



Leicester
City Council

WARDS AFFECTED
All Wards

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Children & Young People Scrutiny Committee
Cabinet

6th July 2010
12th July 2010

Work Experience and Employment Opportunities for Children and Young People & Adults with Learning Disabilities in Leicester City Council

Report of the Divisional Director, Social Care and Safeguarding & Service Manager, Learning Disabilities

1. Purpose of Report

- 1.1 To provide an update on the work completed across the City Council to develop work experience and employment opportunities for children and young people and adults with learning disabilities across Leicester City Council.

2. Recommendations

- 2.1 For the Children and Young People Scrutiny Committee to note the report and to make any observations to Cabinet.
- 2.2 For Cabinet to note the contents of the report and the progress made over the past 12 months.
- 2.3 For Cabinet to note the work currently taking place on mapping opportunities across the City Council and developing a database listing work experience placements across the council.
- 2.4 For Cabinet to invite a further update in 12 months time.

3. Summary

- 3.1 In June 2009 full Council agreed to the development of a core offer for all young people in relation to work experience and employment opportunities. In addition, the City Council has led the way in developing innovative ways to remove barriers to employment for people with learning disabilities, which have been recognised nationally and within government.
- 3.2 A range of developments have been progressed since the original report was agreed by Council in June 2009. In September 2009 the Operations Board agreed

to join up the work taking place with children and young people and adults with learning disabilities in order to more effectively coordinate, manage and maximise opportunities across Leicester City Council. In addition, each Divisional Director has identified a 'Champion' to lead on this area of work and work is now underway, with the assistance of two Graduate interns, on mapping out the range of opportunities which exist across the entire Council, which will lead to the development of a database listing all opportunities and better spread the range of opportunities across the Council.

4. Report

4.1 Background

- 4.1.1. In June 2009 full Council agreed to the development of a core offer for all young people in relation to work experience and employment opportunities. This offer stipulated that the Council should be in a position to deliver for young people, including looked after children and those leaving care, 6 key elements: work experience for pre 16 students; Young Apprenticeships; Flying Fish placements for looked after children; Corporate Apprenticeships and the ring fencing of certain posts for looked after young people and those leaving care.
- 4.1.2. The City Council has led the way in developing innovative ways to remove barriers to employment for people with learning disabilities, which have been recognized nationally and within government. This has included reviewing the entire recruitment process in order to support applications from those who have a disability. New Partnerships have been formed with Leicester College and Remploy, the first of its kind in the UK, to pilot accessible routes to employment for disabled people. The Council is now involved in *Project Search*, a project designed to support people with a learning disability into complex, yet systematic jobs, typically with a high turnover.
- 4.1.3. In September 2009 the Operations Board agreed to join up the work taking place with children, young people and adults with learning disabilities in order to more effectively coordinate, manage and maximise opportunities across Leicester City Council
- 4.1.4. The aims, objectives and aspirations of this work directly links to *One Leicester*. A key aspect of this strategy is a priority to invest in our children, creating safe and thriving communities, investing in skills and enterprise. By making these key top priorities the City Council is demonstrating its commitment to supporting, developing, and offering a range of experiences to enhance the learning of children and young people and adults with learning disabilities. Moreover, in terms of driving out inequalities, it is important to address barriers that prevent individuals from Leicester's learning disabled population from entering employment and learning experiences within the Council

4.2. Summary of progress since June 2009

4.2.1. Identification of 'Champions'

- i) Every Divisional Director has identified a senior officer to act as a 'Champion' to take the lead for identifying and promoting work experience and apprenticeship placements across each division. This has been an important demonstration of Divisional Directors taking ownership of this important initiative.
- ii) At the time of writing this report there have been two meetings involving all the champions. These meetings take place on a bi-monthly basis and are chaired by the Divisional Director for Social Care and Safeguarding. These meetings are important in terms of coordinating and progressing the work.

4.2.2. Mapping opportunities across the council

- i) There are a number of gaps in provision across the council for children, young people and adults with learning disabilities including the lack of any strategic coordination in relation to work experience placements and a clear overview detailing where placements could take place across the Council.
- ii) The initial task all the champions have been involved in is an exercise designed to map across the Council where opportunities already exist for young people and adults with learning disabilities, and crucially where placements / apprenticeships could be developed.
- iii) At the time of writing this report, this work is ongoing and will report in July. However, initial results have already identified placement opportunities that hitherto did not exist, and this is expected to increase as opportunities are mapped out and then coordinated. This has already resulted in placements being identified for young people and adults with learning disabilities.
- iv) Two graduate interns from the Graduate Internship Scheme have recently been taken on by the Council to specifically assist with this work and are directly involved in coordinating this exercise with champions across all divisions. The outcome of this work will be a database capturing all information about placement opportunities for both adults with learning disabilities and young people, which should greatly assist in the Council's ability to strategically coordinate and plan opportunities.

4.2.3. Support for managers providing placements

- i) The lack of support or training for managers when they take on a placement / apprenticeship has previously been a barrier to the Council providing more placements. There are some divisions across the Council that provide few if any work experience placements or apprenticeship opportunities. This needs to change in order for the Council to increase the volume of opportunities as well as the range on offer.
- ii) There is a range of information and support on offer. The problem is that this has all existed in different places and is not well publicised. However, a pack is being developed for managers, which will provide comprehensive information about taking on placements / apprenticeships etc. This should be available in July.

4.2.4. Opportunities for looked after children/care leavers

- i) As a corporate parent the Council has specific responsibilities to children in care and young people leaving care. One of the issues previously reported to Cabinet was that there were no opportunities across the Council for supporting looked after children and young people moving into paid employment. Work has been completed with Human Resources and the recruitment procedures have been amended to reflect that certain posts will be ring fenced for young people leaving the care system who will then be competitively interviewed. There is a specific post within the Social Care and Safeguarding Division that supports young people leaving care in the transition to paid employment.
- ii) The 'Flying Fish' Project run by Leicestershire Cares supports young people in care and those leaving care into mentored work experience placements. Raising the awareness of work experience and apprenticeship opportunities across the Council has enabled the 'Flying Fish' project to support and help care-leavers to access these opportunities to help them into employment, training or education. There has been an increase in referrals to the project and increasingly more placements taking place in the council as well as the private sector.
- iii) The 'Way Ahead' Project sits within Social Care & Safeguarding and is a project focused on securing young people leaving care in employment, education and training. This is a key performance indicator for the City Council and one where the Council has made year on year improvement. The project consists of a Project Manager and despite being a relatively new initiative has already supported the successful placement of two care leavers into an apprenticeship programme in the City Council, plus one into an e2e (Entry to Employment) placement in the Council. The Way Ahead project is also developing links with the Care2Work national employability initiative. This is creating more placements within multi-national companies based in Leicester, the aim of which is to develop placements for care leavers and other young people, which of course may lead to paid employment.

4.2.5. Apprenticeship Scheme

- i) The corporate apprenticeship scheme has proven to be very successful. In the first year, 10 young people were on the scheme and working towards a level 2 Business and Administration qualification. By the end of their apprenticeship in February 2010, 5 young people had completed the full qualification and gained permanent employment in the council. The initial 10 apprentices were made up of 2 looked after young people and 7 young people who were Not in Education, Employment or Training (NEET).
- ii) The council is currently taking on apprenticeships through the Future Job Funds Project. This is a government led scheme where young people aged 18-24 are identified in collaboration with Job Centre Plus and given 6 months work experience (25 hours of work per week paid at the national minimum wage). To use this scheme to the council's advantage, the length of time in employment was increased from 6 to 12 months to incorporate the apprenticeship scheme. Funding was secured from the Working Neighbourhood Fund to do this.
- iii) At the time of writing this report there are 12 young people on the scheme; this includes one looked after child and one young adult with a learning disability. By

the end of May 2010 the council expects to have 59 apprenticeships in post throughout the council as a result of the Future Jobs Fund.

- iv) Alongside the Future Job Fund Scheme, there are also 6 sport apprenticeships and 4 horticultural apprenticeships taking place. At least 1 looked after child is included in this cohort.

4.2.6. Adults with Learning Disabilities

- i) There are a number of national policies that explain why having a paid job is the right thing to do for people with learning disabilities to support their inclusion in society, and Leicester has been leading the way nationally in relation to getting adults with learning disabilities into paid employment. In Leicester there are 920 people with learning disabilities who are accessing social care services. There are currently 106 people in employment (as evidenced by NI 146) of which 30 are employed by the council.
- ii) Leicester is at the forefront of the employment agenda and is currently working with the Government to trial three national employment projects: Project Search; Right to Control; and Jobs First.
- iii) Project Search allows individuals to spend a year doing three different jobs called 'Work Trials' whilst also receiving classroom education every day. Leicester was the first area in the country to run the project and has been doing so for two years. Presently 20 individuals are on work trials and are gaining valuable work experience that is being hosted in the council and Leicester College. Three college students that have successfully gone through the work trial have gained paid employment; one has chosen to do volunteering and there are three seeking employment with Remploy.
- iv) Leicester is one of 8 trailblazers for the 'Right to Control' project, which will implement a new way of disabled people getting more choice and control over the government funded services they receive. Planning for the project started in April with the implementation planned for December 2010.
- v) Leicester is one of the 7 national 'demonstrator' sites for 'Job First', which supports people with moderate to severe learning disabilities to use their personal budget to purchase services they need to progress towards paid employment. The project started in April 2010 and is due to work with 20 adults and will run for one year.

FINANCIAL, LEGAL AND OTHER IMPLICATIONS

5. Legal Implications

There are legal implications with regards to the following aspects of the report:

- a) ring fencing of certain posts for young people leaving the care system; and
- b) work experience for pre-16 students and young people leaving the care system.

Limiting training and employment opportunities to young people may constitute age discrimination. The Employment Equality (Age) Regulations 2006 ("Regulations") makes it unlawful for an employer or training provider to discriminate against a person on grounds of age.

In relation to employment the Regulations make it unlawful to discriminate on the basis of:

- the arrangements it makes for the purpose of determining to whom the employment should be offered; or
- the terms on which it offers that person employment; or
- by refusing to offer, or deliberately not offering, a person employment.

In relation to vocational training the Regulations make it unlawful to discriminate on the basis of:

- the arrangements it makes for the purpose of determining to whom the training should be offered; or
- the terms on which it offers that person training; or
- by refusing or deliberately not offering training; or
- by terminating training; or
- by subjecting that person to any other detriment during the training.

To restrict recruitment or training opportunities on the grounds of age will be discriminatory. Recruitment should be on merit. It should be noted that the Council has an additional duty to recruit on merit as required by the Local Government and Housing Act 1989 (section 7).

Where an age restriction is imposed, if it can be shown that it is objectively justified or that there is a genuine occupational requirement for that restriction, it will be lawful.

In order to be objectively justified it must be shown that the age restriction is a proportionate means of achieving a legitimate aim. The aim cannot, of itself, be discriminatory. An age restriction imposed to address an imbalance in the workforce, for example, is unlikely to be a legitimate aim for age discrimination purposes. Where, however the aim is to benefit disadvantaged young people, may be a legitimate aim but the question is whether this is a real need of the employer.

Having established that there is a legitimate aim it will then be necessary to consider whether the measures taken to achieve that aim are proportionate. A question to ask to assist with this is whether the aim could be achieved by other means. The Council will need to demonstrate that the age restriction contributes to the pursuit of the legitimate aim and it should weigh up the importance of the legitimate aim against its discriminatory effects

Genuine occupational requirement does not appear to apply in the circumstances.

Therefore in relation to aspect a) of the report there is a risk of age discrimination claims. To a lesser extent there is a risk of tortious claims for a breach of a statutory duty and judicial review.

In relation to aspect b) of the report there is a risk of age discrimination claims.

Kate James
Solicitor

6. Financial Implications

This report presents a progress update on the work completed across the Council to develop work experience and employment opportunities for children and young people and adults with learning disabilities. As such there are no direct financial implications arising and no additional funding has been requested. It is likely that most of the costs of making available such opportunities will be contained within existing staff time and other budgets, although inevitably some costs will arise that would not otherwise have been incurred. There are potentially longer term financial gains in that the level of unemployment amongst these vulnerable groups will be reduced, which should have a range of social and economic benefits for the individuals concerned and for society as a whole. - Colin Sharpe, Head of Finance and Efficiency, CYPS, ext. 29 7550

7. Climate Change Implications

Not applicable

8. Other Implications

| OTHER IMPLICATIONS | YES/ NO | Paragraph/References Within Supporting information |
|-------------------------------|--------------------|---|
| Equal Opportunities | Yes | Report addresses issues for Children and Young People & Adults with Learning Disabilities |
| Policy | Yes | Report addresses issues for Children and Young People & Adults with Learning Disabilities |
| Sustainable and Environmental | Yes | Report offers opportunities for future employment |
| Crime and Disorder | N/A | |
| Human Rights Act | N/A | |
| Elderly/People on Low Income | N/A | |
| Corporate Parenting | Yes | Report addresses issues for Children and Young People & Adults with Learning Disabilities |
| Health Inequalities Impact | Yes | Report addresses issues for Children and Young People & Adults with Learning Disabilities |

7. Report Author

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| Key Decision | No |
| Reason | N/A |
| Appeared in Forward Plan | N/A |
| Executive or Council Decision | Executive (Cabinet) |

