

Disability Workforce Reporting

Consultation response submitted to the Disability Unit by Business Disability Forum

April 2022

About Business Disability Forum

1. Business Disability Forum (BDF) is a not-for-profit membership organisation which exists to transform the life chances of disabled people. Our members consist of over 450 UK and global businesses. In the UK alone, our membership collectively represents around 20 per cent of the UK workforce.
2. The role of our policy and research work is to collaborate with our members, disabled people, carers, and the Government to provide evidence-based solutions to improve disabled people's experiences in work, education, consumer settings, and public services.

Methodology: How we have arrived at our position

3. Implementing equalities-related data monitoring exercises while maintaining an inclusive, choice-based organisational culture remains one of the top three topics our policy and advice teams are asked about. This in itself shows that collecting data about 'diversity groups' is not as straightforward as whether it should or should not be done or what language to use. We therefore welcomed this consultation, and we were particularly pleased to see the consultation paper ask consultees about what the "unintended consequences" of implementing a mandatory approach to disability related workforce reporting would be.
4. We understand, and have seen first-hand, that diversity workforce reporting is a highly emotive topic for many involved, and perspectives 'for and against' can be strong. We were therefore keen to take an evidenced-based approach to arriving at a position and recommendations on this consultation topic which involves employers in roles including line management, equity and belonging, human resources, equalities data analysts, and senior leaders.
5. Another concern to us has been how little disabled people have been involved in this debate to date, particularly from some organisations and campaigners who have been calling for a mandatory approach. It was therefore important to us that

we ensured a similar level of input into our research for this consultation from employers and from disabled employees. We have conducted focus groups, discussion groups, and one-to-one interviews with employers and disabled employees within our membership. In total, we spoke to 64 employers and 64 employees with a disability. We have also kept in close touch with business leaders and other membership and regulatory bodies to regularly ‘test’ our working positions with them.

6. In December 2021, we formed a Disability Data Monitoring Working Group, which includes 64 employers. This group has met monthly since December to discuss the consultation proposals and questions in depth. We would like to thank the Disability Workforce Reporting consultation team at Cabinet Office for coming to our first meeting in December to present the consultation to us. During each meeting with this working group, we have taken each section of the consultation document in turn to discuss the ideas and debate alternative suggestions.
7. Simultaneously, we have carried out discussion groups and one-to-one conversations with disabled employees, partly via our Disability Network Leaders Forum which brings together the leaders of the staff disability networks in our member organisations to discuss disability related issues and provide rigour and challenge to our policy and research work. This group was pivotal in helping us engage the above-mentioned 64 disabled employees in developing our response – the same as the number of employers we involved. In this group, we particularly focussed on disabled employees’ experience of sharing information about their disability with employers, completing diversity surveys, and how organisation culture and climate interacts or conflicts with an employer’s existing and proposed mandatory requirements.
8. Our members were not against a mandatory approach, but they were generally unclear what we were trying to achieve from it: “We are not against doing it, but we need to know why we are doing it, and that is not clear”. In our Disability Data Monitoring Working Group, we therefore took the key principles of the consultation paper and tested how the consultation’s objectives would be fulfilled by the proposal to mandate disability workforce reporting from large employers.

A note on the current landscape of disability workforce reporting practices

9. Most members of our working group collect disability related information in some way for their own purposes, even if they are not reporting it for public availability. Public sector organisations generally publish their data publicly (usually on their website or via a regulatory body as required). Public sector organisations or organisations delivering public functions have been collecting and reporting disability workforce data since the single equality frameworks in the early 2000s. Many improved and reformed their practices with the implementation of the Public Sector Equality Duty (Specific Duties) in 2011. Some of our members were among

the first to voluntarily report their ethnicity and disability pay gaps some seven or so years ago.

10. It is also important to note that some sectors are already subject to mandatory reporting frameworks, and others are looking at developing this. The retail, education, law, and accountancy professions already require organisations in their sector to report the prevalence of disability in their workforce. Therefore, any move to introduce a mandatory requirement will need to consider the mandatory approaches that are already organised at sector level. Members did not want to fulfil different mandatory requirements for practical reasons.
11. Global organisations face challenges in that legal requirements and culturally acceptable practices differ greatly between countries. Mandatory requirements require a lot of splitting up questions and survey requests to staff in different regions covered by different legislations. Some organisations therefore work with a definition of disability that allows them to capture data from people in as many countries as possible with as few separate data collections across the globe as possible.

Mandatory reporting for large employers does not inform the disability employment gap

12. The disability employment gap has not moved in a meaningful or acceptable way, and action must be taken to address this. Government needs to introduce and report meaningfully on more ambitious targets beyond one million more people in work by 2027. By doing this, it is important the methodology does not allow for increased self-identity to 'skew' the number of how many 'new' disabled people are getting into (and staying in) work. To be clear, increased self-identification is a good thing in and of itself, but it must not be confused or conflated with new entrants into the workforce and the closure of the disability employment gap.
13. The consultation paper suggests mandating large employers to report on the number of disabled people they employee would contribute to closing the disability employment gap. We do not believe this premise is wholly accurate. Two issues need to be separated in this premise: (1) **Measuring** the disability employment gap, and (2) **actions** to close the disability employment gap. **BDF knows action is needed, but we also believe we have a responsibility to ensure those actions are evidence-based and must test their potential success for achieving what we need them to.**
14. The current evidence available suggests that the proposal to require large employers (employers that employ over 250 people) to report the numbers of disabled people working in their organisation will not fulfil the objectives the consultation paper says need to be fulfilled – namely, reduce the disability employment gap and create inclusive workplaces. There are two key reasons for this.

15. Firstly, the proposal only **covers a small percentage of businesses in the UK**. Employers with over 250 employees represent a relatively small percentage of employers in the UK. The Government’s own statistics show that, in 2021, there were 5.6 million SMEs, and only 8,000 large employers.¹ Therefore, only 8,000 employers would be subject to this proposal and, for many global but UK based employers, only their UK employees would be covered. This would therefore not give an accurate picture of the number of disabled people in work in the UK labour market.
16. Secondly, the disability employment gap is not just about employees who are **in work**. The disability employment gap must measure three key things:
- i. People with a disability or long-term health condition who are **economically inactive**, who (a) may be economically active in the future, and (b) who are unlikely to be able to be economically active in the future (and the reasons for both).
 - ii. People with a disability or long-term condition who are **economically active but not in work** – who are looking for a job or who are looking for work, including the lengths of time of being economically active and the types of pre-employment activities they are undertaking and how they are being supported by this (this would also help measure the success of supported work and work preparedness programmes).
 - iii. People with a disability or long-term condition who are **economically active and in work**.
17. The consultation’s proposal can only potentially capture information on people who fall into the last ‘cohort’ of people which, as above, does not contribute to informing the wider picture of the proportion of disabled people who are employed and who are also economically active. Therefore, if we pursued the consultation proposal, only data of **a subset of economically active disabled people in a subset of employers** in the UK would be collected. Employers in our working group therefore questioned, in one employer’s words, how “valuable and representative of the labour market” this data would be – to businesses, to the Government, and to disabled people.
18. We know there are projects currently being undertaken in Government to harmonise and improve the data it collects on disability in the UK and disabled people’s lives, and these are very much welcomed. Requiring data from employers about disabled employees in their workforce should not be seen as contributing to

¹ Business Population Estimates, 2021 (BEIS). While we acknowledge larger business may have more disabled employees than the millions of SMEs combined, not including SMEs in potential proposals still nevertheless ‘misses out’ many disabled people who work in or own small or medium business. We also know from our SME businesses that smaller organisations are often able to offer the flexibility that works for disabled employees more easily than larger employers.

those data projects, as these two types of data collections have different methodologies and are needed predominantly for different purposes.

19. There are many ways of measuring progress on closing the employment gap. However, quantitative measures can give a very high-level picture of ‘numbers’ of different disabled people, but it (a) does not follow experiences or journeys of people who are falling out (or in and out) of work (or the reasons for this), and (b) it looks at disabled people as ‘one group’ instead of recognising that some groups of disabled people experience heightened barriers to employment. The Government’s data projects to improve disability related data must address these two current gaps.

Benefits and risks of publishing workforce information

20. The benefits of publishing workforce data are reliant on the type and quality of the data that are collected. The number of people with a disability or long-term condition in an organisation will not in itself tell anyone much about how well that employer is treating its disabled employees. If, however, the data collection was ‘**experienced based**’ – i.e., data about how many people are still waiting for adjustments, employee engagement levels of disabled employees compared with non-disabled employees, and levels of bullying and harassment of disabled employees, for example – this is much more useful to many more people. Disabled employees told us they would look at this data when thinking of applying for jobs in another organisation, and employers said this type of data would benefit them as well.
21. The key risk of publishing ‘prevalence only’ information is that people take on the narrative that a disability inclusive organisation is measured exclusively by the number of disabled people it employs. We, however, know that in some organisations where there is between 10-20 per cent of disabled people in their workforce, employees are sometimes waiting between 6-24 months for adjustments,² and disabled employees also experience higher levels of bullying and harassment than employees who do not have a disability.³

We need to be clear what collecting this data achieves

22. Employers and disabled employees were therefore unclear why a mandatory approach to disability workforce reporting to close the disability employment gap was being considered – even though employers were generally not opposed to a mandatory requirement if there was evidence to suggest it would be effective for what we want it to achieve. The latter was unclear though:

² Business Disability Forum, “The Great Big Workplace Adjustments Survey” (2019).

³ Insights from consultancy projects BDF has been commissioned to work on with individual businesses in the public, private, and central Government sectors.

- “This is not going to be a ‘silver bullet’. It is a ‘prompt’ for doing things, but good employers would do those things anyway.”
23. Another employer asked how Government would use the data, given that, as above, it could not use it to inform the disability employment gap in any meaningful way:
- “Having the information is one thing; what to do with it is another. What does having the information change?”
24. Another employer highlighted the risk of Government implementing something that would impact disabled employees and every large UK employer if its implementation then did not significantly improve anything. The feeling was that the whole approach to whatever is implemented – including the systems to report data – “needs to be right from the ‘get go’”.
25. Employers also questioned how the data would be ‘judged’, and who will decide what constitutes ‘good’ in terms of the number or percentage of disabled employees in a workforce. Some employers were concerned that having a higher prevalence of some types of disabilities or conditions in a workforce is not always a good thing, namely work-related stress or mental health which is being exacerbated by working environments. In one employer’s important words:
- “It is not clear necessarily what we’re taking the data to mean, or what we might be expecting to see, or how the data would be interpreted. I think the natural assumption would be that higher disabled staff figures are a good thing because it suggests a workplace is inclusive. But what if it’s the workplace that’s making people ill – how would you get a sense of that from the data? I say this because [my sector] is suffering from a mental health crisis, in part due to heavy workloads... So, I wouldn’t want [my sector] to quote high proportions of staff with mental health problems and it be seen as an indication of inclusiveness, when it might actually be the opposite.”

(Not) learning from mandatory gender pay gap reporting

26. Many advocates of a mandatory approach to disability workforce reporting quote gender pay gap reporting as a success and a reason to require the same for disability. There is, however, little evidence – at organisation or at Government statistics level – that gender pay gap reporting has directly or indirectly led to greater gender inclusion in the workplace. An increasing number of very recent business management studies support this caution.
27. An increasing body of research shows gender pay gap reporting has not been hugely impactful. Research from Mercer UK this year shows that although employers generally want to improve their gender pay gap and agree with gender pay gap reporting, they were nevertheless struggling to close their gender pay gaps. Only 1 per cent had managed to close their gender pay gap by more than 10 per cent, and 18 per cent reported an **increase** in their gender pay gap. This study

discussed that the two key drivers behind increased pay gaps were (1) employers failing to attract women to particular roles in organisations and, (2) employers are not removing the workplace barriers that enable women to progress. These principles are recognisable to the disability employment gap and workplace disability inclusion – i.e., disabled people not getting into workplaces, and not having barriers removed in workplaces when they are there. This study therefore shows that, contrary to the introductory principles in the consultation document, inclusive practices must be embedded before increases in data are evident (see more discussion on this point below).

28. This caused employers to question if mandatory pay gap reporting was an effective intervention for the problem it was trying to solve. In one employer's words:
 - “Was gender pay gap reporting the best way to achieve what it needed to?”
29. That said, in other ways, gender pay gap reporting was cited by employers and disabled employees as otherwise **unmatchable** to the considerations and language and self-identity nuances needed for disability workforce reporting. For example, reporting gender is a legal requirement for employees during their working life for tax reasons. Therefore, employers generally already have this information in their systems and reporting is therefore “more straightforward” than disability data collection would be.
30. Gender status is also less ‘flexible’ across time than disability status. The Government's own longitudinal statistics on disability and disabled people show disability changes greatly within months.
31. Further still, gender pay gap reporting is a mandatory legal requirement, and many employers still do not report it.⁴ One employer said, due to resource and sickness in the team, they were not able to report their gender pay gap during one year, and “nothing happened” (i.e., there was no enforcement). There is therefore a **reputational risk for organisations and Government recommending a mandatory approach to improve things for disabled people if we are aware a mandatory approach for another protected characteristics is currently not effective.**
32. **For these reasons, we do not feel we can recommend a mandatory approach. Any recommendation BDF makes and any action the Government takes forward must have the evidence and credibility to say to every disabled person in the UK ‘We believe this will improve your experience of work’. We do not feel we have the evidence to credibly assure disabled people that the**

⁴ Government figures from October 2021 shows that on the deadline date for reporting gender pay gaps, 73 per cent to employers still had not reported it, despite this being a mandatory, legal requirement. Lewis Silkin's analysis of the gender pay gap data in April 2022 also shows that between 600-700 did not submit their data.

disability employment gap will be reduced or that they will have better working experiences by introducing mandatory workforce reporting at this time. We must also ensure the decision we make now is sustainable, and that whatever action is taken, that the decision will still ‘stand up’ in two, five, ten years’ time.

A mandatory approach was not favoured by disabled employees

33. Again, it is important to note that employers were not against mandatory reporting in principle. The detail and unintended consequences though were, in one employer’s words, “the sticking point”.
34. There were concerns that a mandatory approach based on the ‘number of’ disabled employees alone encourage ‘crude’ measures, such as organisations recruiting more disabled people without reviewing their culture, training, and policies and procedures to ensure that they enable inclusive experiences when in those roles. This could drive poor employers to recruit more disabled people who then have a terrible experience at work, and this is the very opposite of what we want.
35. Both employers and disabled employees felt a mandatory approach would ‘strike the wrong tone’ in other areas, too. In one employers’ words:
 - “We don’t want a working environment where people do things because they have to. We survey our employees... Employees want their employers to do the right thing because they want to, not because they are being told to”.
36. A related concern from employers was that a prevalence-based figure may pressurise employers to “**force disclosures**” from employees. This is the opposite ethos to that described by an employee with a disability: “It’s always much better if you can own when and how you share [your disability with your employer] yourself”. For this reason alone, a mandatory approach **does not appear to benefit employers or disabled employees**.
37. Disabled employees also did not generally favour “must do” and “mandatory” narratives around disability related requirements. As in the employer’s words above, some said they wanted to work for employers who wanted to measure impact and their experiences and further inclusive practices because they ‘wanted to’, not because the Government tells them to. Some disabled employees felt mandatory requirements about disability implied that disability is ‘hard work, ‘hassle’, ‘resource heavy’ and they feel this narrative is currently facilitated within some areas of Government policy. Many also said they feel this narrative about disability requirements is projected onto disabled people in society and in workforces too – i.e., then ‘**disabled people** are hassle, cause more resource, and are hard work’ too.
38. Disabled employees also questioned how a mandatory approach benefits them – “Why would you ‘tick the box’ of you are not going to see any benefit?” – particularly if standardised wording would undo the input they have had into

defining and furthering their own organisations' disability inclusive language, tone, imagery, and wider narrative.

39. Ultimately, recent challenges to the Government from disabled people have been about an argued lack of voice in policy development. It is central to BDF's messaging and advice that we give to employers that **disabled employees' voices and experiences must be at the very heart of policy and practice improvement** in organisations. **We therefore would not recommend an approach that only required a 'figure'** for the number of disabled people working in an organisation. Either in addition to or instead of this 'prevalence' figure, employers who want to advance inclusive practices in their workforces should be measuring and reporting the **experience** of disabled employees in their organisations. "Should", however, does not necessarily lead to a "mandatory" conclusion.

Increasing voluntary reporting and inclusive cultures

40. From our research for this consultation, we identified some considerations for increasing the uptake of voluntary reporting.
41. There needs to be something 'in it' for employers as well as the Government and disabled people – i.e., what is reported and the methodologies to get that data need to be useful to employers for improving organisational practices. **Getting employers away from an over-reliance on 'diversity by numbers' and toward 'inclusion by experience'** encourages useful methodologies and therefore toward gathering useful data that provides insights that can map and track experiences over time and throughout an organisation. As an example, one of our working group members said reporting numbers for their gender pay gap reporting was 'ticking a box' for Government and did not provide any value for them as an organisation. However, when they added a qualitative method to their next gender pay gap reporting period, they asked questions about experiences, barriers at work, attitudes, ambitions, and different types of engagements across genders, **this** was the data that was useful to them that they revisited again and again; this was the type of data that has enabled them to improve gender inclusion in their organisation. **Reporting the number itself was not useful.**
42. A voluntary approach was also **favoured by disabled employees** who said if there was a platform where you could view which employers were reporting what type of information, that would be helpful to them when choosing which employers to apply for jobs with:
- "I would be looking at this data to see disabled employee's lived experience to find who is a disability confident employer".
43. Many employers did not know about the Voluntary Reporting Framework (VRF), but they said they would use it if they knew more about it. The VRF should therefore be updated. BDF is offering to help with this and involve our 64 employer-strong Disability Data Monitoring Working Group who have input into this consultation.

44. There are three key aims the consultation paper says it is trying to achieve with mandatory disability workforce reporting: help decrease the disability employment gap, increase transparency, and increase inclusive practices in organisations. Although, as we have discussed above, targeting only large employers will not give anywhere near an accurate measure of the level of disabled people’s employment, a voluntary approach can achieve the latter two aims:
- Transparency is not just about ‘publishing a number’. Transparency **that increases inclusion** is mobilised when employers are transparent about their organisation’s practices, such as how decisions are made, involving disabled employees in policy and practice development, and communicating well during organisational changes and daily employee procedures (such as how adjustments are decided and how performance is managed). The VRF can enable this.
 - Enhancing inclusive practices: The VRF has a lot of potential, when updated, to take employers through identifying and implementing inclusive practices that will transform experiences for disabled employees.
45. In this way, the VRF already encourages more useful data than a mandatory reporting proposal. Taking this approach would address the concerns of employers and disabled employees who said that the Government needs to equip employers to be more inclusive before it considers mandating data publication. In one employee’s words:
- “The Government are doing this the wrong way around. It needs to make sure employers have education and accessibility [rather than ‘counting’ disabled people]”.

Improving inclusive cultures leads to better data and/or experiences in work

46. This lends to the dominating theme of most of our discussions with employers and disabled employees during our research: increased numbers of employees telling their employer about their disability does not lead to more inclusive workplace cultures; more inclusive workplace cultures lead to increased numbers of employees telling their employer about their disability.
47. Employers had noticed that the number of employees telling them about their disability tended to be lower when not much practical support for managers and employees had been resourced or invested in – i.e., where staff had not been equipped to practice inclusion. Businesses need to have the right policies, processes and culture in place before they ask questions if they want employees to feel comfortable answering questions about their disability.
48. For this reason employees and employers we spoke to said focusing on the number of disabled employees in a workforce is of limited value. They argued that **the emphasis should be on adjustments and what businesses are doing (or are planning to do)** to remove barriers for employees.

49. The voluntary reporting method or framework whereby employers can keep their own language and narrative about disability would achieve the above objectives.
50. There was another interesting finding confirmed in our research on the point of the relationship between inclusive practices and data. Many employees who already have adjustments in place may not need to tell their employer about a disability if they feel they are already able to do their job effectively. Further still though, **some employees recalled that they “have not needed to” talk about their disability much in their organisation, because adjustments and flexibility is embedded within their employer’s inclusion strategy and practices.** In these cases, there was no incentive or reason to tell their employer that they are ‘disabled’ or have a disability. This was reflected by one employer’s words:
- **“If we have got good processes in place, we rarely need employees to disclose their disability”.**
51. Some of these organisations saw the percentage of disabled employees **fall**, because employees did not need to say they have a disability before they were allowed to choose how they work or to request adjustments or flexibility.
52. Therefore, while in some organisations inclusive cultures meant more people were comfortable to tell their employers about their disability, in other organisations where adjustments and flexibility were embedded for all staff, the number of employees saying they have a disability was low and ‘not needed’ in order to request a different way of working.

A standardised approach undermines disabled people’s choice and self-identity

53. Both employers and employees did not generally agree with standardising the language and questions about disability at Government level to be imposed onto employers to use.
54. Disabled employees said they had appreciated being involved in contributing to their employers’ narrative and use of disability related language that had been adopted, and they were generally uncertain about what the ‘gain’ for Government redefining this for them and their employer would be.
55. Some disabled employees said standardising the language that Government approved and then imposed on their employer and therefore them to use was “suspicious”. Employees cited the ‘backdrop’ of poor experiences of Personal Independence Payments (PIP) currently being revised and changes to Access to Work for how they felt about Government imposing a disability vocabulary onto them in their workplaces as well. It felt to some that they would then have “no place” to assert their identity or how they want to be spoken about if their employer must change the language from what they, disabled employees, in their organisations wanted. One employee said that **mandating a language for all employers to use is in itself not an inclusive practice:**

- “In some countries, diagnosis is the base evidence for if you are disabled. I am disabled in some countries and not in others. But there is a huge difference between a legal definition and inclusion or how I self-identify”.
56. It is crucial to recognise the difference between the number of people who have a disability or long-term condition and people who “self-identify” as being ‘disabled’. Employers and disabled employees agreed the distinction is important, and both agreed that the consultation was unclear on which was being consulted on. At times, the document refers to prevalence, and at other times, it talks about “self ID”. In one employee’s words:
- “Declaring a disability is different to saying I am autistic”.
57. In addition, disabled employees were also concerned that disabled employees we spoke to generally agreed that workforce data collections often ‘box’ people into pre-defined categories which in turn reinforced limited narratives about disability and disabled employees within an organisation.
58. Further still, employees were unclear why a mandatory or a voluntary approach to reporting meant standardising the language and for every employer to use the same language. Disabled employees discussed how the main reason Government would want each employer to use the same language would be if it wanted to “compare” employers’ figures against one another. If this is the case, employees – more than employers – worried what a ‘benchmark’ of what a ‘good’ percentage to have would be. **Disabled employees more than employers were worried that this would introduce a subtext of ‘quotas and targets’ for disabled people’s employment. This was felt to be a “backward step” and a policy move “in the wrong direction”.** This caused one disabled employee to say:
- “If the Government says, ‘everyone needs to do this’, it is contributing to the problem”.
59. In addition, employers said they had consulted with their workforce, with external stakeholders, and with disability charities to arrive at a ‘vocabulary of disability’ that synced with their business ‘brand’ and strategic values or business plan. Sometimes, this vocabulary had to be suitable across many continents, too.
60. There were there were concerns from employers about how questions asking about disability would be worded to employees. Concerns included the following:
- Some employees will not identify as ‘having a disability’ or being ‘disabled’. Identification with the legal definition of disability in the UK Equality Act was also low in work settings.
 - Defined ‘categories’ of disabilities and types of conditions are limited in their helpfulness. Employers are already concerned that a narrow range of options could lead to many people among their staff feeling as though they can’t adequately talk about their condition(s).
61. These concerns were echoed by employers and employees who said there were difficulties with some of the proposed language in the consultation document. This,

however, greatly depended on how an organisation had defined its own terminology and narrative about disability and disabled employees in that organisation. For example:

- There were concerns over the limited range of response options for categories of disability included in the consultation document. There were remarks that this appeared to “lumped some conditions together”, with some choices covering far more conditions and disabilities than others.
- Several employees disliked the term “neurodiversity” in the consultation document. Others recommended “neurominority” or “neurodivergent”; again, because this was the language their own neuro-inclusive working groups and networks had worked on and redefined in that organisation.
- Some employees questioned why “Deaf” was included in the consultation document but not “blind”. Although there was discussion about why this might be, the point is that it was not clear to many people, and many did not know the socio-political history behind some of those nuances.
- There was also concern over some of the descriptions of how conditions could impact people. In particular, there was strong criticism over the use of language in relation to conditions which the document implied affect “social behaviour” and then referred to autism and ADHD. This was widely seen as “insensitive”, “inaccurate” and “unhelpful”.

62. When we asked employees what they felt the language should be, they generally emphasised that language for their own self-identity was a personal choice that sits outside of workforce surveys and data collecting, and the language that they responded to at work was that which they had defined with their staff disability networks and their employers. It was unclear why Government needed to land on a specific category set or definitions that would suit everyone in the discussion group.

Preventing more ‘piecemeal’ equalities policy development

63. It was frustrating to employers that there are different reporting standards (some are mandatory, and some are voluntary) for race, gender, and disability which measure different types of data and need to be reported to different Government bodies.

64. Government should prevent more ‘piecemeal’ approaches to measuring equalities and inclusion policy. If the ‘direction of travel’ from Government is to mandate more equalities reporting, now is the time to harmonise requirements across other equalities groups so that we have an equalities reporting methodology for the UK which is futureproof for at least the next five to ten years, and which enables ‘one’ data reporting exercise for employers to one same reporting body.

65. This may include greater intersectional methods and considering which other diversity ‘communities’ experience barriers that Government and employers need to dismantle. Ideas by employers and employees included socio-economic status, the location or region(s) employees live, working carers, sexual orientation, religion and

beliefs. These are exploratory suggestions only that would need further consideration.

66. Employers discussed the option of waiting longer for requirements to be implemented by the Government while greater consideration is giving to what data should be collected beyond disability. This would mean harmonising reporting requirements in a way that would mean having one reporting platform managed by one Government department, and employers could then resource 'one' data collection reporting exercise and plan appropriately for that. Having different reporting requirements submitted to different places at different times was seen to be unhelpful and disjointed.
67. Employers said it generally takes between **three to five years to shift the workplace culture** of an organisation. This should be considered as Government decides on appropriate reporting intervals.

Our conclusions and recommendations: A voluntary approach to experience-based reporting

68. Addressing the disability employment gap needs to come from joined-up policy making across ministerial Government departments, and not pitched as being the sole responsibility of employers. Equally, it is not helpful for Government to mandate a language and narrative about disability and an organisation's workforce and define what inclusive practices for individual businesses are.
69. Any implemented reporting framework, whether voluntary or mandatory, must include the different measures of **quality of experience** (such as engagement, general experience, adjustments) over quantity of disabled people employed in an organisation.
70. Employers should be encouraged to **voluntarily report** their disability related workforce data to the Government. This would be via an **enhanced and revised Voluntary Reporting Framework** which includes tools and advice to equip employers to know what to measure and how. BDF would be very keen to be involved in this revision and to involve our members too (who, as evidenced in this response, are very engaged in this subject).
71. The prevalence of disabled employees in an organisation is not a measure of a good, non-discriminatory, inclusive experience in the organisation. We have worked with organisations who already have mandatory requirements to report the prevalence of disabled people in their sector who resource recruiting disabled people. **The data we will be encouraging our members to publish voluntarily will be twofold: (a) the number of people who have told them they have a disability or long-term condition in a vocabulary and language co-produced with their disabled employees, and (b) the experience of those employees (including levels of engagement among disabled people compared with none**

disabled employees, levels of disability related bullying, harassment and discrimination, grievances raised by disabled employees).

72. Employers should be able to use **whichever language and narrative they wish**, particularly as disabled employees in many organisations we spoke to have been part of define the narrative, language, and tone about disabled and disabled employees in their organisation. It would be “disastrous” (direct quote from a disabled employee) for Government to mandate a single definition and set of categories. This would impose Government’s decision on disability related terminology onto business and be a significant ‘backward step’ from where disabled employees have had a say in how their employer discusses disability and the language it uses.
73. We are concerned that the advice to support the effectiveness of a mandatory approach is lacking and, at the same time, we acknowledge the concerns of disabled employees about how a mandatory requirement based on ‘counting the number of’ disabled people means that disability related policy action is not measuring their experiences. We also acknowledge the unintended consequence that mandatory reporting based on prevalence of disabled employees potentially takes policy dangerously close back to targets and quotas. **This undermines the whole point that disabled people bring talent and value to workplaces** that is currently widely being ‘shut out’ due to un-inclusive practices and working cultures.
- 74. An approach that seeks to encourage better practices from employers while allowing employers to co-produce their individual ‘brand’ vocabulary and narrative about disability and their workforce will enable a useful data collection framework which also builds on furthering inclusive practices and measuring the impact of those practise by ensuring the experiences of disabled people are at the centre of workplace inclusion.**
75. Ultimately, we want disabled people to have a fulfilling experience of work, and for employers to see disabled people as valuable talent that they need for the success and future of their workforce. Any interventions that are implemented next must ensure these two principles are at the core of their outcomes.

Acknowledgments

76. We would like to say an enormous ‘thank you’ to the 64 employers – which includes Burberry and St James’s Place – and the 64 employees who have given their time each month since December to take part in our debates and discussion groups to inform our response to this consultation.

Ends.