



Close the Gap submission to the Economy and Fair Work Committee disabled employment gap inquiry

February 2023

1. Introduction

Close the Gap is Scotland's policy advocacy organisation working on women's labour market participation. We have been working with policymakers, employers and unions for more than 20 years to influence and enable action that will address the causes of women's labour market inequality.

Women's experiences are not universal, but rather shaped by the intersecting inequalities they face. An intersectional approach is therefore crucial to understanding the complexities of women's lives and it is important that policy design and delivery considers women who are most marginalised, for example, disabled women; racially minoritised women; and lesbian, bisexual and transgender women.

Close the Gap welcomes the opportunity to submit evidence to the Committee's inquiry. Disabled women's experiences of engaging with the labour market are routinely invisible in policymaking, and in employer practice. We are currently delivering a research project on disabled women's experiences of the labour market, and we would be happy to share more information on the findings in due course. Our submission provides a summary of the inequalities facing disabled women in engaging with the labour market.

2. Responses to inquiry questions

2.1 What progress has been made to reduce and remove barriers faced by disabled people to access Scotland's labour market?

At a UK-level, disabled women's employment rate is currently the same as than disabled men's, at 54.3%.¹ The 2021-2022 employment rates for non-disabled people are 77.5% for women, compared to 84.5% for men, a difference of 7.0 percentage points. The disability employment gap is therefore narrower for women at 23.2%, compared to 30.2% for men, however this is explained by the 7.0 percentage point difference in employment rate between non-disabled women and non-disabled men.²

However, headline employment rates mask significant differences in the standard of employment enjoyed by each group. Within the labour market, disabled women face intersectional or dual labour market disadvantage on the basis of both their sex and disability. This means disabled women face the barriers which perpetrate women's labour market disadvantage, such as discriminatory workplace cultures, childcare and a lack of flexible working, in addition to the raft of barriers experienced by all disabled people in the labour market. As a result, disabled women generally experience poorer labour market outcomes and lower pay than disabled men.³

At a Scotland-level, the disability employment gap has fallen from 37.4% in 2016 to 31.2% in 2021.⁴ However, there is no intersectional data for Scotland, so it is not possible to identify if this represents an increase in the employment rate of disabled women. The headline employment rate also does not provide insight into job quality. It is therefore difficult to identify what progress, if any, has been made to tackle the barriers disabled women face in engaging with the labour market. However, a wide range of evidence highlights that disabled women's experiences and outcomes in employment continue to be poor.

2.2 What are the remaining challenges, and why has progress been difficult?

¹ UK Government (2023) *Employment of disabled people 2022*, available at <https://www.gov.uk/government/statistics/the-employment-of-disabled-people-2022/employment-of-disabled-people-2022> accessed February 2023

² Ibid

³ TUC (2015) *Disability and Employment: A social Model Study of Employment Experiences of Disabled People in Great Britain, with a Focus on Mental Illness*, available at <https://www.tuc.org.uk/sites/default/files/DisabilityandEmploymentReport.pdf> accessed February 2023

⁴ Scottish Government (2022) *Scotland's Labour Market: People, Places and Regions – Protected Characteristics – Statistics from the Annual Population Survey 2021*, available at [Scotland's Labour Market: People, Places and Regions – Protected Characteristics](#) accessed February 2023

Pay inequality

Disabled women's experiences of the labour market is an under-researched area, and a key challenge is the persistent lack of intersectional data. Information on the gender pay gap for disabled women at a Scotland-level is not available. However, at a UK level, a comparison of the average hourly earnings of disabled men, disabled women and non-disabled women compared to the average hourly earnings of non-disabled men shows all three groups are substantially worse off. In 2021, comparing average hourly earnings, disabled women earned:

- 11% less than non-disabled women,
- 13% less than disabled men, and
- 24% less than non-disabled men.⁵

Underemployment

Close the Gap's response to the Government's 2018 consultation on improving the employment of disabled people in the public sector highlighted that disabled women are more likely to be under-employed and are more likely to be in low-paid jobs than non-disabled people.⁶ More than two-thirds (35%) of disabled women are paid below the National Living Wage (NLW) compared with a quarter (25%) of non-disabled men and under a third (29%) of non-disabled women. In 2021, the median wage of a disabled woman in the UK was higher than the NLW, at £11.51 per hour. However, the additional costs associated with being disabled, sometimes known as the 'disability tax', estimated at £570 per month⁷, means many of those earning at or above this level will effectively be earning less than the NLW.

Low-paid, part-time work

⁵ Office for National Statistics (2021) *Disability Pay Gaps in the UK*, available at [Disability pay gaps in the UK - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/people-in-work/pay-and-earnings/disability-pay-gaps-in-the-uk) accessed February 2023

⁶ Close the Gap (2018) *Close the Gap response to the Scottish Government's consultation on Increasing the Employment of Disabled People in the Public Sector*, available at <https://www.closesthegap.org.uk/content/resources/Close-the-Gap-Response-to-Consultation-on-Increasing-Employment-of-Disabled-People.pdf> accessed February 2023

⁷ Women's Budget Group (2018) *Austerity and Disabled Women*, available at [wbg.org.uk](https://www.wbg.org.uk) accessed February 2023

Women's concentration in part-time work is a key contributor to the gender pay gap, as part-time work is concentrated in low-paid, low-status jobs. Disabled women are almost four times as likely to work part-time than disabled men (48% compared with 14%). Disabled women are also more likely to work part-time than non-disabled people with 43% of non-disabled women and 11% of non-disabled men working part-time.⁸ While many disabled women need to work part-time so that they can better manage their condition, the lack of high-quality, accessible part-time work traps women in low-paid jobs and sectors with limited opportunities for progression.

Access to flexible working

Linked to women's concentration in low-paid, part-time work is the lack of flexible working, particularly in high-quality, well-paid jobs. There is a popular narrative that flexible working has become a workplace norm during the Covid crisis. However, in reality there remain numerous barriers to flexibility, and access to flexible working actually declined during the pandemic.⁹ A lack of high-quality flexible work is a particular barrier for disabled women in the labour market, who often need flexibility so that they can best manage their condition and/or manage their caring roles.

Economic inactivity

Women continue to account for the majority of economically inactive people in the UK. Higher rates of economic inactivity among women reflects women's propensity to be primary caregivers for children, or to have unpaid caring roles for older people or disabled people. Disabled women are more likely than non-disabled women to be economically inactive because of their impairment, but also because of the high cost of childcare; the lack of accessible, high-quality part-time work; and pre-existing health conditions.¹⁰

Inadequate employability support

⁸ Kim, E.J. Skinner, T & Parish, S.L. (2020) "A Study on Intersectional Discrimination in Employment against Disabled Women in the UK", *Disability and Society* 35, no. 5 (2020): 715–37

⁹ Close the Gap (2022) *Response to the Covid-19 Recovery Committee Inquiry into the impact of the pandemic on the Scottish labour market*, available at <https://www.closesthegap.org.uk/content/resources/Covid-19-Recovery-Committee-Inquiry-into-the-impact-of-the-pandemic-on-the-Scottish-labour-market---August-2022.pdf> accessed February 2023

¹⁰ Ibid

In addition to this, employability support is inadequate and does not properly engage with the specific issues faced by disabled women. Most activities geared towards disabled people's employment focus on the perceived lack of capacity, rather than the barriers faced by disabled people, including negative attitudes and exclusionary practices.¹¹ Mainstream employability programmes also do not integrate considerations around the gendered barriers to the labour market such as inflexible work, women's caring roles, gender stereotyping, men's violence and social security.¹² This combination of barriers compounds disabled women's labour market inequality and widens the disability employment gap.

Poverty

Disabled women experience higher rates of poverty than disabled men, and non-disabled women, with the cost of living crisis exacerbating this. Research shows that disabled women are more likely to face challenges in meet their basic living costs. In 2018, Women's Budget Group identified that 26% of households that included a disabled person lived in poverty.¹³ A 2022 survey by Scottish Women's Budget Group found that more than two-thirds (39%) of disabled women live in households with an income of less than £20,000 per year.¹⁴ However, this is unlikely to be a true reflection of disabled people's poverty, as it does not account for the impact of the 'disability tax'.

Mental health problems

Mental health problems are the most common reason for claiming disability benefits in the UK and people with mental health problems are among the least likely to be employed of all disabled people. This is especially true for

¹¹ Scottish Parliament Covid-19 Recovery Committee (2023) *Road to recovery: the impact of the pandemic on Scotland's labour market*, available at <https://sp-bpr-en-prod-cdneq.azureedge.net/published/CVDR/2023/2/7/919d8d85-0210-4adf-a6d3-e196f8883d69/CVDRS062023R1.pdf> accessed February 2023

¹² Engender (2016) *Unblocking the Pipeline: Gender and employability in Scotland*, available at: <https://www.engender.org.uk/content/publications/Unblocking-the-Pipeline---Gender-and-Employability-in-Scotland.pdf> accessed February 2023

¹³ Women's Budget Group (2018) *Austerity and Disabled Women*, available at wbg.org.uk accessed February 2023

¹⁴ Scottish Women's Budget Group (2022) *Women's Survey 2022 – disability report*, available at <https://www.swbg.org.uk/content/publications/Womens-Survey-Results-Report---respondents-with-a-disability.pdf> accessed February 2023

women, who experience higher rates of mental health problems than men. Women with mental health problems experience worse employment disability penalties than disabled women generally.¹⁵

Discrimination

Disabled women continue to face discrimination in the workplace. Inclusion Scotland identify that securing reasonable adjustments is an ongoing issue for disabled workers.¹⁶ Evidence has shown that disabled women face additional employment barriers due to employers who are unwilling to make reasonable adjustments for their impairments.¹⁷ Stigma means that women with mental health problems may be even less able to access reasonable adjustments in the workplace.

Disabled women also face other forms of discrimination in employment. Persistent stereotypes about their capabilities in the workplace result in disabled women being perceived to be less able, less committed and less suited for management roles. This is a clear barrier to disabled women's progression to senior levels. Disabled women also face higher levels of bullying and harassment in the workplace.¹⁸

Violence against women

Disabled women are also more likely to experience domestic abuse than non-disabled women with half of disabled women experiencing domestic abuse in their lifetime, compared with 1 in 4 non-disabled women. Three-quarters of

¹⁵ Trades Union Congress (2015) *Disability and Employment: A Social Model Study of Employment Experiences of Disabled People in Great Britain, with a Focus on Mental Illness* available at <https://www.tuc.org.uk/sites/default/files/DisabilityandEmploymentReport.pdf> accessed February 2023

¹⁶ Scottish Parliament Covid-19 Recovery Committee (2023) *Road to recovery: the impact of the pandemic on Scotland's labour market*, available at <https://sp-bpr-en-prod-cdneq.azureedge.net/published/CVDR/2023/2/7/919d8d85-0210-4adf-a6d3-e196f8883d69/CVDRS062023R1.pdf> accessed February 2023

¹⁷ Glasgow Disability Alliance (2022) *Triple Whammy: Disabled Women's Lived Experiences of Covid-19*, available at <https://gda.scot/resources/triple-whammy-disabled-womens-lived-experiences-of-covid-19-voices-priorities-and-actions-for-change-full-report-pdf/> accessed February 2023

¹⁸ Trades Union Congress (2015) *Disability and Employment: A Social Model Study of Employment Experiences of Disabled People in Great Britain, with a Focus on Mental Illness* available at <https://www.tuc.org.uk/sites/default/files/DisabilityandEmploymentReport.pdf> accessed February 2023

women experiencing domestic abuse are targeted at work.¹⁹ Abusers often use workplace resources such as email and phones to threaten and harass current or former partners, acquaintances, colleagues or strangers. Different forms of VAW, including domestic abuse, stalking, rape or sexual assault can impact women's experiences and performance in the workplace resulting in absenteeism, unexplained absences, difficulty in carrying out work, or avoiding certain work situations. In some cases women are forced to leave their job. This is particularly the case where women experiencing domestic abuse are unsupported by their employer. Despite the significant impact on the employee and the workplace, domestic abuse is often not seen as a workplace issue. Close the Gap's employer accreditation programme, Equally Safe at Work²⁰, is a primary prevention intervention that builds capacity in employers on VAW, influences employer policies and practice, and provides advice and guidance on supporting diverse groups of women in the workplace.

Sexual harassment

Sexual harassment is endemic in society and the workplace is no different. Women still have less power and status than men in the workplace, and it's this that creates an environment in which sexualised comments are dismissed as 'just banter', in which women are told 'it wasn't meant that way', and in which women aren't believed. This power imbalance is even more acute for disabled women, and other groups of women from marginalised communities. It is also why male harassers are rarely held accountable.

All forms of sexual harassment undermine women's safety at work and in their lives, and help perpetuate gender inequality. The majority of women (52%) have been sexually harassed in the workplace. Disabled women are more likely than non-disabled women to experience workplace sexual harassment and/or sexual assault, with 68% of disabled women reporting having been sexually harassed at work.²¹ The TUC found that:

¹⁹ Equality and Human Rights Commission (2013) *Managing and Supporting Employees Experiencing Domestic Abuse*

²⁰ <https://www.equallysafeatwork.scot/>

²¹ Trades Union Congress (2021) *Sexual harassment of disabled women in the workplace* Available at <https://www.tuc.org.uk/research-analysis/reports/sexual-harassment-disabled-women-workplace> accessed February 2023

- Around 2 in 5 (38%) have experienced unwelcome sexual advances at work;
- More than 1 in 3 (36%) say they have experienced unwanted touching;
- Almost 1 in 5 (18%) experienced sexual assault, such as unwanted sexual touching; and,
- 1 in 25 (4%) have experienced a serious sexual assault or rape at work.

Sexual harassment is routinely under-reported. A TUC survey found that 80% of victim-survivors didn't report unwanted sexual behaviour to their employer.²² Employers have a poor understanding of workplace sexual harassment and the steps they need to take to prevent and address it. Where women do report sexual harassment and their employer's response is inadequate, this creates further barriers to reporting. The greater power imbalance facing disabled women in the workplace, and the higher levels of sexual harassment they experience, means they face even greater barriers to reporting.²³

2.3 What policy measures would you like to see to support disabled people and employers to increase participation rates?

As highlighted in our answer to the previous questions, disabled women face intersecting inequalities because they are women and because they are disabled. This means that the key causes of the gender pay gap, such as occupational segregation, economic undervaluation of stereotypical female work, women's disproportionate responsibility for unpaid care work and untransparent recruitment, development and progression practice, need to be considered in tackling the disability employment gap otherwise disabled women's inequality will remain unchanged.

Mainstreaming

Public bodies have been required to do equality mainstreaming²⁴ since the single equality duties came into force in 2001 (the race equality duty), 2006

²² Ibid

²³ Ibid

²⁴ Equality mainstreaming is a strategy to proactively embed equalities analysis in all policy and legislative development. This gives equalities concerns prominence throughout policymaking and facilitates policy coherence across the work of government departments.

(the disability equality duty) and 2007 (the gender equality duty). This requirement continues under the Scottish Specific Duties of the public sector equality duty (PSED).

However, successive assessments by Close the Gap and other equality bodies, and the Equality and Human Rights Commission, have highlighted that this has not been achieved. While PSED has created a framework for action on inequalities, including women's and disabled people's inequality in employment, public bodies have consistently failed to take effective action or deliver change.²⁵

The mainstreaming duty is arguably the most critical. It requires that public bodies use evidence on equalities to shape policy design in all their functions, including in their role as employers. It is clear that in many cases public bodies have not prioritised and embedded mainstreaming because they do not see it as core to their functions, despite the clear regulatory requirement for them to make it so. Other factors limiting the use of equality mainstreaming include low levels of equalities competence in decision-making and policy development roles in public bodies; a persistent view that equality considerations are an 'add-on' and optional; and, a lack of clarity and thus enforceability of the duty itself.²⁶

These in turn are sustained by overarching barriers around implementation of the duties: a lack of leadership, resourcing and accountability. It is Close the Gap's view that leaders in the public sector are unlikely to respond to these issues unless compelled to do so; the performance of the duties thus far, and evidence on employer action on equality, supports this view²⁷. Scottish Government is currently in the process of reforming the Scottish specific duties.

It is therefore critical that action to tackle disabled women's labour market inequality is specific, targeted and measurable, adequately resourced, and action-holders are held accountable. Mainstreaming gender and disability throughout employment policy, practice and service delivery is necessary to

²⁵ Close the Gap (2022) *Close the Gap submission to the Scottish Government Consultation on the Review of the operation of the Public Sector Equality Duty in Scotland*, available at <https://www.closesthegap.org.uk/content/resources/Close-the-Gap-submission-to-the-SG-consultation-on-the-review-of-the-operation-of-the-PSED-in-Scotland.pdf> accessed February 2023

²⁶ Ibid

²⁷ Ibid

tackle the disability employment gap, and address inequality in wider society through shifting gender norms and challenging stereotypical assumptions. Public bodies must make equality central to how they carry out their work in order to meet their obligations to their employees and service users. If equality is not mainstreamed into policymaking, public bodies are not developing good policy, not delivering value for public money and not fulfilling their purpose.²⁸

Intersectional data

The cross-cutting and complex issues relating to the nature of disabled women's and men's employment inequality can only be understood if data that can be disaggregated by both disability and sex is made available. Otherwise, new policies and practices will continue to perpetuate gender inequality and may widen the pay gap.

Improving the range of gender-sensitive, sex-disaggregated and intersectional data used in policymaking, service design and evaluation has been a long-standing ask of Close the Gap.²⁹ It is vitally important that such data is also able to be disaggregated by disability status, as there must be sufficient intersectional data to analyse the disability employment gap for different groups.

Currently, the public sector equality duty requires public bodies in Scotland to gather a range of data that should be used to understand the inequalities that are present in their workforce and develop action to address them. However, many public bodies have failed to act on this. Close the Gap's successive assessments of performance of Scottish-specific duties have consistently identified a lack of gathering and use of data and a marked decline in compliance with duties on data gathering.³⁰ In our 2017 review 87% bodies were assessed as having made poor or no use of employee data and we were

²⁸ Ibid

²⁹ Close the Gap (2022) *Close the Gap response to the Scottish Government's consultation on the Equality Evidence Strategy 2023-25*, available at <https://www.closesthegap.org.uk/content/resources/Close-the-Gap-reponse-to-the-SG-Equality-Evidence-Strategy-Consultation-2023-25.pdf> accessed February 2023

³⁰ Close the Gap (2022) *Close the Gap submission to the Scottish Government Consultation on the Review of the operation of the Public Sector Equality Duty in Scotland*, available at <https://www.closesthegap.org.uk/content/resources/Close-the-Gap-submission-to-the-SG-consultation-on-the-review-of-the-operation-of-the-PSED-in-Scotland.pdf> accessed February 2023

unable to identify any evidence of work to improve data collection and use. In our 2021 review, even fewer public bodies made any meaningful use of their employee data.³¹ The lack of gathering and use of data is even more marked for intersectional data. This represents an enormous missed opportunity, and is a significant barrier to tackling the disability employment gap.

Close the Gap has called for substantive reforms to the public sector equality duty to improve data gathering and analysis, and the duties across the board. The First Minister's National Advisory Council on Women and Girls recommended that the Scottish Government to place an additional duty on listed authorities to "gather and use intersectional data, including employment and service-user data, to advance equality between protected groups, including men and women", which Close the Gap supports.³² Scottish Government has accepted this recommendation, and the Council is currently scrutinising the extent to which this has been implemented.³³

The Scottish Government should also work with Disabled People's Organisations to identify gaps in evidence and uncover how to fill data gaps. We also recommend that the Scottish Government involve Scotland's women's sector to ensure that the experience of disabled women is visible. It would be possible to gather best practice from Disabled People's Organisations and share learning amongst public sector employers.

There is an urgent need to improve intersectional data gathering, analysis and use across government and the wider public sector. This also entails competence building so public bodies know what data to gather in the first place, and work to improve systems of data collection. Intersectional gender competence would enable public bodies to understand the range of factors influencing disabled women's experience of employment, facilitating better data collection and analysis. Action on this must be prioritised if disabled women's inequality in employment is to be addressed.

³¹ Close the Gap (unpublished) *Internal PSED assessment 2021*

³² Close the Gap (2022) *Close the Gap submission to the Scottish Government Consultation on the Review of the operation of the Public Sector Equality Duty in Scotland*, available at <https://www.closesthegap.org.uk/content/resources/Close-the-Gap-submission-to-the-SG-consultation-on-the-review-of-the-operation-of-the-PSED-in-Scotland.pdf> accessed February 2023

³³ <https://www.generationequal.scot/phase-two-priorities/nacwg-phase-two/>

Gender competence and intersectionality

The public sector equality duty is intended to support public bodies to place the use of evidence at the heart of policymaking and equality outcome-setting. However, successive assessments by Close the Gap and other equality bodies, and the Equality and Human Rights Commission, have highlighted that this has not been achieved.³⁴ While PSED has created a framework for action on inequalities, including women's inequality in employment, public bodies have consistently failed to take effective action or deliver change.

A critical reason that the public sector equality duty has not resulted in meaningful change for women, and other protected groups, is the failure of public bodies to invest in gender competence, and on building capacity on intersectional equality competence more broadly. At present, the responsibility for equality usually sits within the remit of one officer. In some cases, there is no organisational capacity for equalities. While there is a need to have specialist equalities expertise, the lack of competence across an organisation more widely prohibits gender and disability mainstreaming and creates sustainability challenges around equalities work.

It is essential that public bodies allocate sufficient resources to build capacity in staff on gender equality and intersectional analysis in order that they are able to develop action to tackle disabled women's employment inequality in their role as employers, and in relevant areas of service delivery, for example employability.

Support for employers

Plans to tackle the disability employment gap must address the changes that many employers need to make in order to become more accessible and inclusive employers.³⁵ This means assisting employers and disabled people in

³⁴ Close the Gap (2022) *Close the Gap submission to the Scottish Government Consultation on the Review of the operation of the Public Sector Equality Duty in Scotland*, available at <https://www.closesthegap.org.uk/content/resources/Close-the-Gap-submission-to-the-SG-consultation-on-the-review-of-the-operation-of-the-PSED-in-Scotland.pdf> accessed February 2023

³⁵ Inclusion Scotland (2018) *Situations Vacant: Employerability Disabled People's Right to Work. A Report of Our Solutions*

accessing appropriate support and highlighting the economic and business gains of inclusive workplace cultures.

For employers, support should include all aspects of employment policy and practice, making reasonable adjustments and information around retention when someone becomes disabled, or their condition worsens. There should also be consideration of internal procedures to deal with bullying, harassment and discrimination, which disabled women are more likely to experience³⁶. Less formally, providing best practice examples of light-touch support and supportive management which specifically covers the needs of disabled women can assist in promoting a positive workplace environment.

Challenges remain around the lack of knowledge and understanding of Access to Work, one of the main sources of support for employers and disabled people. As part of action to close the disability employment gap, the Scottish Government should work with the public sector and partners to promote Access to Work. This would also help to build a bank of useful resources and expertise which can subsequently be shared with private and third sector employers, ultimately benefiting more disabled people.

Disabled women

Disabled people are not always aware of what support is available and how to access this support. Inclusion Scotland have previously called for peer mentoring for disabled people, support in accessing mainstream support and establishing a one-stop shop for advice for employees and employers via a Disabled People's Organisation with a track record of supporting disabled employees and employers.³⁷

A lack of quality flexible working, particularly at senior levels, is a key contributing factor in the persistence of the gender pay gap and is a particular barrier for disabled women in the labour market. In a survey of disabled people conducted by Inclusion Scotland, a third of respondents specifically

³⁶ Trades Union Congress (2015) *Disability and Employment: A Social Model Study of Employment Experiences of Disabled People in Great Britain, with a Focus on Mental Illness* available at <https://www.tuc.org.uk/sites/default/files/DisabilityandEmploymentReport.pdf> accessed February 2023

³⁷ Inclusion Scotland (2018) *Situations Vacant: Employerability Disabled People's Right to Work. A Report of Our Solutions*

stressed the need for ‘flexible working’ without prompt from the survey itself. Providing flexible working opportunities at all levels will enable women to take-up paid employment and to progress into senior positions. Specifically, for disabled women, flexible working will give individuals the opportunity to work from home or other accessible environments or to work hours which enable them to best manage their condition.

Fair Work Action Plan

Scottish Government’s continued focus on fair work in Scotland remains pivotal, particularly in the current economic context. However, fair work must also mean fair work for disabled women. Despite the Government’s ambitions for fair work in Scotland, we remain some distance from this.

The Fair Work Action Plan was refreshed in 2022 to incorporate actions from the Scottish Government’s 2018 disabled people’s employment action plan, 2019 gender pay gap action plan and 2022 anti-racist employment strategy. It is critical that action to tackle barriers to the labour market takes account of the specific experiences of disabled women. While the Plan acknowledges the need for an intersectional approach, there is little analysis of the inequalities disabled women face, and no targeted actions focused on realising fair work for disabled women.

The proposed support for and asks of employers are not explicitly intersectional. The Plan also fails to include an intersectional analysis of critical systemic influencers, such as unpaid care and childcare, social security, and men’s violence, that affect disabled women’s ability to participate in the labour market.

In 2023, there remains a persistently low level of employer action to tackle inequalities in the workplace, and a lack of equalities competence among employers across all sectors. Given this, employers will need significant support and direction on equalities if action under the Fair Work Action Plan is to tackle disabled women’s unequal access to the labour market.

2.4 What has been the impact of the Covid-19 pandemic on disabled people’s experience of the labour market?

The impact of the pandemic on women's labour market inequality has been a core focus of Close the Gap's work since 2020. Our analysis has shown that women's employment has been impacted in multiple and specific ways by Covid-19 job disruption³⁸, with disproportionate implications for the employment of disabled women, racially minoritised women, and single mothers.³⁹ This underscores the need for an intersectional approach to tackle the disability employment gap.

There is a lack of labour market data to highlight how the pandemic has specifically affected women with pre-existing health conditions and disabled women. However, research by Glasgow Disability Alliance found that disabled women experienced a number of employment challenges as a result of the pandemic including lack of employment support; discrimination; increased difficulties in progressing Access to Work Claims; and pressure to return to the workplace.⁴⁰ Many disabled people also lost social care support during the pandemic which will have created additional barriers to maintaining paid employment. Research published by Close the Gap and Engender in February 2021 found that financial precarity during the pandemic was particularly pertinent for disabled women and Black and minority ethnic women.⁴¹

In its inquiry into the impact of the pandemic on the labour market, the Scottish Parliament Covid-19 Recovery committee highlighted the failure to provide reasonable adjustments is a persistent barrier to disabled people's employment. It has sought clarification from the Scottish Government on what

³⁸ Close the Gap (2021) *One Year On: How COVID-19 is impacting women's employment in Scotland* available at https://www.closesthegap.org.uk/content/covid-19/1617267711_One-Year-On---How-COVID-19-is-impacting-womens-employment-in-Scotland.pdf

³⁹ Close the Gap (2022) *An Unequal Burden: How Covid-19 has affected women's employment, financial security and unpaid work* available at <https://www.closesthegap.org.uk/content/resources/An-Unequal-Burden---How-Covid-19-has-affected-womens-employment-financial-security-and-unpaid-work-2.pdf>

⁴⁰ Glasgow Disability Alliance (2022) *Triple Whammy: Disabled Women's Lived Experiences of Covid-19* available at <https://gda.scot/resources/triple-whammy-disabled-womens-lived-experiences-of-covid-19-voices-priorities-and-actions-for-change-full-report-pdf/>

⁴¹ Close the Gap and Engender (2021) *Joint briefing on the impact of Covid-19 on women's wellbeing, mental health and financial security* available at <https://www.closesthegap.org.uk/content/resources/Close-the-Gap-and-Engender-Joint-briefing-on-the-impact-of-COVID-19-on-womens-wellbeing-mental-health-and-financial-security.pdf>

steps it is taking to monitor and support the provision of reasonable adjustments by employers.⁴²

It is therefore critical that employers take steps to improve their workplace practices to support disabled women, otherwise a long-term outcome of the pandemic may be rising economic inactivity among this group. This would further jeopardise Scottish Government commitments to tackling the disability employment gap and the gender pay gap.

⁴² Scottish Parliament Covid-19 Recovery Committee (2023) *Road to recovery: the impact of the pandemic on Scotland's labour market*, available at <https://sp-bpr-en-prod-cdnep.azureedge.net/published/CVDR/2023/2/7/919d8d85-0210-4adf-a6d3-e196f8883d69/CVDRS062023R1.pdf> accessed February 2023