3.40	3.30	91

Source: Adapted from Table 3.1 in Martin and White, 1988, p. 17.

It has been shown that when the hourly rates of pay of workers with impairments are compared with those of workers without impairments the disparity persists, although it is less significant in relation to the difference between disabled and non-disabled women (see Table 4.3). While this might imply that disabled women fare better than disabled men in employment, women generally are at a disadvantage within the British labour market, particularly in terms of pay (Lonsdale, 1986).

Assessment, Rehabilitation and Training. The Tomlinson Committee laid the foundation for rehabilitation for employment. It was for people whose impairments were physical and recently acquired, and who were just out of a course of medical treatment. This meant the provision of special centres in which facilities to assist 'full recovery to physical fitness' were to be provided. These facilities included fresh air, good food, physical training and exercises 'together with a limited amount of useful occupation' (Tomlinson Committee, 1943, para 43). Little attention was paid to people born with impairments, or those with experience of mental illness. During the early 1980s, however, the idea of employment 'rehabilitation' was extended to all the long-term unemployed, regardless of impairment (Lonsdale, 1986)

Although the early Employment Rehabilitation Centres (ERCs) set about training people for low-skilled manual work, in recent years this appears to have given way to a more medically-based approach, thus reinforcing

the traditional assumptions surrounding disability. The first ERC opened in 1943. There are now twenty-six throughout Britain. Originally equipped along factory lines, they obtained low-skilled production work from local firms or Government departments. Users were taught manual work and low-status occupations, hence this service perpetuated the traditional pattern of disabled people's employment. However, the amount of contract work declined during the 1980s (Lonsdale, 1986).

In addition to ERCs there are now five Asset centres. These were set up in 1982 to provide assessment and rehabilitation services in areas where there were no ERCs. Unlike ERCs, Asset centres do not have in-house workshops (DE, 1990). Today, the function of both ERCs and Asset centre is to assess the individual's physical and psychological capacity in relation to the needs of the workplace, and provide her/him with the 'appropriate' skills to find work. To achieve this, both ERCs and Asset centres employ 'specialist' staff such as instructors, social workers and psychiatrists. They also have access to the Health and Safety Executive's employment medical advisers and nurses 'who play a vital role in their operations' (DE, 1990).

Another recent but significant development in the Employment Resettlement Service (ERS) is the greater involvement by the voluntary sector. Government initiatives since 1981 have encouraged the voluntary agencies to provide rehabilitation and support in ERCs and Asset centres. In 1990/1 it is expected that of the 15,250 courses of rehabilitation, about 4,500 will be provided by these organisations. The Government has called for a further shift in the balance of the rehabilitation programme toward these agencies (DE, 1990).

By coincidence, the ERS is now run by the DE's training Agency rather than the Disablement Resettlement Service (DRS) or the Disability Advisory Service (DAS), despite the public expressed reservations from the Public Accounts Committee about the lack of a

unified service for disabled people. In addition, it has trebled the number of people it attempts to see by reducing the time spent on assessment from 2-8 weeks to an average total of the hours. It is also claimed that staff shortages have led to non-qualified personnel conducting these assessments (Graham et al., 1990).

Moreover, recent data show that assessment and rehabilitation do not necessarily lead to employment. In 1989/90, for example, about half of

the 25,000 people for whom the service provided assessments and 'guidance' did not move on to employment, but proceeded to a 'further period of rehabilitation' (DE, 1990, p.26).

Although it is intended that the number of ERCs be reduced, the facilities for assessment are to be expanded. The number of ERCs that remain (the number is still unspecified) will focus on developing what are termed 'new techniques of employment rehabilitation and assessment' and will also assist where appropriate in the training of staff. They will provide services to a number of 'clients' and, by doing so, be able to adopt a 'teaching hospital role' (DE, 1990, p. 21). Based on past experience, it is highly unlikely that these developments will improve disabled people's employment prospects.

Adult Training Centres. Adult Training Centres (ATCs) are another form of employment-training service run by local authorities and voluntary organisations. They cater mostly for people with learning difficulties. In the mid-1980s it was estimated that there were 45,000 people attending 480 centres up and down the country (Lonsdale, 1986). Indeed, the majority of young people with learning difficulties are placed in A TCs by professionals as soon as they leave school (Hirst, 1987).

Originally it was intended that the function of ATCs would be to train disabled people for employment. It is evident, however, that in practice little training takes place in A TCs and there is virtually no movement into other forms of employment. One study estimated that only about 4 per cent of ATC trainees found work elsewhere each year, despite staff estimates that approximately 37 per cent were eligible for open or sheltered employment (Whelan and Speake, 1977).

Although initially concerned with the training of 'craft' skills, ATCs began to take on contract work during the 1960s, work which was considered both repetitious and monotonous. In return workers were paid appallingly low wages. Faced by an acute shortage of work during the 1970s, centre managers began to take on sub-contract work - at unrealistically low prices. Since there is no statutory requirement on ATCs to pay their employees/trainees, many centres encouraged users to take up social security benefits instead. The limit on disregarded earnings (after which deductions are made on benefits) acts as a disincentive to increase wages beyond this point. One early study noted that only 1 per cent of trainees earned more than the then earnings limit. Fifty per cent earned less than half, and 3 per cent were not paid at all (Whelan and

Speake, 1977). Other evidence indicates that ATC workers work an average of 30-39 hours per week (Walker, 1982).

It is clear that training has been superseded by exploitation. This was recognised by the National Development Group for the Mentally Handicapped, who in 1977 recommended a comprehensive programme of reform for ATCs. These recommendations were ignored, the group was disbanded (Lonsdale, 1986) and the exploitation continues. A recent study, for example, noted that although the earnings disregard was raised from £4 to £15 in 1988, most people who work in ATCs received only a small increase in pay, if any at all (Same Difference, 1989).

Institutionally Secured Employment. There are two forms of institutionally secured employment; both were provided for under the 1944 legislation. These are designated employment and sheltered workshops. Only two specific occupations were designated for disabled people under the Act, namely car park attendant and lift operator. People in these jobs could not be counted against an employer's quota (see below). This policy has attracted criticism because both occupations are of low status and poorly paid (Lonsdale, 1990).

Sheltered Workshops. Depending upon medically-based functional assessments, disabled people can be registered for employment under one of two categories. Section 1 indicates that individuals are suitable for 'open' or mainstream employment, and Section 2 indicates that they are not. It is a rigid arrangement which takes no account whatsoever of the fluctuating nature of impairment, or the social or environmental consequences of disability. Additionally, it has been shown that the categorisation process is applied arbitrarily. Disablement Resettlement Officers (DROs) are responsible for deciding which category an individual should be listed under. 'They receive no training for this task and there is a general consensus that most decisions are based on DROs' personal opinions and experience (Mainstream, 1990).

Originally envisaged as providing a 'bridging experience' to mainstream employment, the foundations of sheltered employment were laid in Section 15 of the 1944 Act. This enabled the setting up of sheltered workshops which would be run as non-profit-making companies subsidised by public funds (Lonsdale, 1986). Sheltered employment schemes were set up to cater for people who had 'severe' impairments (people categorised as Section 2), who were considered unable to obtain or keep mainstream employment.

Under the 1944 Act sheltered employment is provided by local authorities, voluntary organisations and a non-profit-making Government-sponsored company set up in 1945, originally known as the Disabled Persons Employment Corporation Limited but later renamed Remploy. Approximately 14,000 disabled people were working in sheltered workshops in 1989, the majority of whom, around 9,000, worked for Remploy (DE, 1990).

Remploy is a large organization operating through ninety-three factories. It has a head office in London employing specialists in marketing, finance, personal planning, training and public relations. The Secretary of State for Employment appoints the Chairperson and the Directors of the company, and the DE lays down broad guidelines on how the company should be run. It is notable that most of the 20 per cent of the Remploy personnel who hold management posts are not disabled people (Dutton et al. 1989).

The average weekly wage of workers on the shop floor at Remploy in 1989 was around £90 per week (Hansard, 1989); figures slightly less than Remploy employees (Dutton et al., 1989). According to the Government's own estimates the average weekly wage for able-bodied workers during the same period stood at between £200 and £249 (Prescott Clarke, 1990). Family Credit, a Government means tested benefit paid to people with families on low wages who are considered to be living in poverty, starts at £110 per week. People who work in sheltered workshops are some of the poorest wage earners in the country (Hansard, 1989).

Remploy has a diverse range of businesses including furniture making, bedding, knitwear, packaging and assembly work. Some products are manufactured under the company's own label, but it also completes contract work from Government departments. Remploy's total income from annual sales is not enough to cover its total costs. The DE makes an annual grant to meet the operating deficit and provides loans to finance the purchase of assets (Dutton et al., 1989).

Local authorities were empowered under the Disabled Persons (Employment) Act 1958 to provide sheltered employment for 'severely' disabled people in their area. The cost of local authority workshops is met partly by revenue from the Community Charge and Government grants. The DE pays grants to cover the losses, provides funds for capital expenditure on sheltered employment facilities, and meets the wage costs

of trainees in workshops and any other training costs incurred (Dutton et al., 1989).

Sheltered workshops are also provided by voluntary organizations such as Mencap and the Spastics Society. The DE pays grants toward the losses incurred by voluntary agency-run workshops and this covers 100 per cent of the deficit, subject to per capita ceiling. Capital grants and training wages and fees are paid in the same way as they are in the local authority workshops. Some voluntary bodies provide facilities as agents of local authorities, and in these cases the main grant is paid to the local authority concerned, but the DE training and capital grants are paid direct to the Voluntary agency (Dutton et al., 1989).

In 1987/8 the average gross cost per person in sheltered work-shops was estimated at £6,268 for Remploy employees, £6,446 for local authority workers, and £4,967 for people who worked in work-shops run by voluntary agencies. However, the net cost of sheltered workshops is reduced dramatically when the flow back into the Exchequer from taxation, National Insurance payments and savings in social security payments is taken into account. recent analysis by the DE Research Division which compares the net expenditure and flow back from the sheltered employment programme for 1987/8 suggests that the net costs are considerably less, standing at £2,600 for Remploy workers, £3,300 for local authority employees, and £390 for people who work in workshops run by voluntary bodies (Dutton et of., 1989).

Until the late 1970s the role of sheltered workshops was widely regarded as humanitarian rather than economic. The 1944 and 1958 legislation, the phrase 'sheltered workshops, and their administrative position - local authority and voluntary body workshops are run by the Social Services Committees of the local authority in association with the DE - all endorse the notion that Sheltered work shops are a charitable concern rather than a commercial enterprise.

This was officially reaffirmed in 1973 when a major review of sheltered employment stated that their primary fun often was social rather economic (Lonsdale, 1986).

Since the mid-1970s, however, concern has bee I expressed over the amount of money spent on sheltered workshops, and there have been increasing demands for them to become more cost-effective. In 1983 Remploy was asked by the DE to produce a business plan with a view to eliminating their trading deficit, so that the Government grant did not

exceed the wages bill for the disabled workforce. This they achieved in 1986/7. This effectively signalled the end of any pretence that sheltered workshops were to provide a gateway to mainstream employment. Economic pressure encourages management to discourage competent disabled worker from moving elsewhere. In the following year the Public Accounts Committee expressed concern over the company's lack of accountability (Mainstream, 1990).

Considering the constraints under which sheltered workshops operate, it is highly doubtful whether these objectives can be achieved. The distribution of provision has developed haphazardly, and largely in response to paternalistic rather than commercial considerations. Remploy factories, for example, were established in response to political rather than economic criteria, with the result that workshops were set up in unsuitable premises and locations. Consequently their profitability varies considerably. There are also wide differences in the way in which workshops are managed. Although the DE has a degree of influence over how Remploy is run, this is not necessarily so with regard to workshops operated by local authorities and voluntary agencies (DE, 1990).

Moreover, it has long been argued that the economic viability of sheltered workshops could be greatly improved by harnessing the enormous purchasing power of local and central Government. For example, the National Advisory Council for the Employment of Disabled People (NACEDP), set up in 1944 to advise Government on disabled people's employment, suggested that Government purchasers should give preference to sheltered workshops when placing contracts. Their report to the DE in 1977 pointed out that the amount of public sector business received by sheltered work-shops was extremely low. It seems, however, that subsequent administrations have chosen to ignore this advice. In the mid-1980s Lonsdale reported that Government purchases amounted to only about 1-2 per cent of the products made in sheltered workshops (Lonsdale, 1986). The advent of widespread privatisation through- out the public sector since then makes it even less likely that this figure will rise in the future (DE, 1990).

Using mainly economic arguments, the DE has recently argued for the systematic run-down of sheltered factories and workshops for disabled people in favour of 'additional sheltered placements' (DE, 1990). While this is to be welcomed if only because the very existence of sheltered workshops might be seen as segregative and discriminatory, it also represents a significant retreat from the idea that disabled people have a legal right to employment, as the following section will show.

The Sheltered Placement Scheme. The Sheltered Placement Scheme (SPS), until April 1985 known as Sheltered Employment Groups, was introduced to provide integrated employment opportunities for disabled people categorised as Section 2 within mainstream employment. The number of people on SPS has grown dramatically since the scheme's introduction; in 1989 there were around 6,500 (DE, 1990). The scheme is presented by the DE as an acceptable and positive alternative to designated and sheltered employment (DE, 1990). Unlike designated employment or sheltered workshops, however, there is no statutory requirement for employers to employ disabled people; it is an entirely voluntary system. The SPS is nothing more than a Subsidised Placement Scheme. The emergence of SPS, therefore, signals a significant retreat from the idea of employment as a right, an a return to the begging bowl.

Under the scheme a sponsor, which may be a local authority or a voluntary agency, employs a disabled person and subcontracts her/him out to a host-company. The host-company provides the work, tools, workplace, training etc., and pays the sponsor. The amount paid by the host-firm is based on the disabled person's output. So, if the disabled worker is assessed as able to produce 50 per cent of a able-bodied worker, the host-firm pays only 50 per cent of her/his wages. The DE will only support disabled workers who are estimated to have between 30-80 per cent of the productive abilities of an able-bodied worker. The sponsor, either the local authority or a voluntary agency, is responsible for paying the disabled person's wages and making deductions for tax and so on. The costs to the sponsor are offset by payment from the host-firm and contributions from the DE (Dutton et al., 1989).

While there are some limited advantages for disabled people from the psychological benefits of work in an integrated setting, there are several major drawbacks to the scheme. First, as quoted above, the criteria for registration under Section 1 or 2 is dependent upon the DRO's judgement. The guidelines for assessment can be interpreted in such a way as to enable less severely disabled applicants, who might be more acceptable to employers and therefore more easily accommodated within the scheme, to become registered. As SPS places are scarce, this can exclude disabled people with less 'acceptable' impairments (Same Difference, 1989b).

Secondly, because the disabled person is employed by the sponsor rather than by the host-firm, sponsored workers do not receive the same benefits as their workmates, although they work in the same firm, and might even be doing the same job. They will not, for example, be entitled to the same

redundancy packages, sick pay schemes and so on. While there is nothing to stop employers offering sponsored workers the same facilities as other workers, they rarely do (Mainstream, 1990).

Thirdly, there is a limit on the DE's contribution to each SPS place. In 1989 this was set at £2,600 for local authority sponsors and £3,280 for voluntary agencies. This has to cover both wages and national insurance contributions. Hence, SPS is cheaper alternative to other forms of sheltered employment. It is designed for low-skilled low-status jobs. Placements are in less well-paid jobs.

Since most workers on the SPS are assessed as being able to produce only 50 per cent of an able-bodied worker' output, their average wage cannot go above £6,000 a year (Same Difference, 1989b). Employers are able to pay more as workers become more skilled, but this is extremely rare. In general workers on IPS earn less than their peers in Remploy (Dutton et al., 1989).

Fourthly, the official guide-lines suggest that once a worker achieves 80 per cent output they should move out of SPS; in other words the subsidy to the employer stops. Since most employers are unlikely to want to lose this regular Source of income, the chances of people moving from SPS to mainstream employment are slim. Indeed, a recent study stated that although SPS is presented as a helpful transition to mainstream employment few within the DRS expect it to happen. There is no training programme to help people move on from SPS. Instead this is seen as the employer's responsibility (Mainstream, 1990).

The Welfare System. The long-term consequences of unemployment and/or underemployment are not only economically and socially stigmatising, but also Psychologically and physically debilitating. Disabled people frequently face additional cost of living expenses which able-bodied people never encounter. These are for, among other things, extra heating, special foods, special clothing, medication and transport (see Chapter 5). These expenses do not diminish when disabled people find work. This additional financial burden must be seen in relation to income. The combination of disproportionately low wages and the added costs of disability forces a great many disabled people out of the labour market altogether.

A recent Government Report noted that there are many instances where disabled people have found employment and then realised that the money they will earn in wages does not match what they get from state benefits

(IFF Research, 1990). Indeed, the welfare system is a major factor in the discriminatory process, but as we shall see in the following chapter, state benefits do not cover, the financial cost of impairment. The link between poverty and disability remains unbroken. Moreover, the association between occupational status, Psychological disorders and illness generally is well established (Fagin and Little, 1984; Lonsdale, 1986). Significantly, the SCPR study found that there was a much higher incidence of mental illness and health-related problems among disabled people without jobs than there was among those in work (Prescott Clarke, 1990). It is evident that the extent of institutional discrimination within the labour market ensures that the economic and social dependence of disabled people is perpetuated.

Institutional Discrimination in the Labour Market

Employers' Attitudes. There is a substantial amount of data recording the extent of negative and discriminatory attitudes among the general public with regard to disabled people and employment. A recent DE report on clubs for people with impairments, for example, stated:

Attitudes within the community toward people with disabilities are often such that the disability tends to overshadow the ability of the person. As a result some people find it difficult to obtain jobs which are genuinely suited to their capacities (IFF Research, 1990, p. 45).

There is also evidence from Government sources that these attitudes are particularly prevalent among employers.

Current Government research into the policies and practices of firms on the employment of disabled people (Morrell, 1990) shows that out of a representative sample of 1,160 employers in both the public and private sectors, only 75 per cent of respondents interviewed said that they would not discriminate against disabled people. The most common response recorded was that applications from people with impairments would be 'considered on merit'. The Report also noted that generally interviewees fell into neither the extremely positive nor negative categories, but 'the balance was toward the latter'. Thirteen per cent said that they would only take on disabled workers for certain types of jobs, and 6 per cent said that they would not employ disabled people 'under any circumstances'. Significantly, only 4 per cent said that they would positively encourage applications from disabled people (Morrell, 1990, p. 13).

But we have to remember that there is a world of difference between what people say and what they actually do. Public attitude surveys on sensitive and emotive issues such as discrimination against minority groups are notorious for producing misleading results. Most people, particularly those in positions of authority, are unlikely to admit to a complete stranger that they hold prejudiced and discriminatory attitudes, especially if that stranger is a Government researcher. A recent study of discrimination against disabled people within the workplace has rightly pointed out that surveys of employers' views tend to show a much more positive attitude toward the employment of disabled workers than the true one (Graham et al., 1990).

Considering the high level of disadvantage experienced by disabled people in relation to employment, outlined above, a more realistic impression of employers' perceptions might be gleaned from the following extract from an interview with the senior personnel director of a major national company.

Society is embarrassed and frightened of those people who are 'different', those who have physical disabilities. It's this unease which makes the employment of a disabled person undesirable as their disruptive influence on a team at work can endanger the smooth running and the productivity of the organization as a whole ... People work closely in groups and those who are perceived as being different from the norm – in its broadest sense – are a potentially disruptive force on the group. And as any job is critical to the future of the company, a person who disturbs the working environment jeopardizes the business (Graham et al., 1990, p.10).

Although this statement refers specifically to 'physical disabilities', other studies have noted that employers hold similar attitudes toward the employment of people with non-visible impairments such as mental illness (Dyer, 1990) and epilepsy (IFF Research, 1990). The Government-sponsored SCPR study found that at least one disabled worker in ten with a job encountered prejudice and ignorance from the employer (Prescott Clarke, 1990, p.55).

Other Factors Contributing to the Discriminatory Process. In general employers legitimize discrimination in a number of ways. DE research has identified several 'problems' which employers claim they face when employing people with impairments. Of 1,160 employers interviewed in the study referred to above, 68 per cent said that the jobs in their firms were unsuitable for disabled people, 61 per cent that there was a lack of

disabled applicants, and 52 per cent that their premises were unsuitable. A further 14 per cent mentioned access problems and transport difficulties, 8 per cent spoke of shift work as a problem, and 5 per cent cited 'other' difficulties which were not discussed in detail. Significantly only 9 per cent of the employers sampled felt that employing disabled people would not be a problem (see Table 4.4).

Although 'lack of disabled applicants' can largely be explained by the notion of 'discouraged workers', the other items on this list provide a useful introduction to the barriers facing disabled people in the labour market.

The fact that the majority of employers described most of the work in their establishment as unsuitable for disabled workers, especially in view of what they described as 'vital abilities to do the job' can be seen as a further illustration of the extent of employers' biased and discriminatory assumptions. This view was implicitly endorsed by the report's conclusion that 'many of these so-called vital abilities would not stand objective analysis' (Morrell, 1990, p. 23). Since about the beginning of the 1980s, there has been a wealth of published information, much of which has been produced by Government-sponsored agencies and aimed specifically at employers, which shows that the majority of disabled workers are as productive as their able-bodied colleagues (see for example DE, 1988, 1990; Kettle, 1979; Massie and Kettle, 1986; Prescott Clarke, 1990).'

Table 4.4. Employers' Perceptions of Problems Faced in Employing Disabled People (Sample total: 1,160)

	%
Unsuitable job types	68
Lack of disabled applicants	61
Unsuitable premises	52
Difficult access/journey to work	14
Shiftworking	8
Other	5
No problem	9

Source: Adapted from Table 20 in Morrell, 1990, p. 14.

Attitudes of Working Colleagues. One of the major factors influencing employers' decisions on disabled people and their suitability for employment is the attitudes and assumptions of able-bodied workers and colleagues. The ability to fit into a teams is considered crucial in modern industry and commerce. Department of Employment (DE) research shows that workers without impairments hold broadly similar views to those of employers (Morrell, 1990). It has also been reported that able-bodied workers regularly engage in discriminatory behaviour against disabled workmates. This can range from largely unintentional and unconscious activities which devalue and denigrate people with impairments (Chinnery, 1990) to intimidation and open hostility (Morris, 1990a).

Whilst employers' and able-bodied workers' negative assumptions regarding disabled people and employment can be partly explained by past discrimination and prejudice, they are constantly being reinforced by several factors associated with the labour market which are not directly linked to the work process. Apart from Government policy and employment agencies generally (see below), one of the most important is the medical profession. Doctors are often involved in the employment selection process and in the assessment of abilities after workers have contracted an impairment.

Medical screening. Although some occupational health experts have expressed skepticism about the value of medical tests in relation to work, a recent survey of nearly 500 employers found that 63 per cent had some form of pre-employment health screening. These tests are normally justified on the grounds that they allow employers to assess an applicant's

'fitness' for the task for which s/he is to be employed (Labour Research, 1990). In other words they allow employers to discriminate, to select workers for a particular work situation. This has significant implications for disabled people.

First, the historical connections between doctors and disabled people have helped to perpetuate the widespread belief that impairment is the same as ill-health. This has particular importance in relation to work, since employers often associate illness with poor performance and excessive absenteeism. As a result they are likely to be wary of employing anyone with a history of illness, and by association anyone with an impairment (DE, 1988). Secondly, since industry and commerce developed largely without disabled workers it follows that the workplace is often not accessible to them. Hence, to employ a disabled person might involve some investment of resources in order to adapt the workplace accordingly. In such situations an able-bodied worker is a more attractive proposition.

A recent study by Labour Research examined the health questions included in fifty job application forms and found a huge variation in the information required. Only fourteen did not ask questions specifically about health. This does not, however exclude the requirement of a health check at a later stage of the selection process. Four applications studied included comprehensive health questionnaires that were available to the employers' medical officer only. All of these asked for permission to contact the applicant's doctor. Most important, only one of the fifty forms examined stated that a 'health problem or disability would not preclude full consideration for the job' (Labour Research, 1990, p.16).

Repeatedly, research documenting disabled people's work experiences have shown that medically-based assumptions have been used as a basis for discrimination, both to deny people with impairments access to meaningful employment (Fry 1986; Graham et al., 1990; IFF Research, 1990) and as a reason for dismissal (Martin, White and Meltzer, 1989; Prescott Clarke, 1990).

Education. The idea that disabled people do not have the 'vital' qualities needed for work is also endorsed by the education system. Application forms, aptitude tests, formal and informal interviews and other similar recruitment procedures now used by many employers are all, to varying degrees, dependent upon skills learnt through education. The importance of 'paper qualifications' in relation to finding employment is becoming increasingly important, particularly for young people (Roberts et al.,

1986). Significantly, even disabled people with recognised educational qualifications are more likely to have a job than those without (Prescott Clarke, 1990).

As we have seen in the last chapter, the type of education that the majority of disabled children and young people receive does not provide them with the confidence, skills or qualifications necessary to find meaningful employment. Several studies have noted the appalling lack of self-confidence, basic literacy skill, and recognised educational achievement among disabled school-leavers looking for work (see for example Barnes, 1990; Walker, 1982.)

Although it is known from other sources that a substantial proportion of the workforce also has no qualifications, that proportion is higher among disabled workers. For example, according to the SCPR analysis, the 1986 Labour Force Survey showed that 27 per cent of economically active able-bodied men aged 16-64 and women aged 16-59 had no qualifications. The proportion of disabled workers without qualifications is appreciably higher: 46 per cent (Prescott Clarke, 1990).

Age. Unsuitability for employment can often be determined by age. This can be a major problem for some disabled people looking for work since many are in the older age-groups; the likelihood of impairment increases with age (Martin, Meltzer and Elliot 1988). Many employers refuse to employ workers above or below a specific age. Although 'ageism', i.e. discrimination on the grounds of age, is a problem for mature able-bodied workers looking for work, it has a disproportionate effect on many disabled workers in the same age-group. These workers have to confront employers' negative attitudes regarding not only age, but also disability. Although the DE has sought to persuade employers not to impose age-limits on jobs (Hansard, 1989), a national survey of vacancies registered at Job Centres showed that age restrictions were placed on 39 per cent of all vacancies examined (Jones and Longstone, 1990).

Experience. Another factor which employers often view as 'vital' important is experience. Workers who can show ability to adjust to the work situation with the minimum of training are far more attractive to employers than those who cannot. Loss of the work habit and lack of experience are a particular problem for all the long term unemployed, but particularly for those with impairments. Employers' doubts about employability increase the longer people are out of work. It has been shown that while only 10 per cent of employers would screen out those who have been unemployed, 50 per cent would screen out those who

have been unemployed for a year or more (Crowley-Bainton, 1987). As noted above, successive research has shown that unemployed disabled people are without jobs for far longer than unemployed able-bodied people.

Moreover, many young people born with an impairment have no work experience whatsoever (Barnes, 1990; Clarke and Hirst, 1989; Kuh et al., 1988; Prescott Clarke, 1990). The following statement illustrates the position of many such young disabled people: 'I cannot get work without work experience. Because I'm disabled, employers won't take a chance' (Graham et al., 1990, p.5). Twenty-seven per cent of all the vacancies advertised in Job Centres were for applicants with previous experience (Jones and Longstone, 1990).

Appearance. Ten per cent of all vacancies displayed in Job Centres require that all applicants should be 'clean and tidy' or of 'generally good appearance' (Jones and Longstone, 1990). Here employers' personal preferences and prejudices will play a crucial role. What is perceived as 'clean and tidy' often depends on the type of clothes an applicant wears at the interview. Many disabled people are significantly disadvantaged in this, not only because they cannot afford a 'smart' suit of clothes appropriate for interviews because state benefits do not accommodate such luxuries (see Chapter 5), but also because some disabled people do not have 'conventional' body shapes. Most clothing manufacturers cater exclusively for the mass market, namely the able-bodied population (Melville, 1986). Moreover, what constitutes a 'good appearance' is a particular problem for disabled women (Campling, 1981; Morris, 1989). In modern Britain as in most western societies great emphasis is placed by many male employers upon physical desirability and attractiveness. There is evidence that some employers in the service sector feel that the sight of a disabled woman disturbs clients (Morris, 1989).

Environmental Factors. Environmental factors are central in the discriminatory process. 'Unsuitable premises' and 'difficult access' can relate to either the built environment or access to the work or production process, or both. The built environment in the work place and elsewhere presents a major problem for many disabled people. At present only new shops, restaurants and hotels have to be made accessible and with hotels this need only affect the main entrance level (see Chapter 7). Although modern technology has meant that very few jobs cannot be done by people with impairments, there is no legislation requiring employers to use it.

Evidence shows that employers consistently use these criteria as an excuse for not employing disabled people (Fry, 1986; Graham et al., 1990; Morris, 1989). Additionally, the recent OPCS surveys noted that amongst disabled people with jobs, only 30 per cent of males and 23 per cent of females felt that their employers had done anything to make it easier for them to work. Fifty-seven per cent of the men and 61 per cent of the women said that their employer had done nothing to help their employment needs (Martin, White and Meltzer, 1989, p. 84). Unmet employment needs were also recorded by the influential SCPR study (Prescott Clarke, 1990).

Transport. With the journey to work we come to the issue of transport. Like the built environment generally, public transport systems are not constructed for disabled people. They are virtually inaccessible to many, and for others using them is physically and mentally exhausting beyond what is unavoidable (see Chapter 7). They form a major barrier to the successful integration of disabled people into the economic and social life of the community. As a result simply travelling to and from work, which is little more than an unpleasant inconvenience for the able-bodied workforce, can be particularly daunting for people with impairments. The SCPR study found that 38 per cent of all disabled workers with jobs found travelling to work extremely tiring. Additionally, because of transport problems 9 per cent said that they had to pay more than non-disabled people to travel to and from work (Prescott Clarke, 1990, p. 8).

It also seems that there is an increasing number of jobs which are dependent upon workers' ability to drive. Large numbers of disabled people are not able to acquire these skills because of the nature of their impairment or because they do not have the money to learn. This criterion, however, is sometimes used by employers to reject job requests from disabled people. For example, a negative response to an application by a disabled candidate for a clerical post stated 'it is frequently necessary for all staff to travel between the subsidiary companies using a company vehicle' (quoted in Graham et al., 1990, p. 5). The point here is that the candidate was rejected without any evidence of her inability to drive, but was based on the sweeping assumption that no disabled people are mobile.

Geographical Mobility. During the last fifteen years geographical mobility has become especially important in the search for work. Unemployed workers have increasingly been encouraged 'to get on their bikes' to look for jobs. The OPCS survey showed that there were more disabled people living in the north of England, Yorkshire and

Humberside, and Wales (Martin, Meltzer and Elliot, 1988), which are traditionally areas of higher unemployment (Lonsdale, 1986) than the south. In addition, it is now common for people already in work to move to other parts of the country to gain advancement. In present circumstances, however, geographical mobility is difficult if not impossible for many disabled people. Apart from the difficulties associated with Britain's transport system mentioned above, they face the additional problem of finding somewhere to live. Although there is a shortage of available housing generally, houses accessible to disabled people are in particularly short supply (see Chapter 7). Also, many disabled people use personal and domestic services provided by local authorities or voluntary agencies. The provision of these services is extremely limited and varies dramatically throughout the country (see Chapter 6).

Shiftworking. In the main 'shiftworking', another problem employers cite as a barrier to disabled people's employment, is not a problem for the majority of workers with impairments who, as we have seen, work the same number of hours as able-bodied workers. There is, however, a minority of disabled people who are only able to work at particular times of the day, such as those who require some form of personal assistance in the mornings and evenings. The Department of Social Security (DSS) estimates that approximately 140,000 people fall into this category (DSS, 1990). Their employment ability is severely hampered by the lack of flexibility on the part of service providers.

Government Policy relating to the Employment of Disabled People

Although there has been isolated attempts to provide employment services for disabled people during the nineteenth century, mainly within the voluntary sector, they were not developed nationally until after the 1914-18 and 1939-45 wars. The political and moral appeal of making provision available for war casualties led to the setting up of Government Training Centres in 1919.

These initiatives were given a further boost during the 1939-45 conflict by politicians concerned over Britain's potential for post-war economic recovery, largely because of the acute labour shortage due to the war effort. A Government-sponsored Committee on the Rehabilitation and Resettlement of Disabled People (the Tomlinson Committee) was set up in 1943, and its recommendations were embodied in the Disabled Persons (Employment) Act 1944 which is still in operation.

The 1944 Act made provision for the setting-up of a disabled persons' employment register, assessment rehabilitation and training facilities, a specialised employment placement service, a quota scheme which compelled employers to employ disabled workers, designated employment for disabled people, and a National Advisory Council and Local Advisory Committees to advise Government on the employment needs of disabled people (DE, 1990).

This was the first legislation to treat disabled people as one group. It was also the first to address seriously the question of their employment. Not only did it provide a range of specialist services designed to find disabled people jobs, but with the quota scheme, and to a limited degree designated employment, it acknowledged and established their legal rights to employment.

Government policy since 1944 is said to have focused on the creation of job opportunities for disabled people. To achieve this, policy-makers have adopted strategies which focus both on the demand and on the supply side of labour. Policies focusing primarily on the demand side of labour are those which centre on the social organisation of the workplace. They include the quota scheme and institutionally-secured employment. Policies which focus on the supply side of labour are those which centre mainly on the work-force. They are designed to persuade employers through a combination of financial inducements and education programmes to take on individual disabled workers. Since the 1960s Government policy appears to have shifted away from demand-side policies in favour of financial inducements and educational programmes.

The Quota Scheme. Special employment services for disabled people, namely the Disablement Resettlement Service (DRS) and, to a lesser extent, the Disability Advisory Service (DAS), can be seen as a compromise between policies of enforcement and those of persuasion. Central to these services is the quota scheme. Under the 1944 Act all employers with twenty or more employees are required to employ 3 per cent of registered disabled people on their workforce.

This means that a register of people with impairments must be kept. Employers are also required to keep records of their operation of the quota. Employers who fail to fulfil their quota requirements are liable to a fine or imprisonment. The employer is however to only breaking the law if s/he is below quota and does not hire a registered disabled person when taking on new staff. It is also an offence to dismiss a registered disabled

person if this means that the employer falls below the quota but no penalty is fixed here.

The maximum fine for not complying with the quota scheme, £100, was set in 1944 and has never been updated. Since the introduction of the quota scheme only ten employers have been prosecuted for non-compliance. The last one was in 1975. One case was dismissed two received the maximum fine, and the rest received fines of £5, £25 or £50. Fines from the seven prosecutions totalled £434 (Hansard 1989).

The number of employers abiding by the law and meeting the quota has dropped steadily since the 1960s falling from 53.2 per cent in 1965 to 26.8 per cent in 1986. Although it is not an offence for employers to be below their quota, an exemption permit is needed before any vacancies can be filled with non-disabled Workers. From 1972 onwards the number of employers given exemption permits by the DE has exceeded those complying with the scheme. This has continued to be the case ever since. Block permits are issued and the process of applying for exemption has become routine. In the past five years 18,000 have been distributed. Indeed it is estimated that in 1986 no less than 17.2 per cent of those not meeting the quota had no permit and were those breaking the law (Hansard 1989).

It is not only employers in the private sector who avoid fulfilling their obligations. Although the quota requirement is not binding on the public sector to state-run agencies are also expected to accept the same responsibilities as other employers. Currently no government departments meet the quota requirements in Britain; nor do nationalised industries and public authorities regional water authorities electricity boards regional and district health authorities and other bodies within the National Health Service. Only a handful of local authorities do meet it (Employment Gazette 1990).

The relevance of the quota scheme has been increasingly questioned by the policies of successive Governments in the 1970s and 1980s. The DE suggested that the scheme should be scrapped and replaced with a voluntary system in 1973. This led to the transfer of responsibility for the schemes operation to the Manpower Services Commission (MSC) (DE, 1990). A second attempt to end the scheme was made during 1979-81 which was decidedly more thorough. The MSC issued a discussion

document which posed the question 'Is special employment protection for disabled people by statutory means still necessary and justifiable for the future?' (MSC, 1981, quoted in Lonsdale, 1986, p. 136).

Although this document contained a number of recommendations, including both statutory and non-statutory policies, it was clear that its authors were highly critical of the quota scheme and wanted it abolished in favour of a voluntary or educative approach. On each occasion the attempt was unsuccessful due to strong protests from disabled people and their organisations. Yet despite this the issue was reopened in 1985 with another review from the MSC which called for further research. The recently published *Employment and Training for Disabled People* reiterates Government 'doubts' as to whether the quota scheme can be made to work (DE, 1990).

Two main arguments have been put forward for the quota scheme's abolition or 'modification', namely the problems encountered enforcing the scheme and the fall in registration (see below). However, although the tension inherent in a policy which requires the use of force as well as persuasion can partly explain the problems of enforcement, they are also clearly due to the lack of commitment of successive administrations.

The DRS was created both to police the quota scheme and to find individual disabled people jobs. These tasks are performed by DROs, which are required to ensure that firms meet their quota obligations, assess applications for exemption, and find individuals work. These tasks are completely contradictory, on the one hand DROs must monitor the activities of employers, and threaten prosecution if they fail to obey the law. On the other hand they are expected to build up a relationship with local employers in order to persuade them to take on disabled workers. The stress which arises from this contradiction may help to explain why most DROs are in favour of abolition of the scheme (Stubbins, 1983; Mainstream, 1990). Moreover, recent research clearly shows that they are constantly coming up against prejudice and negative attitudes from employers (Mainstream, 1990).

Enforcing the quota scheme has also been made more complex by the splitting up of the DRS during the 1980s and the severe staff cuts which followed. After publication of the *Review Of Assistance for Disabled People* in 1982 by the MSC, the service was split into two, the DRS and the DAS. Subsequently, the number of DROs was drastically reduced and the size of their caseloads became 'totally unrealistic' (Mainstream, 1990, p. 117).

The introduction of the DAS marks an important shift away from policies of enforcement, since its main function in marketing and education specifically aimed at employers. Seventy DAS teams have been created throughout Britain to provide specialised help to businesses, 'encouraging them to develop good employment practices relating to the recruitment, training, and career retention of disabled workers'. It has also been noted that, along with the DRS, the DAS is seriously under-resourced and understaffed, and that staff morale is 'rather' low (Mainstream, 1990).

Much of the explanation for this can be found in a leaked internal Government report titled Review of the Organization and Staffing of the Employment Service (July 1989) which stated that 'Work with disabled people is given little status, and even less priority by the Employment Service.' The leaked report went on to note that there is little senior management commitment to Work with disabled people and resources are being taken away or activity not related to disabled people's employment, and Considered of 'greater importance' (Graham et al., 1990, p. 14).

The lack of commitment by central Government to employment services for disabled people might also explain the lack of disability awareness travelling among DROs. Travelling is haphazard and not mandatory. What training there is consists of four Courses spread over four weeks. It includes information about! specific employment schemes and common medical conditions. Instruction is provided by psychiatrists, doctors and representatives from voluntary organisations such as the Royal National Institute for the Blind (RNIB) and the Royal National Institute for the Deaf (RNID) (Mainstream, 1990). Repeatedly, studies documenting the experiences of disabled people have shown that in the main DROs have little understanding of the problems faced by disabled people when looking for work. A common criticism is that they invariably undervalue disabled people's potential, and try to direct them into menial low-skilled, low-status jobs with little financial reward (see for example Graham et al, 1990; Morris, 1989).

Mainstream Employment Services. The likelihood of the quota scheme remaining unenforced is strengthened further by the recent emphasis by Government on the need for disabled job-seekers to use mainstream employment services such as Job Centres, Jobclubs and Restart (DE, 1990). Both the latter are organized programmes sponsored by the DE to help the long-term unemployed. The normal six months' unemployment qualifying period for both schemes has been waived for disabled people

(DE, 1990). In addition, many of these facilities are now being run by private agencies, which signals an alarming shift away from statutory responsibility and regulation. However, if Job Centres, Jobclubs and other mainstream employment-finding services were accessible to disabled people, then this would be welcomed greatly by disabled people and their organisations, but unfortunately in many cases they are not.

In terms of physical accessibility, for example, a recent survey of fourteen Job Centres found that there was a lack of access for people who used wheelchairs 'or for the seriously unfit' (Mainstream, 1990, p.99). Similar findings have been reported by the DE's own research division. Access to Job Centres generally was judged only 'fairly good' by a recent Government report. There were some instances where Job Centres were located on the first or second floor of a building and the only way up was by the stairs. At one Job Centre 'people who were unable to manage to walk up the stairs would either have to drag themselves up by their hands or were aided by more able-bodied members' (IFF Research, 1990, p. 16).

In general, accessible toilets were not widely found. The researchers noted that they only came across a 'handful of cases' where they were available, and in one of these 'the toilets themselves were on a different floor' (IFF Research, 1990, p. 16). There is also a lack of special aids and equipment, such as interpreters for people with hearing impairments and reading aids for visually impaired people, in many Job Centres, especially in centres run by private agencies. It has been found that some agency-run Job Centres are not aware of the needs of disabled people at all. This was attributed to a lack of communication between these organisations and DROs and the DAS (IFF Research, 1990).

There are also official data showing widespread ignorance about disability among Job Centre staff outside the DRS (Tozer and Parsons, 1989). Some Job Centre staff felt ill at ease when dealing with people with impairments and consequently referred everyone to the DRO (Leah et al, 1990). This was confirmed by the Main-stream study which found that the bulk of referrals received by DROs were from 'in house' sources; frontline Job Centre staff, Restart officers and benefit claimant advisers (Mainstream, 1990). There is also evidence of direct discrimination among Job Centre personnel, particularly against people who have had a mental illness. One Jobclub leader said, 'I wouldn't allow potentially disruptive members to join. For example, anyone with mental illness or who was very manic' (IFF Research, 1990, p. 36).

The IFF study noted that there was some difficulty in finding 'general Jobclubs with members with disabilities to interview'. One explanation for this is that in general Jobclub leaders prefer not to take on too many 'people with disabilities' for fear of upsetting their 'throughput targets'. Jobclub users are given a course of instruction on how to look for jobs, and staff are required to reach a 'throughput quota', i.e. get a specified number of users through the course in a given time. It is widely believed among able-bodied Jobclub staff that it takes twice as long to get disabled users through the course. 'Throughput pressure' can lead to recruitment biased against disabled people in mainstream Jobclubs (IFF Research, 1990).

Another Government-sponsored report found that Job Centre staff were concerned that due to staff changes and the use of casual workers on the 'frontline' in Job Centres, disabled people were not getting an acceptable level of service. People who required 'extra but not necessarily special' help were not being catered for. The report went on to say that there was a need for staff in Job Centre offices to receive training in the 'wider aspects of services for people with disabilities' (Leah et al., 1990).

There is also a general lack of training for work with people with impairments in Job Centres, even in Jobclubs specifically for disabled people. Most Jobclub leaders, for example, have been on a training course run by the DE which can last 2-5 days, or have studied the Jobclub manual. Neither the training course nor the manual deals specifically with the problems faced by disabled people in the labour market. There is also a general tendency for Job Centre personnel to underestimate disabled people's intelligence (IFF Research, 1990).

Inducement Policies. The relevance of the quota scheme has also been undermined by the DE's obvious preference for policies of persuasion. These are financial inducements or bribes to employers to take on individual disabled workers, and education and marketing campaigns designed to 'sell' individual disabled people to businesses.

As for financial inducements or subsidies, there are a number of schemes currently available. The Job Introduction Scheme, for example, is designed to enable disabled people to prove their worth to an employer. Under the scheme employers are encouraged, usually by the DRO, to take on disabled workers for six weeks and the employer is paid a grant toward their wages, currently £45 per week (DE, 1990).

There is, however, no obligation on employers either to continue to employ the new recruits after the subsidy has been paid, or even to employ them for the full six weeks. Subsidised disabled workers are not entitled to the normal forms of job protection available to non-subsidised able-bodied workers. Other inducements to employers include the Adaptations to Premises and Equipment Scheme, and the *Special Aids To Employment Scheme*. The former provides funds for employers who wish to make their businesses accessible to disabled workers, and the latter makes money available to employers with disabled employees or workers with impairments who need special equipment at work (DE, 1990).

Historically, however, there has been a very poor take-up rate for these schemes. For example, although the Job Introduction Scheme is widely available and has been for some time, it is only rarely used (Mainstream, 1990). As for the Adaptations to Premises and Equipment Scheme, sometimes referred to as the Capital Grants Scheme, Lonsdale has reported that originally £500,000 was allocated, but that only £5,000 or 2 per cent was distributed to twenty-six projects. Within five years the allocation was reduced to less than one-third of its original amount (Lonsdale, 1986). Graham, Jordan and Lamb have pointed out that the applications for funds from the scheme remained virtually static in the late 1980s at 253 for 1986/7, 252 for 1987/8 and 247 for 1988/9 (Graham et al, 1990).

Using subsidies as a policy to reduce unemployment has a number of advantages. It has been used traditionally by the DE to encourage employers to set up firms in areas of high unemployment, and more recently to find work for other disadvantaged groups, e.g. young people during the early 1980s. Subsidies reduce the cost of labour and thus stimulate employment without reducing wages or increasing manufacturing costs. They also offer policy-makers a cheap alternative to welfare payments and lost tax revenues.

For disabled people, however, there is a number of major disadvantages with such a policy. First, the very act of giving employers a financial reward for employing disabled workers, within the context of the long history of discrimination and exclusion from the workforce, simply reaffirms the institutionalised belief that they have less to offer than non-disabled workers. A second problem occurs where people are hired for as long as they qualify for the subsidy and are then replaced by other target workers. A third difficulty arises if employers take on subsidised workers in place of non-subsidised workers. This might stimulate negative attitudes toward disabled people among able-bodied workers, which in

turn would fuel direct discrimination. Fourthly, the extra administrative cost of filling in forms, claiming subsidies etc. for employers who take on subsidised workers can act as a major barrier to disabled people's employment. Fifthly, the heightened involvement of Government officials and specialist agencies in businesses which employ disabled people because of the subsidy-claiming process can have the same effect.

Finally, schemes which only aim to make specific buildings or particular production processes accessible to disabled people are only a partial solution to the problem. While a minority of disabled workers might receive some psychological benefit from their implementation, if only because they are able to work, that benefit is extremely limited and indeed may in the long term be detrimental. Their occupational mobility is still limited in comparison to the non-disabled workforce. They are tied to a particular workplace or work situation, and cannot leave their job in the knowledge that there is another factory or office around the corner which is also accessible to their needs. In addition, their promotion prospects will also be harmed. Promotion may mean moving to a part of the building which has not been made accessible, or the acquisition of new equipment – considerations which are bound to influence employers' decisions when they are looking for promotion candidates.

Marketing and Education. During the 1970s the DE put its full weight behind two Government campaigns known as 'Positive Policies' and 'Fit for Work'. Both hinged on the assumption that voluntary action would do more to get disabled people jobs than compulsory measures. In 1977 the campaign known as 'Positive Action' was launched. It aimed to persuade employers through extensive publicity and visits by DROs to develop enlightened internal policies which would improve the employment prospects of disabled people. Publicity material was sent out to 55,000 firms encouraging them to adopt recruitment policies which would give equal consideration to disabled people for all vacancies, retain newly disabled workers, improve the training and promotion prospects for disabled employees, make the work process and premises accessible to workers with impairments, and liaise closely with DROs (Lonsdale, 1986).

The 'Fit for Work' campaign followed two years later. One hundred awards were to be made annually to businesses which made 'outstanding achievements in the employment of disabled people'. The award lasts three years and includes a presentation plaque, citation, desk ornament

and the right to use the award emblem in publicity. To receive the award an employer must show that s/he has adopted similar policies to those advocated in the 'Positive Policies' programme. Even more than its predecessor, the 'Fit for Work' scheme emphasized the shift away from policies of enforcement and equal rights to one of charitable benevolence and official approval (Lonsdale, 1986).

Persuasion rather than enforcement was further endorsed in 1980. Under the Companies (Director's Report) Employment of Disabled People Regulations 1980, the annual reports of firms employing more than 250 workers must contain a statement of the company's policy toward the employment of disabled people. This should cover recruitment, training and career development (Lonsdale, 1986). This obligation was reiterated statutorily in the Company's Act 1985 (DE, 1990).

In 1982 the MSC recommended that the quota scheme be abandoned in favour of a largely voluntary scheme supplemented by a weaker form of statutory protection. The voluntary component of the scheme was a general obligation to promote equal opportunity policies, and the statutory part was the disclosure of company policy, which had already taken effect. It was suggested that the general duty be linked to a code of good practice. The MSC then produced a draft code of good practice which was also published in 1982. This document represented little more than an educational approach, offering guidance and suggestions rather than establishing a legal framework for the protection of disabled people's rights (Lonsdale, 1986).

In 1984 the Government followed this up with a major publicity campaign to launch its 'Code of Good Practice on the Employment of Disabled People'. A video was produced one year later. Another major marketing campaign was forthcoming in 1986, with yet another in 1988 when the Code was updated. In October 1990 the DE spent £400,000 on a publicity drive to launch a new 'good practice' logo which is supposed to denote that an employer 'is committed to good policies and practices in the employment of people with disabilities' (Disability Now, 1990c, p.3). The most remarkable point about this new campaign is that employers do not have to prove anything in order to adopt the logo. Its use is completely voluntary.

Hitherto none of these initiatives has had much success. The 'Positive Policies' campaign was judged to have had 'very little effect' (Lonsdale, 1986, p. 134). The 'Fit for Work' scheme, which is still in operation, has

been described as little more than a 'cosmetic public relations exercise' designed to give the impression that disabled people get a fair deal in employment. It can be seen as rewarding employers, but ignoring completely the achievements of disabled people (Mainstream, 1990, p. 142). Moreover, recent Government research suggests that only 21 per cent of all employers have a formal written policy regarding the employment of disabled people (Morrell, 1990, p. 12).

As for the Code of Good Practice, although over 120,000 copies have been distributed (Graham et al., 1990), Government estimates suggest that it has been received by less than a fifth of all employers (Morrell, 1990); according to the same source, the accompanying video has only been seen by 2 per cent (Morrell, 1990). Indeed, the evidence shows that this campaign has been as unsuccessful as its predecessors in influencing employers' attitudes towards disabled people and employment, with regard both to employers' compliance with the quota scheme, and to the promotion of better employment practices generally.

Additionally, Government data show that few employers who have received the document only a third felt that it had highlighted the 'employability of people with disabilities' (Morrell, 1990, p.21). There is also evidence that even some employers who claim to be operating an equal opportunities policy still discriminate against disabled employees (Morris, 1990; Mason, 1990). A recent independent analysis of employment opportunities for disabled people generally concluded that 'persuasion through voluntary means has simply not worked. And there is no evidence that it is likely to in the future' (Mainstream, 1990, p. 153).

Registration. One of the main arguments continually put forward by a succession of Government officials to justify the scrapping of the quota scheme is that the declining register makes it impossible for employers to meet the quota requirement. In the 1950s there were 936,196 disabled people registered with the DRS, but in 1989 there were only 366,768 (Same Difference, 1990e). The Minister of Employment recently stated: 'Only 1 per cent of the workforce have registered as disabled. So by definition it is not possible to meet the 3 per cent quota' (Hansard, 1990b).

This is particularly alarming when current Government estimates suggest that 3.8 per cent of the working population are 'occupationally handicapped', or eligible for registration (Prescott Clarke, 1990), and when other DE research shows clearly that disabled people would register if they felt that to do so would lead to a positive outcome, such as access

to a worthwhile training scheme or a job (Foster, 1990). Also, while there are still thousands of firms illegally below quota and thousands of unemployed disabled people, it is 'inappropriate' to use the declining register as an argument to explain non-compliance by employers (Lonsdale, 1986, p. 135).

This argument ignores the reasons why disabled people do not register. There are no incentives to do so other than to find work, and while the quota scheme is not enforced employers will not comply with the law. The DE has acknowledged that the increase in the distribution of exemption permits is a response to the decline in registration (DE, 1990). Consequently a vicious circle has been created whereby disabled people do not register because they believe registration is a waste of time and DE policy simply confirms that belief.

Policies used by Other Governments. Government policy also ignores the evidence from abroad. Several western societies accept that compulsory powers are necessary to ensure that employers employ disabled workers. The United States, for example, has a system of 'affirmative action' rather than a quota scheme, and it has been noted that the machinery adopted to ensure compliance is in sharp contrast to the British experience (Lonsdale, 1986). The new U.S. anti-discrimination legislation which passed through Congress on 22 May 1990, with 403 senators voting for the Bill and only 20 against, states that by 1992 businesses with more than twenty-five employees will be required by law to make their 'physical plants' accessible to disabled workers. By 1994 this is to be extended to businesses with more than fifteen employees (New York Times, 1990). In addition, a number of European states have adopted compulsory measures to secure disabled people's rights in the workplace. In the Netherlands, for example, a quota is set at between 3 and 7 per cent, depending on the type of industry, in both the public and private sectors. Fines are imposed on employers who are below quota. Portugal is introducing a 5 per cent quota for private industry and 10 per cent for the public sector. France has had an employment quota for some time. It was considerably strengthened in 1988. The existing quota is set at 3 per cent, and is set to rise 1 per cent a year until it reaches 6 per cent in 1993. Employers who cannot or will not comply with the scheme will have to pay into a fund to improve the employment prospects of disabled people along similar lines to the German model (Same Difference, 1990e). The German quota scheme was introduced in 1974. It is set at 6 per cent and operates for firms employing more than fifteen people. Registration has increased steadily since the scheme's introduction and the system is said to be 'thriving'. Germany has a central disability fund

raised from fines levied on firms that do not obey the law, currently bringing in the equivalent of £100 million per annum, which is used to support disabled people's employment. Commenting on the scheme's progress Herbert Nesecker, Director General of Westfalen-Lippe, stated: 'Since we've had this system we've been able to give many people work, and to ensure that others keep their jobs' (quoted in Graham et al., 1990, p. 13).

Conclusion

This chapter has demonstrated that the discriminatory attitudes and institutionalised practices which disproportionately disadvantage disabled people in employment are entrenched within the British labour market. They are evident in the policies and practices of employers and employment agencies, both public and private, and, most important, Government efforts to influence the work system. As a result unemployment and/or underemployment are common among disabled people.

The data show that disabled people are more likely to be out of work than the rest of the community, they are out of work longer than other unemployed workers, and when they do find it, it is usually low-paid, low-status work with poor working conditions. It is evident that assessment and rehabilitation services, ATCs and institutionally-secured work schemes under the 1944 Act have done little to change the traditional pattern of disabled people's employment. Assessment, rehabilitation and training rarely lead to mainstream employment, and the overwhelming majority of disabled workshops are in low-status occupations working for below subsistence wages.

Institutional discrimination against disabled people is prevalent throughout the British labour market. Clearly, widespread prejudice and ignorance regarding disabled work. Because individual disabled people are packaged and sold as different from other members of the labour force the traditional divisions between them and non-disabled workers are underlined and, indeed, deepened. Moreover, giving individuals with impairments specific aids for particular forms of work in a specified work environment does not provide them with the same employment opportunities as their able-bodied contemporaries.

Such policies can only achieve a limited success in specific cases, but at the general level they are certain to fail. The only policies which might succeed are ones focusing primarily on the demand side of labour,

namely on the workplace. These are policies creating a barrier-free work environment and requiring employers to use production processes accessible to the entire workforce, policies aimed at the 'social organization of work' (Oliver, 1990, p. 124).