



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Economy and Fair Work Committee

Wednesday 15 May 2024

Session 6



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Pàrlamaid na h-Alba

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ECONOMY AND FAIR WORK COMMITTEE

15th Meeting 2024, Session 6

CONVENER

*Claire Baker (Mid Scotland and Fife) (Lab)

DEPUTY CONVENER

*Colin Beattie (Midlothian North and Musselburgh) (SNP)

COMMITTEE MEMBERS

*Maggie Chapman (North East Scotland) (Green)

*Murdo Fraser (Mid Scotland and Fife) (Con)

*Gordon MacDonald (Edinburgh Pentlands) (SNP)

*Colin Smyth (South Scotland) (Lab)

*Kevin Stewart (Aberdeen Central) (SNP)

*Evelyn Tweed (Stirling) (SNP)

*Brian Whittle (South Scotland) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Carmel McKeogh (DFN Project Search)

Charlie McMillan (Scottish Commission for People with Learning Disabilities)

Joanna Panese (Scottish Autism)

Alan Thornburrow (Salvesen Mindroom Centre)

CLERK TO THE COMMITTEE

Anne Peat

LOCATION

Committee Room 4

Scottish Parliament

Economy and Fair Work Committee

Wednesday 15 May 2024

[The Convener opened the meeting at 09:30]

Decision on Taking Business in Private

The Convener (Claire Baker): Good morning, and welcome to the 15th meeting in 2024 of the Economy and Fair Work Committee. Our first item of business is a decision on whether to take items 4 and 5 in private. Do members agree to do so?

Members *indicated agreement.*

Disability Employment Gap

09:30

The Convener: Our next item is the third evidence session of the committee's inquiry into the disability employment gap in Scotland. This morning, we will focus on the barriers that are faced by people with learning disabilities and neurodivergent people in accessing the labour market.

I welcome Carmel McKeogh, who is the operations director at DFN Project Search; Charlie McMillan, who is the chief executive of the Scottish Commission for People with Learning Disabilities; Joanna Panese, who is practice and community development lead at Scottish Autism; and Alan Thornburrow, who is the chief executive officer at the Salvesen Mindroom Centre. As always, it would be helpful if members and witnesses could keep their questions and answers as concise as possible. Thank you all for attending.

I will start with an opening question, which I will put first to Carmel McKeogh. Will you outline what you see as being the key barriers to employment for people with learning disabilities and neurodivergent people? There will be an opportunity for you to expand on the subject later but, initially, it would be helpful to get the headlines on what the key barriers are.

Carmel McKeogh (DFN Project Search): My main focus is on how people do when they leave education and what happens to them at that point. Most of my experience is in working with young people with learning disabilities and autism as they get to the point at which they leave education.

We have 18 programmes across Scotland that enable people to take that step from leaving education into employment by creating wraparound support for them, which includes the educator providing a teacher who will, for example, help them to understand what the unwritten rules are in a workplace when it comes to behaviours and how everything plays out, alongside a job coach, who provides practical skills in helping people to learn things that will enable them to get jobs. They are based in a host business, where they learn things in context and understand how all those things fit together.

In Scotland, we have fabulous results—they are the best results of all the United Kingdom countries. Seventy-two per cent of those young people will go into paid employment, and just shy of 60 per cent of them will get full-time paid jobs—more than 16 hours in a setting that is permanent.

Usually, the outcomes are fantastic. A programme review that was undertaken in Scotland showed how effective it is and how much added value it brings in social outcomes for those young people. At every level, it makes perfect sense for us to help those young people to transition into work, just like everybody else. The expectation is that you will work, and the expectation for those young people ought to be the same. That ought to start from a very young age. We need to get the message out that you can work if you are supported to work and you want to do so.

We have all that evidence that the programme absolutely works, but there is frustration about the lack of opportunities for everybody to access it. There are definitely problems around the funding element. Educators find it harder to fund smaller numbers on a programme. That impacts on smaller communities and rural communities, where an educator finds it difficult to put a teacher in, because it cannot fund that.

In addition, we have a very poor system of supporting people to have a job coach. At the moment, the funding of the job coach is entirely reliant on the local authority. Some support is supposed to come via the Department for Work and Pensions through the access to work scheme, but access to that is dire. The process for accessing it is very complex, and there is often a delay in getting payments. Some of our smaller organisations cannot deal with that.

There is a real desire and wish to make sure that the programme is universally available to everybody in Scotland. We know that it works. Let us find a way to make that happen. It is partly a question of addressing those two issues of funding.

I know businesses that want to work in Scotland and to offer opportunities to people with learning disabilities and autism to come through a programme, but I cannot find the funding for the educator or the local authority. It breaks your heart when business says that it wants it and young people say that they want it, but it cannot happen simply because of a lack of money.

We work with a brilliant person in Glasgow, who always says, "If you don't help me with this, let me introduce you to your clients for the next 40 years." People will become more ill and will need more support—they will need all sorts of things—if they do not get into work. Can we not find a way to make that happen so that we protect people from that future and offer them a much brighter one?

The Convener: Thank you. I come now to Joanna Panese, from Scottish Autism. Carmel McKeogh talked about the support that her organisation gives to young autistic people. From

national figures, we know that, for the 16 to 64 age group, people with autism have the lowest employment rate compared with those with other conditions. They are right at the bottom. We also know that although autistic people are often university graduates, they find it more difficult than other graduates to find work—and the pay is not as good, I think. Will you say a bit about that, in relation to what the key barriers and problems are?

Joanna Panese (Scottish Autism): Everything that you said is absolutely correct. That is the experience that is faced by a lot of autistic people—highly qualified, highly educated and very articulate people. A lot of the barriers that Carmel McKeogh mentioned are present for that community even more acutely.

At Scottish Autism, we work with businesses and organisations to get them ready to receive autistic talent into their business. A lot of the focus is on the autistic person changing so that they fit into current working practices, but we know, by virtue of the fact that the disability employment gap has not narrowed—if anything, it has widened for autistic people over the past few years—that that approach is not working for us. We need to rethink how we in Scotland work and how we support our economy by tapping into that unique talent, which has lots to give to the economy and lots to offer us in terms of putting Scotland on the map, if you like.

As Carmel McKeogh is, we are approached by lots of businesses that recognise that they have a responsibility—there is a dual responsibility in this space—to change their working practices and to look at how to do things differently in order to tap into that talent, but which just need the mechanisms or the support to know where to go. We therefore need to focus on how we connect businesses with specialist organisations. The "The Buckland Review of Autism Employment: report and recommendations", which was published in February, mentioned that. It talks very strongly about making support available for business to think differently about how they do this.

We need universities and other higher education settings to link in with those specialist organisations and with business to create positive pathways for people into jobs that they want and in which they feel that they can utilise their skills and expertise.

Although short-term career development opportunities—for example, volunteer opportunities and apprenticeship schemes—are valuable and have their place in building people's skills and expertise, we need to provide real and sustainable opportunities for people to remain in the workforce in the long term and on their own terms, so that they can contribute in a way that is

meaningful to them. We get the best out of people when they are in a space in which they thrive. Surely it makes sense for all of us to be able to provide those opportunities.

The Convener: Thank you. I come now to Charlie McMillan, who is chief executive of the Scottish Commission for People with Learning Disabilities. You provided us with the 2018 report by the employment task force. I put the same question to you as I put to the others, only with a bit more focus on what the barriers are and whether the Government has the right policy levers. Our two speakers so far have helpfully talked about what business needs to do to change, but what policy measures has the Government introduced, and what things are lacking that would enable better progress to be made?

Charlie McMillan (Scottish Commission for People with Learning Disabilities): Thank you very much for inviting me today. I provided that report, despite its being six years old, because very little has changed. I do not think that the policy levers that we have are enabling the required level of change to happen. We are dealing with hard-wired prejudice and discrimination at societal level, at school level, at educational level, at college level and at employment level.

The lack of expectation that is placed on people with learning disabilities is profound, and that means that they start from way behind in trying to live the lives that they choose. To a person, the hundreds of people with learning disabilities I am in touch with ask for work. They want to work. However, we have a society that ensures that that is the exception rather than the rule. All the changes that my colleagues have mentioned absolutely need to happen, and there are some brilliant examples of work happening, but it is so small in scale.

We also have to accept that the Equality Act 2010 has not worked for people with learning disabilities in Scotland. It uses a medical model of disability, and it is not sophisticated enough to work at a disaggregated level in order to meet the needs of people with learning disabilities. There is a profound gap, and that is one of the reasons why my organisation and the learning disability sector are absolutely committed to delivering the proposed learning disabilities, autism and neurodivergence bill. We are working very closely with the Government on that. I refer to the proposed bill, rather than to a commission or commissioner, because I think that people need to have their fundamental human rights met first, and employment is a fundamental human right that is being denied to people on a daily basis. We can then worry about structures.

One of the things that we absolutely need to be driven to address is the lack of accountability. That should not be the case in Scotland at the moment, but people are not being held accountable for making the changes that need to happen in order to employ people with learning disabilities who want to work. As an organisation, we have 14 staff in our core team, and I employ 22 people with learning disabilities on a day adviser's rate. We find workarounds in relation to the world that they live in, benefits and all the challenges that they face in trying to be part of the workplace. It is possible, but it takes commitment and it takes a lot of hard work to realise. Once we do that, we see the triumph of people working and contributing to society.

I am delighted that you are absolutely focusing on the disability employment gap. It is profoundly important for people with learning disabilities, autistic people and other disabled people, because the situation in Scotland is just not good enough at the moment. Better needs to happen.

There is one other point that I wanted to make. While preparing for the meeting on the train, I found the remit for the committee's inquiry really interesting to read. It says:

"The Committee will consider the help available for disabled people to get back into the labour market".

I am sorry, but that is not the case. People with disabilities have never been part of the labour market. That is indicative of the prism through which we see the situation, because it shifts responsibility on to the individual: "Get back to work. Why are you not at work?" That needs to change. Policy needs to be developed, but legislation and statutory responsibilities need to be brought to bear to enable the changes to happen.

That is enough for the moment.

The Convener: Thank you. That is a fair comment on our remit.

Alan, I will ask you a similar question to the one that I posed to Charlie. What are the key barriers? Do you think that the Government's levers and policy measures are doing enough? The Government has a target of halving the disability employment gap by 2030—sorry: by 2038. Do you think that we are on track to achieve that with the policies that are currently in place?

Alan Thornburrow (Salvesen Mindroom Centre): I will step back a little bit. The crux of our work is supporting children, young people and families across Scotland. Last year, we supported 1,587 young people. Many of the challenges and the barriers that they face—whether with exclusion, partial attendance or attainment more broadly—are experienced quite early on in education. Given that 34 per cent of young people

have additional support needs and the downward pressures that exist on schools and local authorities, how can we meet a young person where they are? How can we provide an education that helps them to flourish?

09:45

Young people's experiences in their formative years go on to influence their sense of self, which has an impact on whether they would consider themselves as being able to work in a particular career or sector, and on whether they believe that they have the skills to succeed there. Many important things are happening further upstream with employers. Along with all my colleagues, we do a lot of work to educate employers about neurodiversity and the inherent talents that we all bring to the table, whether we are neurodivergent or otherwise. All that work begins much further upstream. At the moment, I think that that is one of the biggest barriers that we face.

Typically, parents come to us when they are in crisis, such as when their young person is suffering from mental ill health and they have to wait for two to three years to speak to child and adolescent mental health services. There is very little support available for those young people and their families. In fact, many of the young people who come to us do not need to be on a waiting list or in a queue—although that is the wrong terminology—for a CAMHS team. They need to be supported to access the education system and to attain in it, so that they can begin to build the self-confidence and sense of self that will help them to access the world of work and to believe in themselves.

That explanation is overly simplistic, but we have to start early and we have to do better for our young people—that is a really significant point.

The Convener: We had a session with The Usual Place from Dumfries, and we met the young people who work there. What you have said chimes with some of the evidence that we heard in that session.

I should also let members know that, this morning, the Education, Children and Young People Committee published its report on additional support for learning. We have not yet had a chance to look at that report, but that committee has been doing work on the educational side of the issue.

I will hand over to Maggie Chapman.

Maggie Chapman (North East Scotland) (Green): Good morning to the panel. Thank you for joining us and for the information that you have provided us with. I am mindful that Alan Thornburrow has said that things need to start in

early education. Some of my colleagues will pick up on that.

Joanna Panese and Carmel McKeogh spoke about businesses wanting to employ people but that there are barriers to their doing so and that they cannot do what they want to do. When businesses are successful in that regard, what makes it work? What is their mindset? We have heard about the use of the social model of disability rather than the medical model, for example. When it works, why does it work?

Carmel McKeogh: For the most part, when we start working with businesses, what is bothering them or worrying them is fear. There are so few autistic people and people who have learning disabilities in the workforce that many businesses have absolutely no experience of working with them. When you offer something such as a supported internship, which is what we do, it involves putting support around someone when they go into a business. Employers tell us all the time that, most of all, they value having a teacher and a coach on site. There is a fear; they think, "What if this happens? What if someone gets upset? What will I do?" The fact that there is someone on site who can say, "We can deal with that. We can sort that," is really important to employers.

I would say that, within a few weeks of people in a business working with young people, all of their concerns go, because they can see that the young people are talented. They may look at things differently from others, but that brings a lot of value to employers. Recently, someone very senior visited a business and met some interns. One of the interns made a suggestion about what could be improved in its operations. Nobody else would have dared to say that, but that guy did, because it is what he thought.

Young people bring so much value to the businesses that we work with. It does not take us much longer than three or four weeks of a young person being placed in a business for its team to be saying, "This is the best thing that we have ever done. I don't know why we haven't done it before." It is as easy as giving businesses a support person who can help them, be available to them and answer their questions. The doors then open; it is incredible.

Joanna Panese: In terms of what makes it work, that is indicative of the culture in the business. That usually comes from somebody in the business having lived experience, whether as an autistic or neurodivergent person, or as someone who has an autistic or neurodivergent family member or friend, and bringing that level of insight to the workplace.

I will give two examples of really excellent work that has taken place in Scotland and with our partners in India. The first example is Barclays. We worked with Barclays when it opened a brand new campus, and it engaged with a number of third sector charities, which were organisations that represented a vast array of differences that people come with into the workplace. Regardless of whether we are disabled, we all come with something when we come into the workplace. Barclays really considered the environmental design of the building and built it for the minority. The company built that beautiful campus, across the River Clyde in Glasgow, for neurodivergent people and people with a disability.

At first, Barclays was really worried that investing all that money into designing for the minority would mean that the building would not suit the majority, but the company took a risk and did exactly that, and it has worked for everybody.

The footfall of people coming back into the business after the pandemic grew exponentially. Most of us were reluctant to go back to work and sit behind our desks after the pandemic, but everybody wanted to go into that building because it was inclusive. It was designed with wellbeing in mind, and that shifted and changed the culture. That created pockets of people having conversations about what individuals need. It became less about the person's identity and more about what the person needed in order to function and be a positive contributor in that place. That broke down all those social barriers that my colleague Carmel McKeogh mentioned that are related to fear.

There was a really shocking statistic—again, this was in the Buckland review—that around 50 per cent of managers expressed discomfort with the idea of hiring a disabled person. It is 2024, so that is a shocking statistic to hear. However, changing and considering the environment shifted the culture. That is not the whole story, but it certainly was part of the way that that happened.

We continue to engage with Barclays regularly. We see more representation in that building. Autistic and neurodivergent people feel safer to say, "Actually, I need this. I'm autistic. Come and ask me about what that feels like for me." That creates a culture of openness.

Another example is the Lemon Tree Hotels project in India, which the Scottish Government has supported. The project has explored ways of creating a hospitality business that is based on skill rather than on someone's ability to meet a vast list of job criteria that probably would not be a fit for anyone. The project matches people to a particular job. If you are good at cleaning, that is your job. If you are good at making the beds, that is your job. Lemon Tree team members have told

me, "This is not charity. This is not us doing people a favour. You come into our business to perform your role and your job. We'll support you, but we'll give you a job that matches your skills." Again, it is about thinking differently and using those job-carving principles. Those are two great examples.

In addition, we have a lot of great examples in Scotland. We are not short of good examples of when things work or of evidence of what works. However, where we fall short is on implementation and on creating meaningful progress in that area, and that should be the next step.

Maggie Chapman: Thanks very much for that. Charlie McMillan, you were nodding along to that. Earlier, you said that there are good examples but that they are small scale and are not everywhere. What are the barriers to scaling that up or out?

Charlie McMillan: Building on what Carmel McKeogh and Joanna Panese have said, I would say that a lack of management skills in the workplace is a fundamental aspect.

Last week, I got three examples of why people are not working. One person said to me, "I was told that—after a fight—I'd get an interview but that I'd be a health and safety risk. I'm not employable because I'm a health and safety risk." I have one example of that through Values into Action Scotland. One young woman, who had been told on numerous occasions that she would be a health and safety risk—that is what she heard—became a health and safety officer for a building company.

Another young woman—actually, it is wrong of me to use the term "young woman". I was speaking to another woman, who was probably in her mid-40s. The target has written off a generation—halving the disability unemployment gap in 14 years has written off a whole generation of people who will not work. The woman was told that the liability insurance for the organisation could not sustain employing her, as though the liability insurance was her responsibility. As I said, I employ 22 people with a learning disability in the organisation and I have no issues with my liability insurance. Nobody has ever broken breath on it.

Another young man, who went for a job with a public sector organisation, asked for a reasonable adjustment, which was an online interview. The recruiter told him, "No, you can't get an online interview, because that would be unfair to all the other candidates." That is a lack of understanding of what a reasonable adjustment is. He said, "You'd be proud of me, Charlie—I just kept going back to say that I wanted an online interview." He asked three times and, finally, he was given an online interview. My final question was, "Did you

get the job?” “Of course I didnae, Charlie.” That is the reality for people; that is what is happening.

Therefore, it is about management skills and understanding the legal responsibilities. There is a failure to absolutely understand the law of the land and a failure to enact it and be held accountable for it. People have the right to work, and we have a legislative framework that says that, but it is not delivered. There is a need to skill up managers.

It also about in-work support because, after Carmel McKeogh has done her fabulous job of getting people into work, Government figures show that, after a year, the retention rate for people with learning disabilities is 12 per cent of a tiny number. After a year, only 12 per cent are still in work. Why? It is about the ability to support people in the workplace and to change the culture of the workplace, because we know that culture eats strategy for breakfast. We know that that happens. Bullying, harassment, intimidation and a lack of understanding in the workplace are really fundamental issues when you are different. Yes—I absolutely get that we are all Jock Tamson’s bairns, but people with learning disabilities are different, and we need to get much better at celebrating those differences in the workplace.

Maggie Chapman: Alan Thornburrow, you spoke earlier of the failure to support people at an early age, and we have heard from Charlie McMillan that that happens throughout people’s lives because of the culture of our society. How can we use the examples of good practice to help change that culture?

Alan Thornburrow: I will build on what Charlie McMillan said. According to a recently published report by Birkbeck, 60 per cent of employers are now at least putting neurodiversity on the agenda. That is a good starting point. According to City and Guilds, 73 per cent of people have had general awareness training but only 33 per cent of managers have had any training. That is a key point about role modelling, culture and developing an environment of psychological safety.

There is a reason why people who are coming into work, or, indeed, are already in the workplace, do not disclose that they are neurodivergent, and it is all fear driven. Generally, their fear is about lack of development and progress, and about their relationship with colleagues and line managers. Disclosure rates are very low; in our experience, they are under 5 per cent at best. People are asked about that under the question, “Would you consider yourself to have a disability?”, but a lot of neurodivergent people would not consider themselves to have a disability.

We are slowly changing from a medical model of disability to a social model, but we are still looking at the deficit, talking about reasonable

adjustment and asking, “What can we do to accommodate you?” That is where we are beginning to see a shift at a social level and from a business culture point of view. It is slow and it will take time, but it is happening in businesses that we are working with across the economy.

A good example is a law firm recently saying, “We’ve just taken a graduate population for this year and, actually, about half of them have disclosed that they are neurodivergent.” Something is happening, either at university level or before, that makes a person more comfortable to disclose that, but that rate drops off quickly in the workplace, when people are possibly in the striving phase and do not want to be seen not to conform to bias or to type, or whatever the case may be.

Good progress is definitely being made. There are simple things that employers can do, such as providing choice at interview and looking carefully at job design. Do employers really need—as Joanna Panese pointed out—every single thing that is listed on a job description? None of us can do all that.

10:00

I have a recent example. One of the investor organisations with which we work was hiring in the technology space, and the interview was 80 per cent weighted towards putting the individual in an environment where they were problem solving with huge data sets, as that is what they would be paid to do. Do they really need to spend all their time making the greatest eye contact and building strong relationships? Probably not. That is an element of the job, but it is not essential in a role like that.

For an employer, it is about being thoughtful about what you need—is it really what you need?—and providing choice at interview, and including online forms and interviews. Basic things such as questions in advance are valuable to everybody. The point was made that we might call it the universal divine: what is good for one is generally good for the many, is it not? Those are all things that can be done, but it begins with culture and education, and is driven from the top down.

That is a very long way of coming back to your point. Storytelling and role modelling is critical to that.

Maggie Chapman: Thank you—I will leave it there.

The Convener: I call Evelyn Tweed, to be followed by Murdo Fraser.

Evelyn Tweed (Stirling) (SNP): Good morning, panel, and thank you for all your answers so far.

Alan Thornburrow's comments are a nice segue into what I am going to ask about. How can more support be offered to employers for recruitment in order to ensure that things are inclusive for all young people? What would you say to that?

Alan Thornburrow: I would probably build on a lot of what I have said already. That change is already happening, but it is happening organically with employers and organisations such as ours that are represented here today. They are going out and providing education, training, awareness and upskilling, and helping to drive culture change. However, much more needs to be done to support the pathways in, and sustained employment is a key dimension. There are excellent programmes, which I suppose will be temporary, so we need to be able to sustain people in employment after those programmes.

There are a lot of practical things that employers can do, and are doing, but it is a slow process that involves educating employers one by one, sector by sector.

Charlie McMillan: I absolutely agree with those points, and will build on them. The way in which we recruit is about trying to open up all the processes. If we make processes accessible for one person, we make them accessible for everybody. That is fundamental. Things such as using video or audio files in the application process, and producing information—as we do—in easy-read format, should just be happening. We need to be much more creative in the way that we look to fill posts.

As we keep being told, the world has changed, and the world of work is changing, so we need to be more flexible. A job may not involve working a 35-hour or 40-hour week or—if you are really unlucky—more than that. It might be what we do: our paid advisers work three days a month and we pay them a day rate.

Employers need the support to think that through. They need to think about ways in which they can build on people's strengths. One young man with whom we work, who is one of our paid advisers, is an absolutely fabulous communicator. He had a job in a shoe shop and asked to work in the front of the shop, but the attitude was that you could not have somebody with a learning disability doing that, so he was placed in the storeroom. He lasted six months, and he hated it.

We have to unpick all those things and start again with people. Importantly, we need to engage with employers in a much more meaningful way. As I have seen happen in big retailers, which tend to be fabulous at this, employers need to be accommodating in a meaningful way, they need to be flexible and approachable and they need to

listen. So much of the world is about listening to people and what they are telling us.

I keep coming back to skills building and awareness raising, and encouragement and applauding people. There are great examples. I look forward to seeing our first MSP with a learning disability—when will that happen? How many people with learning disabilities work at the Parliament? We have to role model in everything that we do, and change the culture of Scotland to ensure that people can live the lives that they choose.

Joanna Panese: We need to ensure that we do not start to generalise about people's needs and conflate different populations. Not everybody needs everything, and not everybody needs the same thing.

For some physical disabilities, we might put a ramp in and that will enable all wheelchair users to access a building. However, when we are considering what support neurodivergent people need, we need to be much more forensic. Looking at the whole employee journey is a good place for a business to start, from the point of asking how you can attract the talent and tell the person who is sitting there looking for a job that you offer a safe place for them to come to work.

That might be enough. It might be all that the person needs, and they can navigate the process of onboarding, recruitment and culture, and coming into the business, in a self-sufficient way. We should aim to give people back their autonomy and the ability to make their own decisions about what they need. Businesses need to think about the whole employee journey and what can be put out there that will enable a person to navigate it.

For neurodivergent people in particular, there are also questions to be asked such as, "Do I have to disclose?" and "Should I need to disclose?" In current legislation, provision for reasonable adjustments is based on a person disclosing that they are neurodivergent. That is a very personal aspect of somebody's life and they might not feel that they want to do it, nor should they have to.

We should be designing and developing cultures that just accept people. For example, we should be saying, "D'you know what? Jim does it that way. On you go, Jim", because Jim gets it done. At the end of the day, the job is done. If Jim chooses to tell me that the reason why he does it that way is that he is autistic, that is a gift to me. It is a privilege to be told that.

However, businesses rely on the person turning up and telling them what they need and some individuals in our community do not know that. How do I know what I need if I have never been there before or if I have never seen what that looks like? I am already at a disadvantage.

Again, I sound a note of caution: we should not start conflating populations and designing one-size-fits-all solutions. We already know that that will not work. As my colleague Alan Thornburrow said, we are moving in the right direction, but at the moment, for a lot of people, it is just too slow.

Carmel McKeogh: I agree with everything that has been said, so I will not repeat it, but I will focus on human resources. My background is in HR, so I can say these things and not feel too bad about it.

When I present on HR, I always say that I feel that there are two types of HR folk. There is what I consider to be the sales prevention department—“Oh no, you can’t do that.” As managers will tell you, it always feels a bit like they will not let you do anything. In contrast, there are people who really want to embrace change, make things happen, and step outside the normal routine.

HR is very important in this whole dialogue, because HR people can sometimes be the ones who say, “Oh, you can’t have the interview online” or “Oh no, we won’t give questions in advance.”

I once went to a training session for HR about disability, and there was such a focus on the legal side of it all—the case law and the negative side. I was going to present later, and when I did so, I basically said, “Oh my god, I cannot believe what I’ve just heard. I would go out of here thinking that I’d never want to employ anyone with a disability.” It was sending out a message of fear.

Perhaps we could think about saying to the HR community, “Don’t just focus on all the employment law, the bad stories and the issues here and there”, which are minuscule in the greater scheme of things. We should ask them to open themselves up to taking a bit of a risk in some of these things. Why not give permission for somebody to do something a little bit differently? The world is not going to tumble in around you.

I have done lots to try to support people with disabilities in my career in HR, and I never get problems with that. I get problems with the standard processes when people say, “That has not worked”. However, when you do something a little bit different, it does not attract a load of negative attention. Most people understand, see and get it.

As well as training managers and all the others, we need to encourage the HR community to be an enabler for us, rather than sometimes preventing some of the things happening that we would like to happen. I would love to see us do a bit more to bring that community on board.

Evelyn Tweed: That leads me nicely on to my next question. We heard some great evidence about employers that had taken on neurodivergent people and people with disabilities. We heard how

amazing it had been for their businesses and how well the people had thrived. As you said, such people have contributed much. They are happy to come out and say what they really think, whereas other people might be a wee bit scared of that. Do we need to think about how we get the message out to the business community about how they can really build their businesses by being inclusive?

Carmel McKeogh: I have had to put the brakes on a bit because we are now inundated with employers who want to work with projects. They want programmes. An advantage of having a programme is the support that is around it. It makes businesses feel comforted and that they will do the right thing. We are very strict on measuring outcomes, so we want to make sure that we get people jobs and that they stay in them.

Businesses like that. They like to see our data and their own. We now have quite a few big businesses that want to be able to see all the data from all their sites across the UK. The problem for us is the infrastructure that is needed around that to support them. We need education. Local government and the DWP also need to be aligned to make those things happen. Lots of businesses in Scotland would like to do more, but the infrastructure means that we cannot move at the pace that we would like.

It makes me feel sad that that is the case, because we have really turned the corner with employers now. They are enthusiastic and want to do it. However, when you ask a college whether it can support the work with a teacher the answer is, “No, we cannot afford to do that.” The council cannot afford to invest in job coaches. For the sake of, for example, £100,000, we cannot take eight or 10 people through a programme every year that would lead to employment when we know from the survey that was done in Scotland that, for every £1 spent, £3.96 in social value comes back. It is heartbreaking.

At the moment, employers are not my big issue. That is our experience, but others might have had a different experience.

Alan Thornburrow: I will give an example that has a positive and a negative. About two years ago, we were supported by the workplace equality fund to develop a neuro-inclusion at work programme that would be match funded by employers. That has been enormously successful for us, but the fund was discontinued. The programme was a mechanism for getting out to the business community and we reached several thousand business leaders and HR professionals to educate them and raise awareness, and we have employers meaningfully engaged in becoming more inclusive, specifically on neurodiversity, but the programme had a hard stop to it.

As charities, it is not easy for us to sustain such programmes at a commercial level. On the one hand, we are making good progress but, when those supports are taken away—not unlike the temporary supports that exist for young people—progress can stall. I am sure that we are all out extensively in the business community. Funnily enough, I am speaking to a lot of senior leaders at the Chartered Institute of Personnel and Development soon and we are hosting a conference next week. However, it takes time to make changes. The programme that I mentioned was a one to two-year programme of support. It was relatively modest but it allowed us to accelerate the outreach that we undertook.

Charlie McMillan: My experience is predominantly the past 36 years in the voluntary sector, which could do an awful lot more, as well. Employers are largely driven by recruitment needs and there are significant recruitment needs in social care, for example.

10:15

We need to look carefully at how we prepare people to work. There is social care, for example, and we have talked about restaurants and hospitality and the employment gap. We need to consider how we build people's skills in those areas. Time and again, we hear about difficulties in recruiting staff, and there are people desperate to work, so how do we join all that up? Integration at the policy level and at the individual and employer level is fundamental.

I keep saying this, because it is possible and there is more that we could do, but employing 22 people with learning disabilities has transformed our organisation. I had to find the money to do that from somewhere, so I did not fill two full-time posts that I had previously filled. We can put our hand on our heart and say that we have people with learning disabilities at the heart of the organisation, working with us day-to-day, and that they tell us where the organisation should go.

When you work with people who are neurodivergent, have learning disabilities or are autistic, you have got to be open. One of my policy managers gave a great example from the first day in the job, when they thought that they were going to go in and speak about the development of the keys to life programme—it was back in the day—and they went into a group of people with learning disabilities and ended up being sidetracked. You have to go with that when it happens. You have to be accommodating enough to think that it is fine when it happens, and then come back later, because that is when staff will deliver the nuggets of their experience, because they have proved that they can listen, and in doing so, they have built trust and a relationship.

People with learning disabilities are looking for belonging, because they have been denied that belonging by our society for decades—centuries—and work is one of the ways that we all get our sense of belonging. I get a large part of my sense of belonging to Scotland through my work.

We also have to be open to the cultural experiences of paid employment. Paid employment is not only a transaction when we get our money at the end of the week; there is so much more to it. There is social activity, skills development and soft-skills development through watching how colleagues operate.

Last week, in Glasgow, I gave a presentation to a European conference at which 29 countries were represented. A young man with a learning disability co-presented with me—well, I am not sure if he is still considered young, but I would say that he is almost still categorised as a young man—and it was absolutely incredible to watch how he took over. At one point, I faltered and I said, “You’ll need to help me here” and he got right in there. It is about trust, relationships and skills development. One size does not fit all and we need to stop trying to squeeze square pegs into round holes, which is what so much of employment is about.

Evelyn Tweed: Can I ask another question, convener?

The Convener: Can we make some progress, Ms Tweed? We are getting a bit short of time.

Evelyn Tweed: Yes.

The Convener: If Murdo Fraser does not mind, I will bring in Colin Smyth first, as the funding issue has been raised.

Colin Smyth (South Scotland) (Lab): Thank you convener, and thanks to the panel for your answers so far.

You have touched on the issue already, but one of the most common concerns that the committee hears about is how the employability services that you talk about are funded. There is the lack of multiyear funding, late awards, schemes being discontinued—as Alan Thornburrow talked about—and projects that do not seem to tick an education box or an employment box, so they fall through the gap. The use of self-directed support is becoming more common and there is concern that, as a result, the checks and balances are not there that would be there if a project was directly funded.

Apart from the obvious fact that we need to fund those services a lot more, what changes do you think we need to make to employment services to make them fit for purpose? You only have an hour to answer that question. Carmel, you mentioned the rules, so I will start with you.

Carmel McKeogh: We have some specific issues, because our service is used at the point at which people leave education and move into employment, as most of us did, and we want to make sure that that works for most people. The best way to move into work is by doing so as you finish your education. It works for everybody else, and it certainly works for those who use our service.

This is about ensuring that the funding is sustainable, rather than coming and going, and it should be grant related. The issue is not so much about new money as about existing money. There is existing money in the education system for people to be in education.

We suggest that, for many people with learning disabilities and autism—albeit not for everybody—the final year of education should be earmarked for getting them ready for work. In that final year for which there is funding, the emphasis should be on moving people into work. That is not education for education's sake; it needs to be education with a purpose and the money for that is already there.

The money could be more fairly distributed. For example, Wales has a set amount for people going on what is called the pathway 4 route to employment. It used to be very different, in that one college would get one amount and another college would get another amount. That has now been streamlined, and colleges now get a set amount, which makes a lot of sense to me.

For those who want work, the final year of education is structured, focusing on work, and it is the outcome of work that is measured, rather than getting a qualification. We would always say that people should have all their qualifications in place by that point, and they should really be concentrating on work.

Secondly, the access to work money is already there for people with a learning disability. They go on to a programme that is centrally funded, but the process of getting the funding out of the system is incredibly difficult. People have to put a plan in, the plan has to be agreed, invoices are submitted against the plan and they go to different people. It just needs sorting out. The same sort of money ought to be there, however.

If those two elements of funding were in place and regularly available, we could have programmes right across Scotland, and we cannot have those at the moment. We need local government to fill the gap around the access to work funding, which does not quite meet all the need. We then get into whether each local authority gives that priority or not.

It does not take a lot of money; it just takes a bit of realigning of what is there to ensure that every young person with a learning disability or autism

has the opportunity of going on a transition to work programme. It is straightforward and there is not too much money involved; it is just a matter of making it happen.

I am looking at people around the room, thinking, "You've helped with some of this." The arrangements have not been well aligned, however.

Colin Smyth: That is very helpful. You were nodding vigorously, Charlie, so I will bring you in.

Charlie McMillan: First, I want to pick up on the point that you made about self-directed support and its potential misuse. People should not be paying money from their self-directed support budget to go and do jobs that nobody wants to do. It is unbelievable that that is happening.

Colin Smyth: Is that becoming a growing problem? Effectively, people are paying to work for free.

Charlie McMillan: I am not sure if it is growing, but I am aware of it happening, and we need to be very careful that it does not increase. I think that it is completely wrong. We are getting back to the days of forced labour that we had in the asylums and the institutions. People worked in laundries, for example. People worked in basket weaving, for instance, in that horrible, tokenistic way. The attitude was, "This is good for people", and we locked them up. We need to be really careful to ensure that people are not using support money for that.

That money could buy them training. I would be absolutely up for it if the money bought people training that came with outcomes and that was quality assured, but that money should not be used to pay for doing work that nobody else wants to do. That is a really worrying development.

I also wanted to build on the point about funding. When things go wrong for people with learning disabilities at societal level, folk ultimately tend to find their way into detention in hospital. As for the funding of that, we think that the average cost of an assessment and treatment unit place in Scotland is roughly between £1 million and £2 million a year. We do not have clear figures for that, because people tend not to be clear about it. If that money was reapplied or reinvested and the person was brought home and supported to get into work, it could have a transformational impact. It is health money, however, so it sits over in that budget; it is not employment money or education money. There is a lack of joining up and integration and it really cuts across, so people end up falling through the various gaps.

We need to helicopter out a bit and stand back and see the bigger picture of the impact that is made when the money is reinvested. Carmel

McKeogh said that, for every £1 that is invested, £3.96 is returned. None of those millions of pounds of placement money returns to Scotland. It is a one-way street. We need to think creatively about following the money.

We are doing some fabulous work through the coming home agenda. That could free up resource that could be reapplied to transforming people's lives. We need to think about where the money is.

On educational provision, we developed our own course, which is called "Our future leaders". We have 50 graduates. Unfortunately, the funding has stopped, but the Scottish Government and Inspiring Scotland were hugely supportive. Those graduates are now in work.

Education is not about sitting watching "The Lion King", much as I love that film. Time and again, the answer to "What did you do in college?" is "We watched 'The Lion King'." We have to invest in changing expectations, understanding and skills development. Our future leaders course costs a total of £10,000 a year for 10 people, but it lasted 26 weeks and it really changed people, because it invested in them. It did not say, "We will give you a qualification"; it said "We will help you build your confidence, self-esteem and self-belief, and you will then decide what you want to do."

The clever use of resources can absolutely deliver change for individuals, but we have to think differently, because we know that the public sector is hugely challenged on resources, and we need to be much more creative about what we do with what we have.

Alan Thornburrow: I will come in briefly on two points. Joanna Panese mentioned Barclays up front. One of its commitments was on how it would recruit for the inward investment support that it received. That is one element.

The other point, which is related, is about seeing investment and policy levers not just at education and skills levels, but at enterprise level. As a nation, we are outward facing. We are trying to do more to grow our economy and to export, and we always recognise and understand that skills and people are our key asset. However, we probably do not see people from a strength-based point of view. We have talked, necessarily, about reducing barriers and deficits rather than about the strength base and how we attract the talent that we need, domestically, to be as competitive as we can be both domestically and internationally.

A question therefore arises in my mind about that redirection of funding: can Government incentives that already support scale-up and start-up growth investments be partially contingent on investing in diversified skills populations and being more inclusive?

Colin Smyth: At the moment, there is clearly a gap in enterprise funding when it comes to conditionality.

Okay, that is helpful. You also mentioned that funding is often discontinued. Is it a common problem that somebody gets a project, it is funded for a couple of years, then, suddenly, that scheme just disappears altogether? That is pretty common, is it not?

Alan Thornburrow: That is consistent for all of us here. We would dearly love to do more.

Colin Smyth: That has certainly happened to a number of projects.

Joanna Panese, specifically on autism, somebody mentioned The Usual Place. I was struck by its scheme of autism awareness for employers, which is about not an individual but a wider awareness among businesses and organisations. However, it finds it almost impossible to get funding for that scheme, because it does not tick all the boxes. The outcomes are not obvious. It is not that five people will go into employment next month as a result of that scheme. It is about just trying to raise awareness among businesses. Are there particular challenges in employability services for people with autism, or do the challenges just involve the general points that others have made?

10:30

Joanna Panese: Absolutely. We need to consider the long-term impact of the money that is invested in those employability services. We have heard about the number of people who are no longer in employment after a year, and that is a very acute issue for autistic and neurodivergent people. We have invested all that money in these wonderful employability services, and they should be supported and funded properly, but we need to consider what happens beyond that in relation to the responsibilities that we all have. It is not about saying that the Scottish Government should foot the entire bill to make employment sustainable for everybody; there is a responsibility for business in Scotland, as Alan Thornburrow mentioned.

Someone might want to site their business in Scotland and invest in our economy. Part of that is investing in our people. How can we all work together and join the dots, which are disparate at the moment? Once somebody has been through the employability programmes they will have built up their skills and confidence, they will be feeling self-assured and their autonomy is there. They can then go into the workforce in a sustainable way.

There are lots of short-term funding schemes, which are 100 per cent welcomed, and we have

been in receipt of many of them. Our autism practice improvement programme is an example. We work with businesses using that programme, which was built and developed by autistic people and covers practice across the employee journey. We can get a little snippet of money to do the programme with one or two people, but then the money dries up. We need to think beyond that. How is that investment working for us on a long-term basis?

Murdo Fraser (Mid Scotland and Fife) (Con): Good morning to the panel. I want to move on to a slightly different subject, and I will start with you, Carmel. You opened up with a very positive message about the outcomes that have been achieved. Last night, I was looking through the slides that you provided, and I was very interested in one slide on the breakdown of jobs per sector, which, from my reading, showed that there is a high percentage of individuals going into food services, restaurants, hospitality and retail. Those are very important sectors of the economy, but there will be a perception—perhaps unfair—that they are low skilled and low paid compared with other parts of the economy. I would be interested to get your perception of that. Why are those sectors so heavily represented in the outcomes for the people you are helping?

Carmel McKeogh: Many of our programmes in Scotland are in the national health service, so many people are indeed moving into those types of jobs, but in the NHS. That is a slightly different picture. There is some data on hours of work and, compared with the UK as a whole, the figure for Scotland was one hour less per week, and the rates of pay in Scotland were slightly lower than those in the UK-wide data and the England data, but not hugely lower. One slide showed that most of the young people who come on to our Project Search programme would not be going on to the minimum wage. They mostly work for employers who at least pay the real living wage, and they often pay higher than that.

Despite what it looks like at first reading, you have to bear in mind the kinds of employers that people tend to work with. They tend to get decent levels of wage with decent employers. It is really important for Project Search that we consider sustainability and how long people stay in work. As has been mentioned, it is really not acceptable to put people into jobs where they do not last very long. We have a programme in Scotland that has been going for more than 10 years now, with individuals who we have met at 10-year celebrations and who are still in jobs now. That is primarily because of the types of employer that we tend to work with: bigger, more stable employers.

We can keep hold of people more easily. The teacher and the coach will still be there 10 years

on, so we can find out that somebody has moved to a new job, for instance. It is easier for us to track what is happening to people. By and large, it is a good story. Looking at the population and at projects worldwide, and at the jobs that people go into, we find that they match society, in that there are more people going into the types of jobs that you have mentioned.

We try to push people to be aspirational and to do what they want to do. Some people want to go into those sorts of work, and some people do not. There is usually an opportunity for people to find their niche with a large employer. As Charlie McMillan and Joanna Panese have mentioned, if we can get people into the right niche and the right type of job, they can perform exceptionally well. We monitor that, and you can see the data on pay and so on, which might be reassuring, in that people tend to get jobs in those sectors with decent employers.

Murdo Fraser: Is it the case that, once people are in an organisation, particularly a large employer, they have an opportunity to advance if they perform well?

Carmel McKeogh: We have a video featuring Marriott hotels, and there is a young lady on it called Alex. When she came to the end of her programme, Alex got three job offers. We asked her why she picked Marriott, and she said that it was because of the career development opportunities. It all comes back to the earlier points about building aspiration from a very early age, such that young people feel that they can have a career or job and can develop and grow. Alex wants to be a supervisor.

Murdo Fraser: You were nodding along to that, Charlie.

Charlie McMillan: Yes.

Murdo Fraser: Is that pattern something that you recognise? Do the sectors tend to be retail and hospitality, say?

Charlie McMillan: Yes. Those are where the initial opportunities lie. It is a matter of maximising accessibility and success and then enabling people to grow. One of the discussions that we really need to push in Scotland is about careers, rather than jobs. Carmel McKeogh has just been talking about career progression, mentioning one young woman's example. In this context, we talk about jobs. For me, it has been a matter of building a career—which is good in some ways, but who knows? I was able to take advancement opportunities, and we need to ensure that that is the case for people. One of our challenges with the people whom we employ is to ask, "Where next?" How do we get people from a part-time adviser role into sustainable long-term employment? The initial jobs tend to be entry level

and, as long as they are remunerated at the living wage, that is absolutely fine, but they should not represent the end point; they should be the start.

I want to make a point about careers advice. I was part of the careers advisory service review, and I think that such services have much more to do in engaging with children and young people with learning disabilities. I assume that it is similar for autistic people and other neurodivergent people.

It is a risk in Scotland that our children and young people are not at school—or they are secluded or in special education units—and the careers advice is not available to them so that they can open up their aspiration.

Joanna Panese: I would echo everything that Charlie McMillan has just said. Our population, particularly autistic young children, are not at school—or, if they are at school, they are in additional support for learning hubs. It is not even considered whether they would get the same access to careers support services as other children in the same school. There are certainly no conversations about higher education, and it will instead be a matter of going into a programme somewhere, potentially. What does their transition look like? There is a whole other conversation to be had about transition support after leaving school.

Autistic people face a lot of career bias. People might say, “Oh, you’re autistic? You must want to go and work with computers,” or, “You must be very good with numbers.” There is a sort of funnelling in. A lot of young people might think, “At least it’s something,” although they might not want to do a job like that; they might want to be a dancer or a musician, or to go into all sorts of different realms. However, they might say, “At least I’ve got an opportunity, so I’ll pursue it.” If they do not, it is as if they are not complying, or they might worry that further opportunities will all close down for them.

It then becomes more and more narrow. People are less likely to succeed in roles and jobs that they do not want to do. We know that. There is a lot of bias and prejudice. We still hear it. I get calls from employers all the time, saying that they want to recruit people and have four jobs in information technology, for example, whereas it should be about looking at all the career pathways that might be available to people, and not getting caught up in prejudices and biases about autistic or neurodivergent people in particular.

Alan Thornburrow: Interestingly, we see most demand from employers in finance and professional services. Obviously, that is a large body of employment in the local economy. To some extent, that demand is in data-driven

careers. However, a lot of it is broader than that. The other sector in which there seems to be a lot of demand is the creative arts. There are a couple of factors in that. One is that that might be where people see themselves. That comes back to role modelling, storytelling or whatever.

However, a broader point comes back to something that Colin Smyth mentioned, which is about levers and supports for businesses. Well over 90 per cent of the economy is based on small and medium-sized enterprises. According to the recent CIPD report, SMEs are least likely to embrace the concept of neurodiversity at work. That is not from a lack of willingness, I am sure, but because of fewer resources and supports and less organisational capability to hire, retain, develop, and build careers for neurodivergent individuals.

Carmel McKeogh: I will add something about parents and carers. The system that is around them largely requires them to talk up the disability of their young person in order to get services and support in schools, and so forth. When it comes to building aspiration, it always strikes me that, after all those years of messaging that parents have had about how difficult their child is and how many adjustments they need, it must feel a bit odd when we suddenly breeze up and say, “What about a job, then?” There is something about making sure that we are conscious of the fact that the system encourages that, and that that will dampen people’s ambition. Maybe we need to think about how we handle that better, so that people get the right level of support when they are at school but we do not end up with parents thinking, “Oh my gosh, Carmel can’t do anything. She could never work,” when, usually, it is possible for that to be different.

Murdo Fraser: Thank you.

Kevin Stewart (Aberdeen Central) (SNP): Good morning to you all. Charlie McMillan mentioned listening. I have spent quite a lot of time listening, not just during the course of this inquiry, but over the years, including listening to the voices of lived experience—including Project Search in my constituency, as Carmel McKeogh well knows. During the course of this inquiry and previously, the young folk I have listened to have been able to point out clearly what does not work.

Charlie, again, I think, talked of a disjointed system. Carmel talked about the difficulties with access to work. I have heard previously from Scottish Autism and others about that inability to bring budgets together to make something work for an individual. In all this, should we take a person-centred approach to dealing with individuals to meet their needs and aspirations? Moreover, should access to work be devolved and made less bureaucratic?

Carmel McKeogh: The answer from me to that particular question is 100 per cent yes. The system is really difficult. The principle that the DWP is trying to embrace is that people who need access to support to help them to work should get it. It feels like that works as a principle but does not work at a practical level, so it could be smoothed out significantly.

10:45

You are absolutely right about the person-centred approach. At the heart of the matter, nearly every survey says that people with learning disabilities and autistic people want to work. I have never yet seen a survey that says otherwise. The percentages are usually in the 70s, 80s or 90s. Every time that Charlie McMillan and I have met people, we have found that everybody wants to work. The majority want to work and we have an incredible gap in employees that we really need. We have to listen to those people. They want to work. They want jobs. We know that employers will welcome them, but they need a bit of support. We know what support they need. Let us just find a way to cut through all that.

Charlie McMillan touched on this. We work with adult social care teams in Scotland. At the moment, they find it difficult to get any money to support the young people whom we are talking about on their journey to work because those young people are not seen as difficult enough or their needs would not meet the threshold for adult social care. It always makes me want to cry because that is the case now because they are in education and, therefore, have a lot of support around them. However, after they have left, have done three or four years without any support, are stuck at home, do not have a job and have parents who are getting older, they will need support.

We need to be person centred but holistic with the system and think about what we want to achieve. We all want the young people to have the kind of jobs that they want. We all want them to have access to work and business wants them. Can we not just knit some of those systems together a bit more cleverly to listen to that and respond to it?

Kevin Stewart: We won that argument in Aberdeen with you and Norma Curran from Values Into Action Scotland. Is there a lack of understanding among some funding organisations—let us not name any—about the additional costs that they will face to deal with folk when they reach crisis point because they cannot live the lives that they want to live. Do we all have a job to do to ensure that folk look at the preventative spend agenda, rather than spending lots of money in crisis, with the human cost that goes along with that?

Carmel McKeogh: I agree 100 per cent. You could say that across a lot of Government departments, because the pressures have been such that everybody has stopped doing things. We used to talk about how to get upstream of some of these problems. Now, it feels to me like most of us are just dealing with the crisis. You are so right. If we get upstream of the issue, we prevent some of those young people from becoming the people that Charlie McMillan mentioned, who might be institutionalised at a later date.

Charlie McMillan: I totally agree on the person-centred approach. What happens, though, is systemic. The discrimination is hardwired. When a situation comes to a crisis point, it becomes somebody else's problem. People will say that the money does not come from their budget but comes from another person's budget. That is a fundamental issue that we have to address. It is important to stand back and look at the full landscape.

We need to be very careful about some of the decisions that are made and the impact that they have. For example, we talked about self-directed support. To get option 1 self-directed support for someone with a learning disability in Scotland, you need to have a guardianship order. People are forced to take out guardianship orders, which deny them their fundamental human rights, so that they can access that support. That is wrong on so many levels and is not person centred, but it is what happens. It is hardwired.

In some areas, you need to have a guardianship order to get an SDS assessment. Lawyers meet parents at the school gates and say that, if they do not have a guardianship order, it will not happen, nothing will change and they will get nothing. Then, the person has a lifetime as a recipient of social care, not living the life that they choose.

We have to get alongside people from birth onwards. We need to be with them, understand their journey and support them in different ways. We need to be creative and take brave decisions. Brave leadership is needed.

Even in the Government, there are great examples such as the lived experience advisory panel for the proposed learning disabilities, autism and neurodivergence bill. Those are paid posts—it is the first time that I have ever heard of that happening.

However, we then end up with an issue: we have to be dead careful that we do not commodify people's trauma, because it needs to be about more than just their experience. My answer to the question is 100 per cent yes, but we have hardwired discrimination into our systems.

Kevin Stewart: So that hardwiring prevents folks from even being able to consider the

question that you asked earlier, which is “Where do you see yourself?” As Carmel McKeogh said earlier, that hardwiring can actually lower the expectations of parents, too. Is that a fair comment?

Charlie McMillan: Yes.

Joanna Panese: I go back to your earlier point, which colleagues also made, about investment. Time and again, we have seen that happen. I know that other members of the panel have visited some of Scottish Autism’s services and kindly given their time to come and see what we do at our one-stop shop over in Kirkcaldy.

We run programmes there that are about trying to scoop up people who have experienced exactly that: they have had really positive experiences in school, and have maybe accessed support to get into employment, which has been sustained for a very short period of time, and then—as in the example that Charlie McMillan gave—that has come to an end and they have fallen through the cracks. They do not qualify for support because their needs are not acute. Most of the commissioning bodies in our local authorities are commissioning support for critical and high-risk needs. Those care packages are very intensive and very expensive, and those people do not qualify for that support.

However, I can guarantee—because we hear from those people through our one-stop shop and our advice line—that, in two or three years’ time, they will suddenly qualify for acute care packages. They will quite often experience significant mental health conditions and have significant mental health needs.

We hear from a number of autistic people who consider taking their own lives because they do not feel that they are valued members of society. We try to connect them with services and support, which is very expensive at that level, because it is highly complex to unpick mental health conditions such as suicidal ideation or depression with somebody who is also autistic and has had all those negative life experiences. It becomes a very expensive process. If we just put £1 in the box at the beginning, we would not need to spend the 100 quid an hour that it costs to support that person later. There is an element of thinking preventatively about it.

On your question about whether access to work should be devolved, I would say yes, absolutely. We have the skills and expertise in Scotland to take ownership and take charge of it ourselves, and we absolutely should be doing that.

Kevin Stewart: We could maybe mak it a little bit less bureaucratic as well.

Joanna Panese: Absolutely.

Kevin Stewart: I will bring in Alan Thornburrow.

Alan Thornburrow: I come back to where you began: with listening. For most of the young people and families who come to us, that is the primary thing that we do. We are listening and meeting them where they are, and taking—I know that this sounds like jargon—a strengths-based approach.

Let us not look at how we make life just a little bit less worse for someone—let us think about what their aspirations are and how we can build those up. How can we help them to become their own advocate? How can they represent themselves and—we would hope—pursue the careers and pathways that they want to pursue? That process should be driven by what the individuals’ needs are, not what we think might be available to them because of the limiting factors.

However, that support is very expensive and difficult to provide. Just last year, our team covered everything from benefits and funding, to communication and planning, to education, empowerment, wellbeing, housing, social work and criminal justice. People do not come to us with one particular issue—there are usually all those different intersectional issues. It is our job to triage and unpick them, and then provide some positive next steps. However, there is not an awful lot of room and space in our society to do that for people, and there is very little funding to sustain people for what might be months in order to move them to a positive next step.

Kevin Stewart: People never come with one issue. There are always underlying ones.

Alan Thornburrow: Indeed.

Kevin Stewart: However, we had better not get into that.

I now want to concentrate on opportunity. All our witnesses have said that there are really good examples of initiatives that work. You are all involved in organisations that have helped people aspire to and achieve their goals.

The young folk to whom we have talked in the course of our inquiry are also pretty fair, in that they have told us both what has and what has not worked for them. I have to say that Project Search was seen as a real boon by some of the folk that we talked to from The Usual Place, including those who had not had the opportunity of working with it. However, many of the young folk saw education as being poor, with college seen as a bit of a tick-box exercise. At the same time, though, I know of schools and colleges that go the extra mile to ensure that young folk with learning disabilities and neurodivergent folk have an immense start.

What do we need to do to ensure that best practice is exported right across the board? I am

sure that you will tell me that the approach should be about not just legislation or regulation but people. What are we not doing to get best practice happening in certain places? Perhaps Alan Thornburrow could start this time.

The Convener: Before Alan comes in, I should say that two other members wish to ask questions. We have had our witnesses here for an hour and a half. You are welcome to give evidence for a bit longer, but we do have to make progress. If your answers could be brief, that would be helpful.

Alan Thornburrow: I will be brief, convener.

I come back to the same point: sharing best practice, storytelling about it, sustaining it, and convening people to be able to do it, are a large part of what we do with employers. However, we could do far more from an educational point of view. We have an extensive resource for educating children, young people and teachers on neurodiversity in schools, including lesson plans and so on, but that approach needs to be disseminated and shared, and examples of best practice must be brought to the fore consistently.

Joanna Panese: It comes back to the knowledge that is held in education settings. It is true that there are really good examples, but when you dig underneath them, you can see the reasons for that.

For example, I have worked with a school in Stirling that has above-average enrolment of neurodivergent young people, which has pushed it to do better in that area. The headteacher there is absolutely 100 per cent committed to getting things right for those pupils. The school has engaged with organisations such as Scottish Autism. I worked with the school and the children's parents and families for a number of months, uplifting their practice and connecting them with knowledge and helpful resources. That is the difference. By contrast, if you were to go to another school next door, there might be inertia, because the same attention is not being paid to the issue.

Best practice starts with teacher education. There is very little for teachers coming through that process, but as has already been pointed out, the approach should start from the very beginning. Let us skill up our teachers and education settings to support those young people so that they come through with positive outcomes. Things will snowball from there—the whole process will get easier if it starts at the beginning.

Charlie McMillan: I absolutely agree with both my colleagues. I would focus on culture change. For any opportunity to be successful for an individual, we need to change the way that we operate as a country. We need to see the individual as well as listen to them. Apart from the

1,200 people whom we have identified through the coming home programme, people with learning disabilities are largely not in hospitals any more, but neither are they part of the communities that they live in. Every one of us in Scotland has a journey to make on inclusion and acceptance of difference. In that way, we will start to make the necessary changes.

We find that it is largely a connection with someone with a learning disability or who is neurodivergent or autistic that enables people to see things differently. It is connection that will change our approach, but we absolutely need brave leadership if we are to do that.

11:00

Kevin Stewart: Most of us have such connections, although sometimes we do not realise it.

Charlie McMillan: Absolutely. I agree 100 per cent.

Carmel McKeogh: For me, this is about prioritising people with learning disabilities and autism. I always feel as though they end up at the bottom of the pile in an education setting. The numbers of neurodivergent people coming through are growing all the time, but they do tend to be much smaller. To those running further education colleges, only a small number of such people will be in that group, so they often end up not being a priority. If, with the adult social care approach, their case is not seen as acute at that time, they will not really be a priority.

Sometimes work skills programmes are aimed at bigger numbers. Organisers might consider that they can get more people—say, 200—through a programme that is not very intense, whereas they might think, "People with learning disabilities need a little bit more attention, so let us not prioritise that."

I would like to see people with learning disabilities being thought about first. To come back to Joanna Panese's point about buildings, I think that we as educators should, for example, ask how we ensure that we get things right for students with additional needs first, before we look at all the other students. It would be amazing if we could start thinking in that way.

Kevin Stewart: Thank you.

Colin Beattie (Midlothian North and Musselburgh) (SNP): We recently had the opportunity of meeting young people with experience of the system, particularly employability services, and it was interesting to get their feedback. I have to say that the feedback from the ones to whom I spoke was pretty negative, and it focused on their experiences in

school and at jobcentres. Do employability services in Scotland meet the needs of people with learning disabilities and neurodivergent people?

Perhaps you could start, Alan.

Alan Thornburrow: I am not sure that I am qualified to answer that, if I am honest, so I might defer to my colleagues who are closer to working with young people directly with such services.

Joanna Panese: The honest answer is probably no. We must remember that there are two populations here: one is children and young people, and the other is adults.

Many employability services focus on children and young people. Although I have answered no to your question, I should add in the spirit of fairness that there are pockets of really great practice. In general, though, the answer is no. Such services tend to be underfunded; they operate on a short-term basis; and their approach is based on the autistic person changing in order to fit with the workplace, which, as we know, never works. The committee has heard at first hand, from young people, that it is all about them changing, or that the opportunities available to them are unsustainable.

Meanwhile, employability services for adults are very few and far between. They are also unlikely to house people with specialist knowledge who can help those who have been excluded from the workplace for a number of years, who have never been present there, or who have had traumatic experiences. A few months ago, we surveyed some of our constituency, and when I deliver training now, I put one of the responses that we got up on the screen. It says, "Believe it or not, an autistic person said that they were let go from their employment because their employer did not believe that they were autistic." My response to that is, "What qualifies that employer to tell that person whether they are autistic?"

Many employment services will also have subtle criteria for people to participate in them. For example, they might be for two, three or four weeks, which is not sustainable. To a certain extent, it feels as though in some cases we are throwing good money after bad. Perhaps we need to think about the long-term impact of investing money there.

I reiterate that the honest answer to your question is no.

Colin Beattie: Although my example referred to young people, I did not mean to restrict my question just to them. It just so happened that that was the experience that we were able to delve into.

Charlie McMillan: Building on points that Joanna Panese has made, I agree that there are examples of very good local authority services and excellent charity employment support services. I know The Usual Place really well, and I can tell you that it has struggled to stay open.

I am trying not to use the phrase "postcode lottery", but it is almost like that. Employment services end up focusing on the people nearest to the workplace, whom they can support easily and simply into work. I do not think that the services are person centred or wrap around the individual. In education, they talk about the team around the child. If an individual with a learning disability, or an autistic or neurodivergent person is looking for support, they need a team around them that is focused on what that individual wants to achieve. That lack of person-centredness fails them, because they are unable to fit into systems that are designed not for individuals but for an outcome.

When I delivered employment services, our outcome was to get 70 per cent of our service users into work. We never achieved that success rate, but that was the outcome, and our funding depended on it. That was the world that we were operating in. It was not about what we were actually looking to achieve for the individuals who needed our support.

Colin Beattie: I notice that there is not much mention of jobcentres, although everybody with disabilities ends up at a jobcentre at one time or another, because they have to. What we heard was that they did not really understand them.

Carmel McKeogh: I agree completely. In Scotland, the situation is dependent on the local authority. I can think of one local authority manager dealing with employment matters who looks first at all the people who are furthest from the jobs market—and who will, by a country mile, be people with learning disabilities and autism. That manager starts by looking at what they can do for those people, and then they work up. However, another local authority that I have worked with looks at where it can get the biggest numbers of people into work and takes things from that angle.

The young people whom we work with are completely at the bottom of the pile, because you are talking about working with 10 of them intensively for a year, and people just say, "No, we're not doing that." It very much depends on the lens that the local authorities use when they look at the issues and on how they see these things.

That said, there are fantastic examples of people doing brilliant stuff in Scotland. In local authority areas such as North Lanarkshire, there are programmes that have been in place for more

than 10 years and have been getting people into work for years and years. It is amazing stuff.

As for jobcentres—I am sure that the other witnesses' organisations do this, too—where we can bring them into existing services, such as a Project Search programme or The Usual Place, and link them with people who know what they are doing, we usually find them to be eternally grateful and quite helpful. Mostly, though, they operate apart from us; they do not know what they are doing with people and it all ends up being a bit of a horrible mess. Sometimes it is a relief to jobcentres if we can link with them, because they do not get any training and support in that area. It is also helpful to us, as they have access to a lot of jobs that we can tap into.

Colin Beattie: The final area that I want to look at is data and information gaps, and I have two questions that I am interested in getting a response to. Do we have an understanding of the level of unmet need for support in Scotland? Do we have sufficient understanding of disabled people's experiences of the labour market? Do we have any data on that? Are there other specific data gaps that it would be useful to get information on, in order to better target the work? After all, in the end, this is all about targeting.

Alan Thornburrow: You have raised a topical issue, because we are about to publish a report on data collection as it relates to careers through a well-known agency. There are gaps, particularly around apprenticeships, and I am sad to say that the report's main finding is that we need to collect the data.

We have also engaged a lot with the Organisation for Economic Co-operation and Development, and what we see is that a lot of the measures are inconsistent across nations. We are not gathering the right data in the first place to enable us to identify, for instance, measures of wellbeing or economic contribution. There is a big job of work to do there.

Colin Beattie: Why are we not gathering that data? It seems so—

Alan Thornburrow: Obvious.

Colin Beattie: Well, it just seems so basic that we should have information at our fingertips to enable us to better support people and better target that support.

Alan Thornburrow: It is disconnected. We have spoken to the Office for National Statistics and other statistics agencies, and we have found that not all of them speak effectively to each other and that there is no degree of consistency between nations. Even in projects such as wellbeing economies, data capture—particularly as it relates to the issue that we are discussing—

either is not happening or is inconsistent. That makes it hard for us to know what the baseline is and how we are going to improve from there.

Colin Beattie: How can that change?

Alan Thornburrow: It can change by making it a priority. What gets measured gets managed.

Colin Beattie: You say there are lots of disparate bodies.

Alan Thornburrow: We are working with the OECD to bring a number of different nations together to put the matter on the agenda. It has just established a centre for wellbeing, inclusion, sustainability and equal opportunities as well as an observatory, but neurodiversity is not really firmly on the agenda yet from a policy or data point of view. That is step 1.

Joanna Panese: We are also trying to capture too much data and are conflating it, and that is making things difficult for us. We talk about disability and neurodivergence, but there is a range of things underneath those terms, and it becomes difficult to segment that data and really understand it fully. Then we get lumped-together statistics, that, because they are hard to digest and understand, people think might not be reliable, so they decide not to pay attention to disability or it becomes less important and does not sit on the agenda.

As Alan Thornburrow has said, the ONS will give you certain statistics but, if you go somewhere else, people will disagree with them. The number of autistic people living in Scotland depends on who you ask at the moment. There is a lot in that.

As for unmet need, we need to get better at going to the people whose needs are not being met—and by that I mean not just the people who can sit in spaces such as this committee room and tell their stories. We need to speak to a diverse range of people with different communication needs. There are ways of doing that, and there are some great examples of the voices of people with lived experience being captured, but all too often we rely on a specific portion of that population to tell us those stories. Although their stories are their stories, they are not representative of everybody, so we are listening to only half the problem.

Those are the two challenges that we have.

Colin Beattie: Charlie McMillan, are there any specific gaps on which we should focus or is there generally just nothing?

Charlie McMillan: We are data poor as a country—the pandemic revealed that. The paucity of information that we had for people with learning disabilities during the pandemic was a disgrace. I think that we do not collect data in Scotland,

because data drives change and we are not absolutely committed to the changes that need to happen.

We have got caught in the zeitgeist of asking people to consider themselves disabled, but we do not disaggregate that data. We need to be much more sophisticated in our data collection. We know that the disability employment rate is something like 50 per cent, but for people with learning disabilities, it is approximately—we do not have the data, because we do not ask people whether they have a learning disability—between 4 and 8 per cent. We have that range, because everybody disagrees with everybody.

The one data collection set that we had in Scotland was our “Learning Disability Statistics Scotland” publication, which included data that we as a voluntary organisation collected until local authorities said that they were not going to give us that information anymore. At that point, we handed the responsibility back to the public sector, and the data has not been collected since. Not having the information that we require to understand people’s experience and then move forward, plan and build that into policy and legislation is a failure, because it would drive change.

11:15

Carmel McKeogh: That is absolutely correct: it would drive change, particularly in relation to younger people. We note information about young people from schools and colleges, but that information is not made readily available, although it should be.

We should be asking about employment outcomes for people with additional learning needs leaving education and going into employment. Universities and other institutions do that for their students, so why do we not do it for the people whom we are discussing today? Charlie McMillan is right to say that it is possible to get all sorts of data from various sources, but what we absolutely know is that that group of people is very much underserved. When you look at any other statistic around unemployment and disability, you can see that people in that group are firmly at the bottom of that pile in terms of the access to employment, and they really deserve more.

Data should be made available, but I do not think that anybody can say that we do not know enough to say that the situation at present is wholly unacceptable.

Gordon MacDonald (Edinburgh Pentlands) (SNP): Thank you all for a really interesting session. My questions were going to be on improving the transition to support, but I think that you have answered that pretty fully.

I have been listening to your responses, and I have written down that we need more job coaches and access to career advice; that the last year of school should be used for people to get ready for the world of work; that we need to support parents to inspire their youngsters; that access to work funding and administration should be devolved; and that we should upskill teachers. Is there anything that I have missed?

Secondly, are there any different or additional challenges facing people from black and minority ethnic backgrounds, or those who come from the most deprived areas of Scotland?

Joanna Panese: On the question about whether anything is missing from that list, I would say that, although there is a responsibility for us to get people ready for work, there is also a responsibility for work to get ready for them. We need to be careful about not putting all of the onus on the disabled person or the autistic person, because business has a responsibility to get ready, too. There should be a two-way street, so your list should include the need to hold business accountable.

That issue of intersectionality that you mention brings us back to that data question, because we do not know the answer to the question that you ask. With regard to people’s whole-life journey, we do not know a great deal about the additional challenges in relation to black and ethnic minority groups, transgender people and the LGBTQ+ community. What we do know is that, if someone comes from a socioeconomically inactive background—for example, if their parents are not in employment—they are less likely to be in employment. If, on top of that, the person is autistic, they will be—to use an analogy that has been used already—well and truly at the bottom of the pile in terms of the priority for everything. Again, that probably comes down to where that person is in society: they are probably not at school or in college. There is definitely an issue there, but we need to learn more in that space before we rush into solutions.

Charlie McMillan: I absolutely agree.

When you read out the list of things that you had written down, the one thing that I noted was missing was work experience. I have provided work experience placements for young people, but not for anyone with a learning disability—nobody has approached me in that regard. How are we filtering out people with learning disabilities and autistic people from work experience? Are those young people at school when work experience is discussed? That is a transition issue, as is the team around the person at the point of transition. We often hear from parents that that is the cliff edge: whatever you received in school, whether it be allied health support, additional support for

learning or whatever, ends on your 18th birthday—if you are lucky to have had it up to the age of 18. Therefore, that aspect is critical.

I am sorry—what was the second part of your question again, Gordon?

Gordon MacDonald: It was about people from the most deprived backgrounds.

Charlie McMillan: Oh, yes. On the intersectionality point, I would say that, absolutely, yes, there are additional challenges. Again, the data does not go anywhere near that so we do not know the detail, but we do know that 40 per cent of people with learning disabilities live in the poorest areas of Scotland, so poverty is a hard, hard reality for people.

People with learning disabilities are not all the same; they are all different, with different identities and profound and multiple learning disabilities. The point is to try to understand that different experience for people and the barriers and challenges that they face, because there is no doubt that the racism that is inherent in Scotland will affect people with learning disabilities and autistic people similarly. It is almost a double bind.

Carmel McKeogh: We always try to keep an eye on those things—that is, on intersectionality—because they are so important and we know that they have an impact.

However, I just want to raise the issue of gender, which is particularly interesting, given the general recognition that fewer women get diagnosed than men. That feeds in to the numbers of people who come through education and, therefore, to programmes. There are a lot of issues around that, particularly with regard to autism, because a lot of women present only much later on. They find that they are autistic later, but they did not get support when they were in school. We should all be very aware of that.

The only thing that I would add to your list, Gordon, is the issue that has been raised a few times about adults. We have the bones of making the system good for young people, and why would we not just have great processes that take you from education into work? However, for people who have fallen off that cliff—a lot of people already have—there is nothing much at all.

It always strikes me that Project Search started in America, where they have loads of adult programmes—the system works really well—while we have one in Wales, alone in the UK. The one in Wales exists because one local authority has decided that it wants to fund it. That is the only programme in the whole UK, yet we know that it works. There is evidence, so we can see that it works, but it all comes back to the fact that people are not spending money to try to prevent things

from happening; they are dealing only with the crisis. They will deal only with the adults who need to go into hospital, not with the adults who could actually just do with a job.

Charlie McMillan: I have a final thought relating to a report from Birkbeck that I was furiously trying to get my hands on while you were speaking. Of the several hundred respondents to that significant study, which was done last year, 67 per cent were female and 24 per cent male, but from an ethnicity point of view, 83.4 per cent were white. Is that reflective of the workplace and inequality at race level, or do people from an ethnic minority background face additional barriers? The anecdotal evidence, in our experience, is that the answer to that question is yes, but we probably do not know enough about that.

The Convener: I have a final question. When she mentioned adult programmes, Carmel McKeogh opened up a whole other area of discussion that, unfortunately, we do not have time to cover this morning. However, the committee has a scrutiny role, and that scrutiny relates to whether the Government can meet the 2038 target.

Turning first to Charlie McMillan, I just remind him of the question that I asked at the beginning of the evidence session. Will we meet the 2038 target? In that respect, I understand that the disability action plan was published in 2018. Is the plan fit for purpose or do we need to look at it afresh?

Charlie McMillan: The plan was reviewed in 2022. I think that the target lacks ambition, but I do not think that we are going to meet it, because I do not see the work being done to address that. Before we came into the committee room, Carmel McKeogh and I were talking about the fact that it feels as if we have almost hit a dead stop on progress in Scotland. The target is to halve the gap by 2038 so, really, we have written off a generation of people. I am not hopeful, and I try to be hopeful and optimistic in everything that I do—I really do—but I am not hopeful about employment, at the moment.

The Convener: Carmel, do you share that view about the 2038 target? After the refresh, it is now the 2022 disability action plan. Is there enough in that to get us on the right path for the target?

Carmel McKeogh: As Charlie McMillan has said, we were talking about this before we came into the room. Project Search in Scotland has pretty much stalled, so there is no real development; the existing work is all going as planned, but there is nothing new happening, although it feels like it really could happen, because businesses want it to. We just need a push—we need to move on things. If people

move, there is a possibility, but right now, we cannot feel that optimistic because progress has slowed a lot.

The Convener: Alan, do you share that view?

Alan Thornburrow: Yes, I think so. I would love to think that we could meet and surpass the target, but the great difficulty with any action plan is funding it and investing sustainably in it. We have all given evidence today that that is one of the biggest barriers that we face as providers of services that both introduce support and sustain people into the workplace. Unless we are willing to make those investments earlier and more consistently, we will continue to let people down.

The Convener: Joanna, do you share the view that, if we are to meet the 2038 target, this is when we really need to see more impetus and drive to make that happen and that, if we do not do so, we are at risk of not meeting it?

Joanna Panese: Yes, absolutely. It feels as though we have all the ingredients to meet the target and to do the things that we are committed to doing. There is almost a sense that we have done the talking, and now we need to take action. We need to get on with it, for want of a better phrase. As you have heard, we have all been agreeing with each other, even though we come from very different backgrounds; there is consensus in this space. There is a lot of evidence, and we have lots of reviews and recommendations out there—we are not short of ideas. What we are short of is implementation.

I would like to say that I am optimistic that we will reach and even exceed the 2038 target, but if we keep doing what we are doing, we will not. The time is now—we need to strengthen our approach and get on with it.

Charlie McMillan: Everyone has a leadership responsibility in that respect. Everyone has to step into this space and do things differently.

The Convener: Thank you. I am sure that we could have talked for longer. Indeed, we have not talked much about the bill that we are anticipating and what that will mean for this agenda.

Thank you very much for your attendance this morning. We will now move into private session.

11:27

Meeting continued in private until 12:19.

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The deadline for corrections to this edition is:

Monday 17 June 2024

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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