

**TUC response to
Pathways to Work:
Reforming
Benefits and
Support to Get
Britain Working
Green Paper**

TUC response to - Pathways to Work: Reforming Benefits and Support to Get Britain Working

Introduction

The TUC exists to make the working world a better place for everyone. We bring together more than 5.2 million working people who make up our 48 member unions. We believe all workers deserve respect, and the opportunity to make the most of their talents.

We have a long and proud history of promoting equality for all our members. We strive to end all forms of discrimination, bigotry and stereotyping. The TUC's commitment to equality is written into our constitution and into that of our member unions.

The TUC takes a social model approach to disability, recognising that disabled people have impairments and are disabled by the environment, inaccessible workplaces, stigma and attitudes.

The TUC welcomes the opportunity to provide evidence to this Green Paper, though we were disappointed the full Green Paper was not open for consultation, especially considering the scale of benefit cuts proposed.

Social model of disability

The TUC has adopted the social model of disability. The social model of disability focuses on the ways in which society is organised, and the social and institutional barriers which restrict disabled people's opportunities. The social model sees the person first and argues that the barriers people face, in combination with their impairments, are what disables them. Barriers can make it impossible or very difficult to access jobs, buildings or services, but the biggest barrier of all is the problem of people's attitude towards disability. Removing the barriers is the best way to include millions of disabled people in our society.

Universal Credit and Personal Independent Payment Bill

While recognising they are not the subject of this consultation, the TUC has consistently set out our opposition to the measures brought forward in this Bill.

Question 1 - What further steps could the Department for Work and Pensions take to make sure the benefit system supports people to try work without the worry that it may affect their benefit entitlement?

Social security system

We understand the current social security rules are complex, and a lack of understanding can discourage claimants from trying work if they feel they are able to try. However, the new approach also needs to ensure that claimants who are not able to work do not feel pressurised to undertake activity that could lead to their health deteriorating.

It is welcome to see that it will be established in law the principle that work will not lead to reassessment. And there will be engagement with those who claim benefits and stakeholders on how to increase awareness and understand the rules around trying to enter work.

We believe there also needs to be a reassurance for disabled people that if they leave work voluntarily as it is adversely affecting their health or they do not have access to the right reasonable adjustments, you are not subject to sanctions. A review of the sanctions regime should be undertaken to establish how it can be updated to support the 'right to try'. This should be accompanied by updated training and guidance for work coaches.

It is also important that work pays for disabled people, who often face additional costs to moving into and staying in work. This can include, for example, additional travel costs, prescription fees, care or therapy costs and adaptations. Many disabled people moving from worklessness into work will, at least initially, be seeking part-time employment. But in lower hour jobs the gains from work will be less. We would therefore welcome consideration of a more generous approach to work allowances and Universal Credit taper rates for disabled workers, with a focus on ensuring that work always pays, particularly given the higher costs of entering and staying in employment.

Our further concern is that once entering work those with health and disability issues face many barriers which makes the transition to work difficult, and if these difficulties are not removed they will continue to prevent disabled people from seeking to enter work. We discuss these barriers in detail in our response to the Keep Britain Working independent review. They include challenges with securing reasonable adjustments, lack of access to flexible working, comfort levels in workplaces and high levels of bullying and harassment.

Reasonable adjustments

Getting and keeping in place reasonable adjustments continues to be a substantial issue for disabled workers. Failure by employers to put in place reasonable adjustments which remove the barriers disabled workers encounter in the workplace is not only in breach of employer duties under the Equality Act 2010 but also may lead to disabled

workers' health conditions deteriorating, preventing them from remaining in or entering employment.

TUC research found out of those who had made a request only a third (36 percent) had their employer agree to all of the requested reasonable adjustments with over four in 10 (44 percent) reporting that their employers had agreed to implement some, but not all of the requested adjustments.¹

For over one in 10 (11 percent) disabled workers, their employer did not agree to any of the requested adjustments and one in 20 (5 percent) had not yet heard back from their employer on the outcome of their request.

So, this data shows us that where a disabled worker has made a request the adjustments provision is either mostly partial or not given at all.

Once a request has been made most disabled workers (82 percent) wait from 4 months to over a year for their adjustments to be implemented.

The TUC would welcome government action to increase the pace at which employers comply with their proactive duty to implement reasonable adjustments. We recommend a time limit for employers to notify employees on decisions regarding reasonable adjustment requests, ideally within two weeks of an application.

They should also require employers to record impairment related leave taken by disabled workers separately from other sick leave. This would recognise that some disabled people may have different and higher forms of disability linked absence and would stop disabled workers from being pulled into automated HR processes by triggering an employer's sick leave policy.

Improving the operation of Access to Work is also important, and government action is required to remove the support cap and ensure application and renewal processes are efficient, personalised, and flexible. We discuss these proposals in more detail below.

Flexible working

Flexible working, including the ability to work from home, can be an essential reasonable adjustment for disabled workers who can and want to work. This can retain employees in work and support them in to work.

The government has a key role to play in making flexible working the default. We welcome the steps forward in the Employment Rights Bill, which will mean employers can only refuse a flexible working request if it is reasonable for them to do so. The Bill will also enable the Secretary of State to set out steps in regulations that employers must take to comply with the requirement to consult before rejecting an application, as

1 TUC (2025) Disabled Workers' access to reasonable adjustment - https://www.tuc.org.uk/sites/default/files/disabledworkers%E2%80%99accessstoreasonableadjustment_MN.pdf

well as new provisions for equality action plans. These are important measures to expand access to flexible working and make the request process more transparent.

The TUC also support the introduction of a legal duty on employers to consider which flexible working arrangements are available in a role and publish these in job advertisements, with a new postholder having a day one right to take up the flexible working arrangements that have been advertised. If an employer does not think that any flexible working arrangements are possible, they should be required to set out that no form of flexible working is suitable in the job advert and why.

Difficulties telling an employer about a disability, impairment or long-term health condition

TUC research has found that over a third (34 percent) of disabled workers were uncomfortable talking about their health, including disability, impairment, or long-term health condition with their manager or supervisor. Just under three in 10 (29 percent) were uncomfortable talking about these topics with their colleagues.²

Higher comfort levels indicate more accepting workplaces cultures which allow for discussion about a disabled workers' needs, while low comfort levels indicate the opposite of this. And being able to discuss your disability with your manager and tell your employer is the first step needed in ensuring a disabled worker can access the reasonable adjustments they require to remove barriers from the workplace and ensure they are able to do their jobs.

We would like to see more employers working with trade unions to review their workplace policies, in light of these findings and through a Social Model of Disability lens. This would help ensure that they appropriately address issues faced by disabled workers'.

Bullying, harassment and discrimination

TUC research into bullying harassment and discrimination of disabled workers has found that workplace cultures present major barriers in remaining in work. The findings on the levels of bullying, harassment and discrimination disabled workers experience and the impact these experiences have on them are stark.³

Beyond emotional and professional impacts, the experience leads to more disruption in the workplace. Over a quarter of respondents said the bullying, harassment and discrimination they experience made them want to leave their job but that they were

2 TUC (2025) - Disabled workers' access to reasonable adjustment - <https://www.tuc.org.uk/research-analysis/reports/disabled-workers-access-reasonable-adjustment>

3 TUC (2025) - Number of disabled workers facing bullying, discrimination and harassment "shockingly high" - <https://www.tuc.org.uk/news/number-disabled-workers-facing-bullying-discrimination-and-harassment-shockingly-high-tuc>

unable to due to financial or other constraints (28 percent) and an equal proportion (28 percent) avoided certain work situations such as meetings, courses, or particular shifts to avoid the perpetrator. One in five had to take time off work (20 percent) or reported a negative impact on their physical health (20 percent). For some, the effects were more severe, (16 percent) left their job or employer altogether, and (9 percent) changed their role within the organisation as a result of the experience. These findings reinforce the need to ensure that disabled workers in this position do not face sanctions as a result of leaving a job after experiencing workplace harassment.

Addressing workplace bullying, harassment and discrimination should be a central pillar of the government's approach to ensuring employers do not lose disabled workers' talent, retain disabled workers within the workplace and ensure disabled workers are able to return quickly to work after a period of illness. This will require employers to ensure workplace policies are inclusive for disabled workers. And that all staff receive training on these policies. Employers should take a zero-tolerance approach to all forms of discrimination and harassment.

The government should also ensure measures in the Employment Rights Bill to strengthen legislation to tackle third-party harassment are delivered in full. Employers currently have a duty of care for all workers; however, in relation to third party harassment it is not always clear to employers or workers what this means and what proactive measures need to be put in place to ensure workers are protected. The government must reintroduce section 40 of the Equality Act 2010 which places a duty on employers to protect workers from third-party harassment. Government should also extend the Worker Protection Act to include prevention of harassment by third parties.

Question 2- What support do you think we could provide for those who will lose their Personal Independence Payment entitlement as a result of a new additional requirement to score at least four points on one daily living activity?

We do not think these reforms should proceed.

If the reforms to go ahead, it will be important that the review of the Personal Independent Payment assessment process provides scope to reflect on the impacts of losing PIP for those affected, and gives full consideration to what alternative support could be provided.

Question 3 - How could we improve the experience of the health and care system for people who are claiming Personal Independence Payment who would lose entitlement?

We do not believe that improved health and care support can replace PIP income for all claimants.

If the government continues with these cuts, then support must be delivered through individual care plans with patient involvement, personalised budgets and genuine choice.

Question 4 - How could we introduce a new Unemployment Insurance, how long should it last for and what support should be provided during this time to support people to adjust to changes in their life and get back into work?

The consultation sets out that the government are consulting on replacing New Style Employment Support Allowance (NS ESA) and New Style Job Seekers Allowance (NS JSA) with one new Unemployment Insurance benefit. These benefits are contributory benefits and not based on income but on national insurance contributions. It is proposed the rate of financial support would be set at the current higher rate of NS ESA (£138 at time of consultation). The benefit would *not* require a health assessment and would be based on an individual's National Insurance record. This would be a time limited benefit for example 6 – 12 months.

The current process for assessing entitlement to contributory ESA is via a work capability assessment which determines whether an individual has limited capability for work-related activity. Those who do and who have sufficient national insurance contributions, are placed in the 'support group' of NS ESA. In this group people do not have to take part in work-related activities (although they can volunteer to do so if they want), and receive a higher rate of ESA than claimants who are put in the work-related activity group. This ESA payment can be received indefinitely, as long as an individual continues to meet the qualifying rules and remains in the support group.

If it is decided that the individual does *not* have a limited capability for work-related activity, then those with sufficient national insurance contributions are placed in the

work-related activity group. In this group, claimants must meet work-related conditions, and are subject to potential sanctions. This group get a lower rate of NS ESA, and the award of this is limited to just 12 months.

So at present, people meeting the contribution thresholds and who qualify for the support group continue to receive NS ESA unless their condition changes. The government's proposal would change eligibility to between 6-12 months.

The consultation also adds, unlike now, where some of those on NS ESA do not have to engage with any employment support (i.e. those in the Support Group), almost all disabled people and people with long-term health conditions receiving the new contributory benefit would be required, as a minimum, to participate in conversations about employment, with appropriate exceptions.

There are aspects of this proposal that we welcome. It recognises the inadequacy of unemployment benefit in the UK, which is around 14 percent of average weekly earnings. The TUC has continually highlighted the low level of this benefit. The £138 would be a significant increase from the current £92 for those with a sufficient contributions record. The UK system is strikingly less generous than in most other European countries, where unemployment benefits are related (at least in the initial period of unemployment) to previous wages to cushion income shocks, and earnings-related entitlements range from 60 per cent of previous wages in Germany to 90 per cent in Denmark.⁴ In addition the duration for receiving contributory unemployment benefits is often much longer in other jurisdictions than it is in the UK.

However, we are concerned that the policy reduces eligibility for those in the NS ESA support group by imposing a time limit of 6-12 months on their entitlements. Currently those in this position receive non-time limited support for as long as they remain in the support group, reflecting their need for ongoing support due to their long-term health conditions.

The consultation sets out the government's view that setting a time limit for entitlement will create a strong incentive to get back into the labour market, and that this change would make the system more pro-work by removing the financial incentive to be considered unable to work (by paying at a flat rate). But this approach ignores the fact that disabled people currently in the ESA Support Group may have health conditions which means they are unable to work.

So, while this proposal would improve financial adequacy for some, it would reduce support for those with more serious health and disability issues. After 12 months if they met the income conditions they would move on to the lower standard rate of Universal Credit. This change would also partially erode the contributory principle - some people would find that despite having paid into the system for many years they were only

⁴ Information taken from MISSOC – where more information is available on eligibility requirements and how payments are calculated see www.missoc.org

entitled to 6-12 months of contributory benefits if they experienced significant ill health.

TUC analysis shows there are currently around 420,000 people receiving contributions-based ESA, 58 percent of whom been on this for over five years, as they have limited ability to work.⁵

In our view, there should not be a time limit on the new proposed benefit for those who would currently fall into the support group of NS ESA. If the government does not agree with this approach, a different option would be to consider the criteria for NS ESA and to ensure that entitlements are staggered, with those with the most severe and work-limiting conditions entitled to longer (including indefinite) awards.

One group who would be particularly impacted by these changes are older people who have become too ill to work, but are still below the State Pension age. Currently older workers in the contributory support group receive non-time limited benefits. With an imposed 12 month limit they would lose out financially if they are not eligible for means tested Universal Credit. This age group are more likely to be ineligible for Universal Credit, or to receive reduced benefits, as a result of having built up savings that are intended to fund their retirement. Under current rules benefits are tapered for anyone with £6,000 or more in savings and withdrawn completely once savings reach £16,000.

Older people are significantly more likely to be out of work or out of the labour market completely because of long-term sickness, and older people who become unemployed are more likely to become long-term unemployed. While targeted support could help some of those people in this position back into the labour market, or prevent them from leaving it in the first place, many will never be well enough to return to work. TUC analysis has found that those in low paying occupations such as cleaning, caring, and retail work, or in physically demanding jobs working with heavy machinery and skills trades are disproportionately likely to be in this position.⁶

The number of people unable to work up to state pension age, and the length of time they are in poor health before state pension age, has increased as a result of increases to the state pension age.⁷ This is likely to be exacerbated by the next increase from 66 to 67, scheduled to happen over two years from April 2026.

In recognition of the fact that many older people who are too sick to work may never be able to return - having a non-time limited contributory benefit can provide support until they became eligible for a state pension.

⁵ TUC (2025), unpublished TUC analysis

⁶ TUC (2023)- Creating a healthy labour market - <https://www.tuc.org.uk/research-analysis/reports/creating-healthy-labour-market>

⁷ IFS (2022) - The effect of increasing the state pension age to 66 on labour market activity- <https://ifs.org.uk/publications/effect-increasing-state-pension-age-66-labour-market-activity>

TUC analysis shows that of those claiming contributory ESA in the support group, 51 percent of claimants are 50-64, and 29 percent between 60- 64.⁸ If the government does proceed with setting time limits for this benefit, consideration should be given to exemptions for older workers (as well as those with the most severe conditions).

For the Job Seekers element, we believe the higher time limited payment should be for at least 12 months. This would mean workers' drops in income would be less severe while searching for a new job, and would allow people the capacity to find the employment they seek and that best matches with their skills and experience.

Overall, the TUC would like to see an increased prominence of the contributory principle in the social security system. Over time, the share of the social security system made up of contributory benefits in the UK has fallen considerably.

A TUC pamphlet from 2012 *Making a Contribution - Social Security for the Future*⁹ argued that successive governments had undermined the social security system so that it no longer enjoys popular support. It suggested raising the perceived value of contributions by ensuring that many more people get some benefit or help in return at some stage in their life could stop the welfare state becoming a system that deliver meagre benefits to those on the very lowest incomes. The research also set out that the 'something for something' approach would reduce the stigma of claiming, while pooling risk across the population through national insurance would be cheaper and more efficient than for-profit private schemes.

We recognise that many people would find themselves excluded from social security if it was to be based on the contributory principle alone. Some people are not able to make any contributions, are in precarious jobs where they fail to build up sufficient national insurance contributions or are not earning enough in employment to meet the national insurance eligibility income threshold. And contributory benefits are not best placed for dealing with the specific extra costs of having a disability or caring for someone with a disability, or the extra costs faced by those with children. Therefore, a social security needs to be based on a combination of contributory, universal, needs and means tested support.

⁸ TUC (2025), unpublished TUC analysis

⁹ TUC Touchstone Pamphlet (2012), - Making a contribution – social security for the future - https://www.tuc.org.uk/sites/default/files/contributory_benefits.pdf

Question 5- What practical steps could we take to improve our current approach to safeguarding people who use our services?

We are glad that the important role of safeguarding is being taken seriously, and there are plans to introduce a new published 'safeguarding approach'.

The Work and Pensions Select Committee inquiry into safeguarding vulnerable clients recently reported back, and found the DWP's current approach to safeguarding was deficient. Over several years there are known to have been hundreds of serious harms and deaths of claimants.¹⁰

These findings reflect the experiences of disabled trade unionists who have raised DWP safeguarding deficiencies to the TUC through their unions and repeatedly at the TUC's annual Disabled Workers Conference.

The Work and Pensions Select Committee inquiry concluded that many of the Department's safeguarding policies and procedures have been developed over time often in response to cases of serious harm. As such, DWP's approach to safeguarding has lacked coherence and direction, resembling a patchwork of mitigations and adaptations to existing policies, rather than a fundamental policy which underpins how our social security system operates. To remedy this patchwork approach, and to build coherence into the system, the Committee recommend the Department introduce a systems-based approach to safeguarding, to ensure that all policies are developed, implemented, and reviewed with the intention of protecting claimant wellbeing and with the prevention of harm in mind. These conclusions were endorsed at the June 2025 TUC Disabled Workers Conference.

The Work and Pensions Select Committee inquiry list a number of recommendations which should be looked at. We urge the Department to consider early implementation of the following recommendation in particular:

Recommend DWP introduce a statutory duty to safeguard vulnerable claimants that applies to the whole Department, and for which the Secretary of State is ultimately accountable. The duty should have regard to factors such as the wellbeing of vulnerable claimants and preventing harm, when exercising its functions. It should apply when developing, implementing and reviewing policy, and also cover specified duties that contain clear criteria and definitions, including:

- a responsibility to proactively conduct a safeguarding assessment or identify if a claimant needs additional support;*
- an obligation to both inform and proactively offer additional support measures to all claimants who might need such support; and*
- a duty to refer vulnerable claimants to other agencies, including those which have a duty of care, to ensure their additional needs are supported.*

¹⁰ Work and Pensions Select Committee (2025) - Safeguarding Vulnerable Claimants - <https://committees.parliament.uk/publications/47840/documents/250688/default/>

Question 6- How should the support conversation be designed and delivered so that it is welcomed by individuals and is effective?

Question 7- How should we design and deliver conversations to people who currently receive no or little contact, so that they are most effective?

Question 8- How we should determine who is subject to a requirement only to participate in conversations, or work preparation activity rather than the stronger requirements placed on people in the Intensive Work Search regime.

Question 9 - Should we require most people to participate in a support conversation as a condition of receipt of their full benefit award or of the health element in Universal Credit?

Question 10- How should we determine which individuals or groups of individuals should be exempt from requirements?

We know that the support offer can be improved, however we are concerned about what a new baseline expectation of engagement will mean. The previous government introduced harsher conditionality and sanctions which it justified as a means to motivate people to engage with Jobcentre support and take active steps to move closer to work. However, the policy was not effective.¹¹ Instead the policy created fear and anxiety among claimants, rather than ensuring that positive and trusting relationships could be built between work coaches and claimants. .

The Green Paper does have more welcoming language – including an important shift to an approach that is tailored to individuals’ needs and aimed at keeping people motivated and engaged in finding work. It does however still say there will be an ultimate backstop of sanctions to underpin the expectations of engagement, and work will be needed to ensure that sanctions are only ever used where they are proportionate.

In the new proposed benefit system, disabled people and people with health conditions who do not receive the Universal Credit (UC) health element when the WCA is abolished will be subject to increased conditionality expectations. So the new system must recognise there will always be a significant group of people with severe incapacities unable to work, who must be protected from all conditionality. And for

11 Welfare Conditionality Project (2018) – Final Findings Report - http://www.welfareconditionality.ac.uk/wp-content/uploads/2018/06/40475_Welfare-Conditionality_Report_complete-v3.pdf

those where some prospect of work is a possibility, the expectation of engagement needs to be proportional to the level of incapacity.

The Green Paper proposes introducing support conversations for those who have little or no contact with work coaches due to their level of illness and disability. This is an area where further thinking with health experts is needed on what the purpose of this approach would be. Care will be needed to ensure that only those who have some prospect of employment are included within scope.

Question 11 - Should we delay access to the health element of Universal Credit within the reformed system until someone is aged 22?

Cuts to the health element of Universal Credit for those aged under 22 could remove vital financial support that helps young people into work, education and training. The number of young people the policy would impact is small (the consultation says approx. 66,000), but the individual impact would be extremely detrimental. The Youth Guarantee should not be funded by removing benefits for young people, and the policy of cutting access to the health element for young people should not proceed. Young disabled people and those with long-term health conditions already face many challenges. The risk is that that an approach based on cutting their entitlements will leave those young people most in need of support even further from the jobs market.

In particular, removing financial support to young disabled people could make it harder for them to continue in education, work or training, particularly if they incur significant additional costs in taking part in these activities.

The Green Paper says the government needs to “consider what special provisions need to be put in place for those young people where engagement with the guarantee is not a realistic prospect”. However, it hasn’t been made clear what form these ‘special provisions’ will take. The Severe conditions criteria are highly restrictive and would still leave many disabled young people without support.

While there has been an increase in number of young people who are classified as economically inactive because of long-term illness, it is also important for both public commentary and policy development to recognise that it remains older workers who are proportionately far more likely to be in this position. The proportionally small group of young incapacity benefit claimants need support, not additional benefit cuts. Cutting the health element for this group would save relatively small sums of money at significant personal cost to young disabled people.

Question – 12 - Do you think 18 is the right age for young people to start claiming the adult disability benefit, Personal Independence Payment? If not, what age do you think it should be?

We are unsure that any real case has been made for delaying the minimum PIP entitlement age to 18 for disabled young people.

There may be some young people aged 16 or 17 who are not eligible for PIP, but who remain eligible for DLAc, who would benefit from this reform. However, there will also be some 16- and 17-year-olds who would meet the current eligibility criteria for PIP but who are not eligible for DLAc. An impact assessment is needed to assess this policy choice.

Question 13 - How can we support and ensure employers, including Small and Medium Sized Enterprises, to know what workplace adjustments they can make to help employees with a disability or health condition?

The TUC has comprehensive policy on action that is needed to ensure access to reasonable adjustments improves. This is set out above (where we highlight in particular the need for a time limit within which employers must respond to reasonable adjustment requests) and in full in our response to the Keep Britain Working review.

It is important that employers work with trade unions to ensure workplace cultures are set to support disabled workers, so they are able to tell their employer and supervisor they are disabled or have health issues without fear of negatives consequences.

We agree that employers need support to comply with their proactive duty to implement reasonable adjustments.

One way of doing this would be by adopting the 'TUC's Reasonable Adjustments Disability Passport' which, in addition to putting in place a system for implementing and keeping in place reasonable adjustments for workers, also sets out an employer's obligation to respond to a request for a reasonable adjustment within an agreed timeframe with written reasons where a request has been turned down.¹² The passporting system means that a disabled employee who move roles, or their line manager changes, does not have to re-explain or renegotiate their reasonable adjustments. They are a live record of adjustments agreed between an employee and their manager to support them at work because of a health condition, impairment or disability. The passport ensures that up-to-date, appropriate, practical and correct reasonable adjustments are in place. For some employees who have fluctuating conditions, additional steps can be spelt out regarding short-term flexibility required within the overall reasonable adjustments passport framework.

12 TUC (2019) Reasonable adjustments disability passports - <https://www.tuc.org.uk/research-analysis/reports/reasonable-adjustments-disability-passports>

Question 14- What should DWP directly fund for both employers and individuals to maximise the impact of a future Access to Work and reach as many people as possible? Question 15 - What do you think the future role and design of Access to Work should be?

Question 17 - What should be the future delivery model for the future of Access to Work?

Employers do need more guidance on complying with their legal obligations under the law to provide reasonable adjustments.

As set out above, our research into accessing reasonable adjustments found that six in 10 Disabled Workers (59 percent) had not made a request for an adjustment.⁴ 53 percent of those who had not made a request said they did not need one showing that 47 percent of those who had not made a request could have benefited from one highlighting significant unmet demand.

According to recent reports, estimates suggest that there are over 37,000 unresolved Access to Work applications, leading to significant wait times for individuals needing support. The longest wait time for a claimant was 254 working days.¹³

Access to Work has however been successful in aiding workers and removing these barriers. Although the programme has had issues with shortfalls to funding, long waiting times with employers and workers often being unaware it exists, it is an important and successful government initiative helping disabled people move into and remain in work.

We would welcome removal of the Access to Work support cap, along with action to ensure the application and renewal processes are efficient, personalised, and flexible for disabled workers. And we believe that entitled disabled jobseekers should get 'in principle' indicative awards.

We support the continuation and expansion of Access to Work and believe that any changes to how it operates must involve codesign with disabled people, their organisations and trade unions to be a success.

Any future changes to Access to Work should result in it being fully funded to meet need, and reformed to provide quick and efficient access to the service with reduced waiting times. The service should not have eligibility tightened or funding for disabled workers reduced.

The government should also look at the provision of Access to Work to ensure it meets the needs of self-employed/freelance workers.

13 Disability Rights UK - DWP admits 'Access to Work' support is failing Disabled people - <https://www.disabilityrightsuk.org/news/dwp-admits-access-work-support-failing-disabled-people?>

Question 16 - How can we better define and utilise the various roles of Access to Work, the Health and Safety Executive, Advisory, Conciliation and Arbitration Service and the Equalities and Human Rights Commission to achieve a cultural shift in employer awareness and action on workplace adjustments?

The government should ensure the Equalities and Human Rights Commission (EHRC) has sufficient funding to discharge their legal duties and take first instance cases (at the Employment Tribunal where proceedings are begun or first heard) on failure of employers to put in place reasonable adjustments.

The EHRC should also produce guidance for employers on:

- The use of positive action by developing practical guidance to increase their understanding and confidence in using the positive action provisions permitted in the Equality Act 2010 to address the underrepresentation of disabled people.
- Putting in place reasonable adjustments, the processes an employer must undertake to ascertain what is reasonable and multiple worked through examples of what is reasonable for different impairments within different work contexts.

The Health and Safety Executive, Britain's primary Occupational Safety and Health (OSH) regulator, has sustained 54 per cent budget cuts since 2010. As a result, the number of inspections, inspectors and enforcement action has fallen.

To ensure all workers, in all workplaces, are prevented from risk to ill-health in the first instance, we need rigorous health and safety regulation and enforcement. The Health and Safety Executive, and relevant local authority teams, must have funding reinstated to ensure they can act appropriately and provide a deterrent to employers risking workers' health. We also need strong union representation: health and safety reps must have the right to access and inspect work sites where they have membership, not just recognition.

It has been repeatedly demonstrated, by TUC and HSE studies, that workplaces with trade union representation tend to have fewer instances of work-related illness and injury, and workers are better informed of health and safety policies and procedures. For this reason, we want to see the scope of the Safety Reps and Safety Committees Regulations extended, and for accredited trade union health and safety representatives to have a 'roving rep' right: access to any workplaces where they have membership