



# Accessible Apprenticeships Report

October 2021

# Summary

In 2021, Mencap surveyed apprenticeship employers and training providers to gauge their views on the minimum standard flexibilities for apprentices with a learning disability or learning difficulty (LDD).

We sought to understand the views of the sector on the current system of minimum requirements and on our proposal to expand the adjusted minimums to people with an LDD who do not have evidence of an Education, Health and Care Plan (EHCP), Statement of Special Educational Needs (SEN) or Learning Difficulty Assessment (LDA). We believe the means to evidence of an LDD and the need for adjusted English and maths minimum should include cognitive assessments.

Our survey found 96% of apprenticeship employers and providers agree that people with an LDD should qualify for adjusted minimum standards based on a cognitive assessment rather than evidence of an EHCP or a Statement of SEN/LDA.

Additionally, we found that 95% of respondents support our recommendation to make the adjusted minimums for people with an LDD focused on the practical English and maths required for the job roles, rather than a standard qualification.



# Background

## 1. What is a learning disability?

### 1.1 Learning disabilities

Mencap defines a learning disability as a reduced intellectual ability and difficulty with everyday activities.

People with a learning disability tend to take longer to learn and may need support to develop new skills, understand complicated information and interact with other people.

### 1.2 Learning difficulties

Learning difficulties impact the way people learn and process information, but not their intellect. Nevertheless, learning difficulties like dyslexia, dyspraxia, and dyscalculia can present significant challenges.

### 1.3 Learning difficulties and/or disabilities (LDD)

Many datasets and conventions – including those used to regulate apprenticeships, combine learning difficulties and/or disabilities into a single category: LDD.

This category includes learning disabilities and learning difficulties, physical disabilities, mental health difficulties, and some medical conditions.

### 1.4 Special educational needs (SEN/SEND)

‘Special educational needs’ is a legal definition and refers to children with learning difficulties or disabilities that make it harder for them to learn than most children the same age. According to the Code of Practice, a child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.

Many children and young people who have SEN may also have a disability (SEND) under the Equality Act 2010, or “a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities”.

SEND is the overarching descriptor used for children and young people with learning difficulties and/or disabilities.

## 2. People with a learning difficulty in apprenticeships

### 2.1 Number of people with a learning difficulty and/or a disability in apprenticeships

Apprenticeships are life-chance opportunities. Apprenticeships enable people to learn, train, and earn a recognised qualification, while gaining practical work experience. For many people with a learning disability, this combination of hands-on experience, learning, and pastoral support is the ideal training method. However, few have the opportunity to enter an apprenticeship.

In 2019, only 12% of all apprentices identified as having an LDD<sup>1</sup>, the majority of whom identified as having dyslexia or a medical condition. Less than 0.5% of apprenticeship participants identified as having a learning disability.<sup>2</sup>

### 2.2 Employment rates of people with a learning disability

In 2019-2020, government data showed that 5.6% of people with a learning disability known to social services were in work.<sup>3</sup> Our 2019 survey suggests the number of people with a learning disability (not limited to those known to local authorities) in work may be closer to 25%.

These high unemployment figures coincide with few accessible training options, making the accessibility of apprenticeships key to supporting many people with a learning disability into work.

## 3. Current apprenticeship regulation for people with a learning disability

### 3.1 Apprenticeship levels and people with a learning disability

There are various levels of apprenticeships ranging from Level 2 to Level 7, with a Level 2 being equivalent to a GCSE and a Level 7 equivalent to a bachelor's or Master's Degree. People with a learning disability are most likely to be aiming for a Level 2 apprenticeship.

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<sup>1</sup>Department of Education, ‘Apprenticeships Data Pack 2019-2020’, <https://bit.ly/3hH8hrv>

<sup>2</sup>Department of Education, ‘Apprenticeship Starts and Achievements LLDD 2018-2020’, <https://bit.ly/3kfRzKA>

<sup>3</sup>NHS, ‘Measures from the Adult Social Care Outcomes Framework’, 1E <https://bit.ly/3EquH9U>

Those undertaking a Level 2 apprenticeship must achieve a Level 1 in English and maths and study towards, and take the assessment for, Level 2. In some circumstances where the individual is not able to pass the assessment, achievement of Level 1 English and maths is sufficient for the successful completion of their apprenticeship.

Achieving these levels can be extremely challenging for people with a learning disability or learning difficulty, potentially closing off the apprenticeship route.

### 3.2 Flexibilities for apprentices with an LLD

In some circumstances, apprentices with an LDD can qualify for flexibilities around the standard English and maths requirements for apprenticeships.

Apprentices with an LDD may qualify to complete a Level 2 apprenticeship with adjusted minimum requirements (Entry Level 3 Functional Skills) if they meet all the following criteria:

- 1)** The apprentice has either an existing or previously issued Education, Health and Care (EHC) Plan, a Statement of Special Educational Needs (SEN) or a Learning Difficulty Assessment (LDA).
- 2)** The provider holds or has conducted an evidenced assessment demonstrating that even with support, reasonable adjustments and steppingstone qualifications, the apprentice is not able to achieve the minimum level English or maths because of their learning difficulty or disability.
- 3)** The employer and provider reasonably expect that the apprentice can successfully achieve all other aspects of the apprenticeship requirements, become occupationally competent and achieve Entry Level 3 in the adjusted subject(s) before the end of their apprenticeship.
- 4)** There are no industry-specific minimum requirements.<sup>4</sup>

However, there are significant barriers to accessing these adjusted minimums, and where they are accessible, they are not fit for purpose.

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<sup>4</sup>Department for Education, 'Specification of Apprenticeship Standards for England', 2021. p.23 <https://bit.ly/3nNz9YI>

# Accessible Apprenticeship Survey

## 4. Access All Areas report

### 4.1 All-Party Parliamentary Group call for evidence

In July 2018, the All-Party Parliamentary Group (APPG) for Learning Disabilities held a session people with a learning disability face in accessing apprenticeships. Then Minister of State for Apprenticeships and Skills, Minister Anne Milton, asked the APPG to provide evidence and make recommendations in relation to the English and maths flexibilities offered to those with Education Health and Care Plans (EHCPs), and best practices to support people with an LLD to achieve their full potential in maths and English.

Mencap, which provides secretariat support to the APPG, took this forward and conducted workshops with key stakeholders involved in delivering apprenticeships to people with a LDD. This evidence was published in Mencap's Access All Areas report in 2019.

### 4.2 Access All Areas recommendations

This report made seventeen recommendations to improve access to apprenticeships for people with a learning disability, but which would likely to benefit a wider group of disabled people, including:

- 1)** Mencap is urging the Department for Education to make the flexibilities around the maths and English requirements for apprenticeships currently available to those with Education, Health and Care Plans, also available to a wide group of people with a learning disability and/or difficulty who have through a clear process of assessing need been identified as requiring these flexibilities.
- 2)** Mencap recommends that the Department for Education make it a requirement for apprenticeship training providers to make available a cognitive assessment to every apprentice they think would benefit from doing such an assessment, as well as any apprentice who requests such an assessment.
- 3)** Mencap recommends the Department for Education review whether the current maths and English qualification requirements in apprenticeships are fully accessible to people with a learning disability.<sup>5</sup>

### 4.3 Request for additional research

These recommendations were presented to the incumbent Minister of Apprenticeships and Skills, Minister Gillian Keegan, at a meeting in 2020.

At the meeting, Minister Keegan requested that Mencap conduct research to assess apprentice employers and training providers attitudes on implementing these recommendations. To answer this question, Mencap distributed the 'Accessible Apprenticeships Survey' through h apprenticeship networks in April 2021.

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<sup>5</sup>Mencap, Access All Areas, p.7-8 <https://bit.ly/3zh4Uxm>

# 5. Methodology

Mencap's 'Accessible Apprenticeships Survey' sought to understand employers and apprenticeship providers experience with the current LDD adjusted minimum requirements (outlined in 3.2). We sought feedback on our recommendation to expand the criteria to qualify for LDD adjustments to include cognitive assessments identifying learning support need.

The survey was distributed through apprenticeship networks and completed by 141 participants between April-June 2021. Of the respondents, 77% were apprenticeship employers, 27% were training providers, (16% represented organisations that act as both apprentice employers and training providers), and 12% identified as 'other stakeholders' – for example, providers of apprenticeship planning/engagement, service providers, or commissioners.

## 6. Survey findings

### 6.1 Employers' and training providers' knowledge of the current system of adjusted minimum requirements

There is insufficient knowledge of existing maths and English flexibilities for people with a learning disability or learning difficulty within the apprenticeship sector.

*"I was not aware of the exemptions before [this survey]. But I know talented people have been put off applying or have got to the application process and, because of the maths and English requirements, haven't been able to go ahead with the apprenticeship programme. We lose out on promoting and hiring some people who are fantastic in business because of the requirements."*

**- Gemma Squire, Professional Development Lead - Apprenticeships, at Capita**

Only about half of the participants (55%) were aware of the flexibilities from standard English and maths requirements before reading the background information in the survey. This was lower than the proportion of participants who actively employ or train apprentices with a learning disability or learning difficulty (59%).

*"I have heard of students turned away as they are deemed not to be able to achieve the Standards minimum requirements, but I've never heard of the adjusted minimum being considered."*

**- Training provider**

### 6.2 Employers' and training providers' views on the criteria to obtain adjusted minimum requirements

Several participants noted that requiring apprentices with an LDD to have "an existing or previously issued Education, Health and Care (EHC) Plan, a Statement of Special Educational Needs (SEN) or a Learning Difficulty Assessment (LDA)"<sup>6</sup> to qualify for adjusted minimum requirements excludes a large portion of people with a learning disability or learning difficulty from accessing an apprenticeship.

A majority of employers and training providers opposed this requirement, describing it as "too restrictive" and "exclusionary" to those with a learning disability or learning difficulty who did not have an official diagnosis and/or did not have access to the necessary evidence.

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<sup>6</sup>Department for Education, 'Specification of apprenticeship standards for England' p.23 <https://bit.ly/3nNz9YI>

# Case Study at Enham Trust

*“We have an older colleague with a learning disability who has worked in the organisation for a number of years and was recently promoted to a team leader role. He is quite interested in acquiring more formal skills. Rather than an examination-based learning, which he would really struggle with, I thought an apprenticeship might be a better route for him because he could learn on the job. We have managed to get a specialist assessment done, and he now has specialist equipment to help him take the next step.*

*But because he is older, he doesn't have an EHCP, and it would take him a significant amount of time to get the level of functional skills required to enter an apprenticeship.*

*His disability is the only reason he is unable to access an apprenticeship. It pushes him out of that opportunity to demonstrate his professional competence. He can do all the practical elements, and with technology he could easily demonstrate the skills needed to complete an apprenticeship, but not the entry requirements.”*

**- Janet Beauchamp, Head of Employment and Skills, Enham Trust**



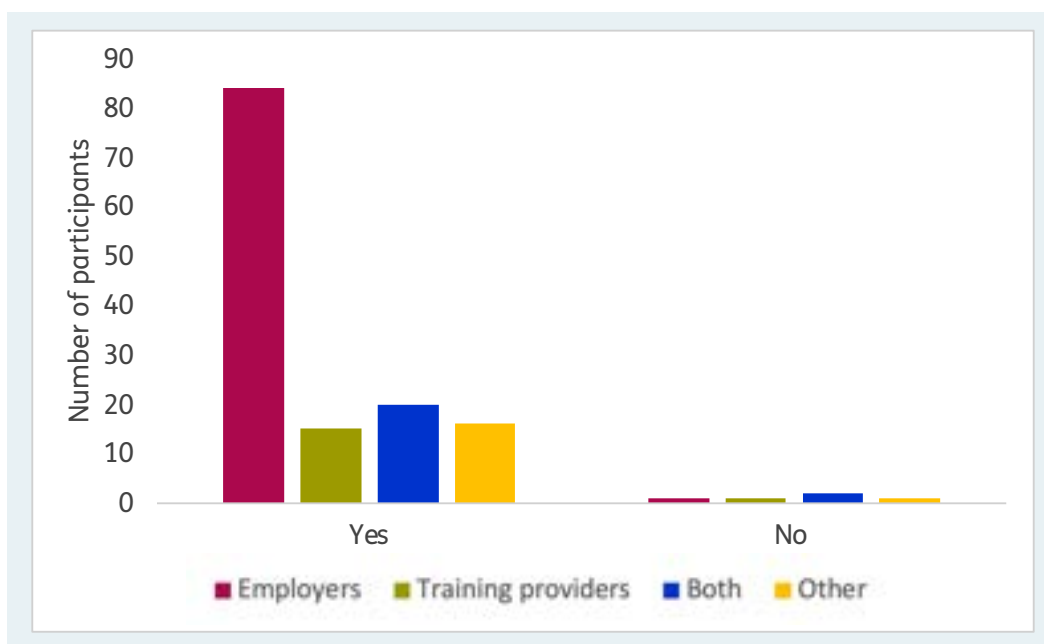
It was noted that many some people, in particular older people, with a LLD may not have a formal diagnosis of a learning disability when entering an apprenticeship, but nonetheless require reasonable adjustments:

*“We often have employees who do not identify as having a learning difficulty until they start apprenticeships, when they exhibit severe needs, but [because they] have never been diagnosed they are not entitled to exemptions and struggle to progress... The national requirement for functional skills often stops them progressing in their role.”*

**– Employer and training provider.**

### 6.3 Employers’ and training providers’ views on Mencap’s proposal to use cognitive assessments

Mencap recommends changing the criteria from “an existing or previously issued Education, Health and Care (EHC) Plan, a Statement of Special Educational Needs (SEN) or a Learning Difficulty Assessment (LDA)” to “a cognitive assessment identifying learning support needs, or an existing or previously issued Education, Health and Care (EHC) Plan, Statement of Special Educational Needs (SEN) or Learning Difficulty Assessment (LDA)”.



**Figure 1.** “Do you agree with the statement: People with a learning difficulty or learning disability should qualify for adjusted minimum standards based on a cognitive assessment, not having an EHC Plan?”

Moreover, 40% of participants who employ apprentices with an LDD stated that they already use cognitive assessments to determine learner’s support needs, suggesting that this addition would not present substantial challenges for employers and training providers. This indicates that cognitive assessments are useful beyond identifying individuals in need of adjusted minimum requirements. Cognitive assessments enable employers to understand better the strengths and support needs of apprentices.



# Case Study at Hampshire Hospital

*“I have seen quite a lot of people, and not just people with milder learning difficulties but people with quite severe learning difficulties, who have fallen through the cracks for whatever reason, and get through the education system without an EHCP or statement of SEN. Then they are stuck - they need additional support because of a learning difficulty, but without that ticket they can’t get into a [supported learning] programme. That’s not inclusive. I think doing a cognitive test, would even the playing field because anyone could be assessed.”*

**- Jude Davidson, Associate Director of Apprenticeships at Hampshire Hospitals**

*“We have been piloting a supported apprenticeship programme for learners with LDD who all have EHCPs, however, as we expand the programme and recruit those without EHCPs then I imagine meeting the minimum requirements will become an unnecessary barrier. As an organisation, we aim to embed LDD and learning support into our culture, so it becomes business and usual. I think adjusting the current requirements so these are accessible to anyone with LDD (without SEN statement or EHCP etc) would help more learners achieve their learning goals and encourage more learners with LDD to enrol onto apprenticeship programmes.*

*A cognitive assessment is likely to provide more useful information on strengths and areas for development, so assessors and employers can focus on these areas and target their support. If [cognitive assessments] were done from the get-go we could better tailor our support to the individual learner.*

**- Ishbel Morrison, Lead for Supported Apprenticeships at Hampshire Hospitals**

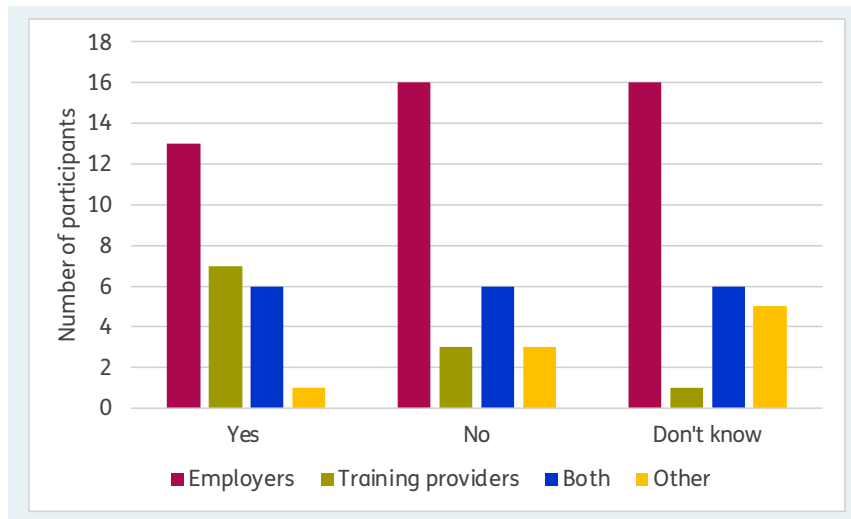
*“Cognitive assessments would be beneficial not only to this specific group of learners, but across but across the board. Every learner’s needs are different. A cognitive assessment would give both assessors and learners the right tools to succeed.”*

**- Jude Davidson, Associate Director of Apprenticeships at Hampshire Hospitals**



## 6.4 Employers' and training providers' views of the current system of minimum requirements

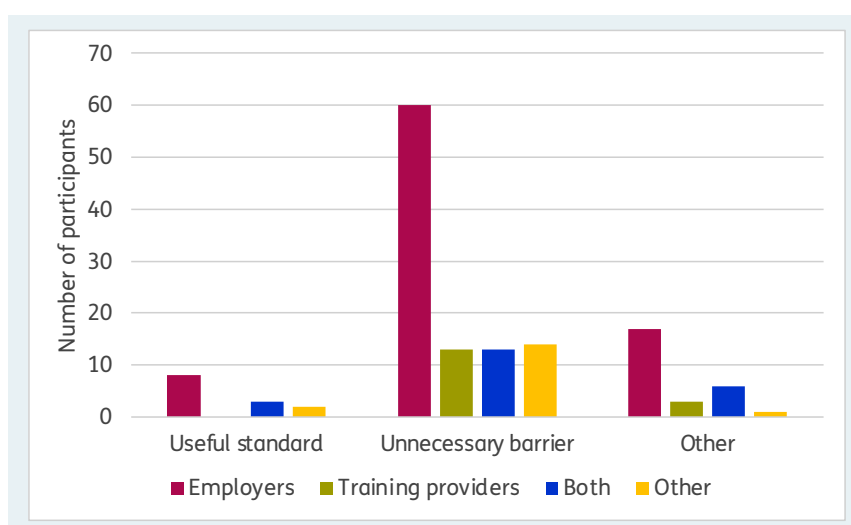
Many employers and training providers identified the current English and maths requirements as a barrier to apprentices with a learning disability or learning difficulty (Figure 2). Around a third (33%) of participants were aware of the maths and English standards preventing a person with LDD from entering or completing an apprenticeship with their organisation.



**Figure 2.** “Have the current English and maths requirements ever stopped a person with a learning difficulty or learning disability from entering or completing an apprenticeship with your organisation?”

Twenty people provided examples of specific instances in which the current English and maths requirements had been a barrier to their organisation employing or training an apprentice with LDD. In most (13) of these examples, the participant stated, unprompted, that the potential apprentice had good job performance or sufficient vocational skills but had been unable to complete their qualification solely due to the English and maths requirements.

Not only are these English and maths requirements limiting people with an LLD from getting on and completing apprenticeships, employers' and training providers' do not see their benefit as a standard. When asked whether they see apprenticeships as a useful standard or unnecessary barrier, just 9% responded with 'useful standard' (Figure 3).



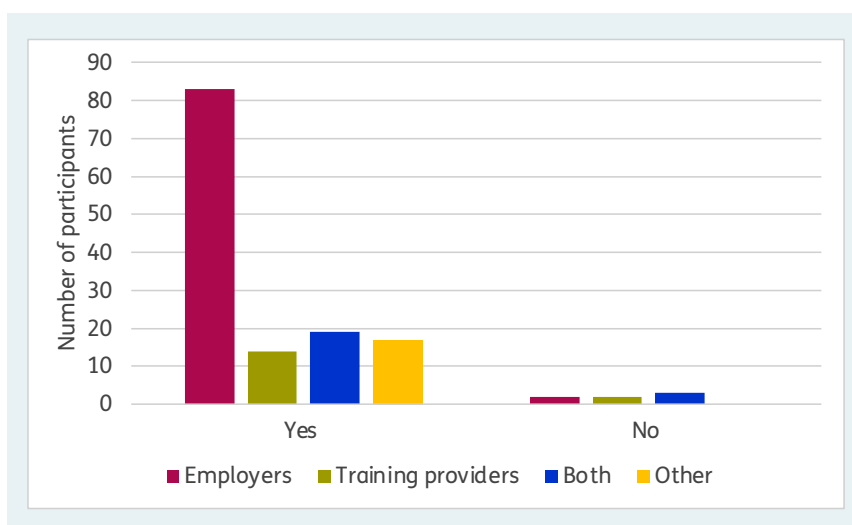
**Figure 3.** Do you see the current English and maths requirements for apprentices with a learning difficulty or learning disability as a useful standard or unnecessary barrier?

The majority (70%) described current requirements as an unnecessary barrier. Among those that responded with 'other', most focused on the feeling that the required English and maths standard depended on the sector and/or job role.

## 6.5 Employers' and training providers' views on modifying English and maths requirements for people with an LDD

Mencap proposed that the English and maths requirements for people with an LLD should be based on the skills required for the role. In keeping with current regulation, this flexibility should take effect where employer and provider reasonably expect that the apprentice can successfully achieve all other aspects of the apprenticeship requirements, become occupationally competent, and there are no industry-specific minimum requirements.

A large majority (95%) of employers and training providers agreed that the adjusted minimums for an apprentice with LDD should be based on the English and maths required for the role, rather than a standard minimum qualification.



**Figure 4.** Do you agree with the statement: 'The minimum levels for people with a learning difficulty or learning disability should be focused on the English and maths required for the job, rather than a standard national minimum qualification?'

# Northumberland Country Council Case Study:

*“The benefit of an apprenticeship structure is that it’s a more supportive mechanism [than job carving or other training programmes] – not only from an academic or vocational achievement perspective, but also from a pastoral perspective. Even in people without SEN, there is an expectation in apprenticeship that you will wrap around the learner to provide the skills they need to succeed, even the skills outside the job criteria. [...] The apprenticeship structure not only enables vocational attainment discussions, but it includes that important pastoral part.*

*If we could just tweak and tailor apprenticeships so more people with an SEND could get on, we could do some phenomenal stuff. Give people that sense of purpose, help people gain skills and employment, and fill roles we currently struggle to fill.*

*We have some roles which need technical qualifications, but many don’t need that level of English or maths. We do everything*

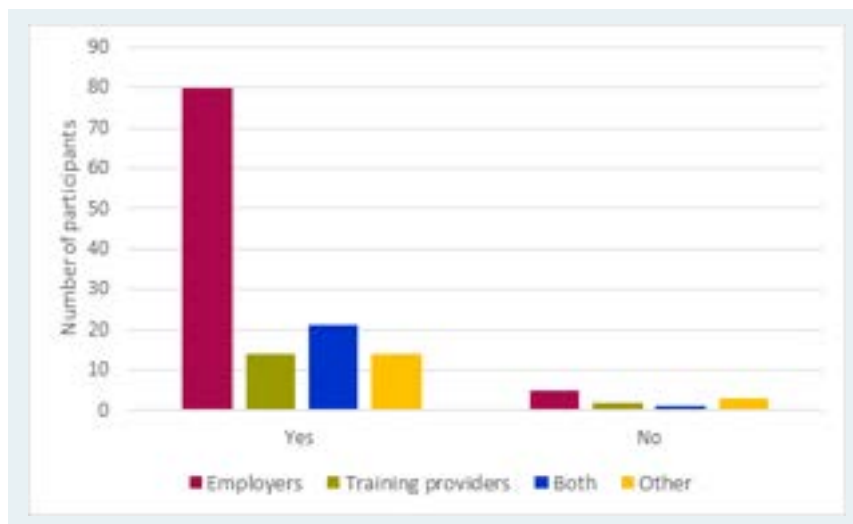
*from dig graves, arborists, to administrative roles. I would say 50-70% of the roles could be done [by people with a learning disability] in an alternative method of training like apprenticeships, if apprenticeships were based on gaining practical skills.*

*If you can do the role in a safe and competent way, meeting the health and safety standard, we should not have to turn you away. The minimum requirements are a huge barrier for people with SEN.”*

**- Kelly Angus, Executive Director of HR/OD & Deputy Chief Executive, Northumberland Country Council**



Survey respondents were asked whether their organisation would be willing to employ or train an apprentice with role specific English and maths qualifications: 92% of participants answered yes (Figure 5).



**Figure 5.** "Would your organisation be willing to employ/train an apprentice with the proposed adjusted minimum requirements for English and maths?"

Their responses also indicated that changing the adjusted minimum requirements to make apprenticeships more accessible could benefit employers.

*"This would widen our potential pool of applicants for new roles or even allow us to develop some potentially specific opportunities."* – **Employer.**

Of the 8% of participants who expressed reservations about this proposal, their concerns were largely focused on sector-specific standards. Their responses reflected a desire to uphold the current standard level of English and maths where it is necessary for the role, but were not indicative of support for a blanket minimum requirement for people with LDD.

"As structural engineers maths is an important qualification and we would need qualifications that support this, which is why I answered no to [this question]. That said, the English could be more flexible. We need to look at the person and their qualifications as with the correct support they may still be able to succeed. - Employer

*"Let me qualify my answers by saying I support the idea that where an apprentice can clearly perform a job well their ability to access training should not be unnecessarily blocked by needing to achieve the maths and English qualifications. However, for our masters level apprenticeship in regulatory affairs an English GCSE really is the minimum needed for a person to succeed with the apprenticeship."* – **Training provider.**

# Conclusion

People with a learning disability or learning difficulty can make fantastic apprentices, but current regulation presents unnecessary barriers for them to enter and complete apprenticeships.

The criteria to qualify for LDD flexibilities set out in the 'Specification of Apprenticeship Standards for England' are too restrictive. Many people with a learning disability and/or learning difficulty do not have an EHCP or a legacy statement. Without this pre-existing evidence, they are barred from accessing the reasonable adjustments they require to start and complete an apprenticeship.

Mencap recommends the Apprenticeship and Skills Minister expand these criteria to include cognitive assessments identifying learning support needs. We found 96% of sector respondents agree that people with an LDD should qualify for adjusted minimum standards based on a cognitive assessment rather than evidence of an EHCP or a Statement of SEN/LDA.

Additionally, we suggest the Minister re-examine the minimum English and maths requirements for people with an LDD. Where there is no industry-standard requirement for English and maths qualifications, we recommend the adjusted minimum are focused on the practical English and maths required for the job roles (e.g. the ability to talk to customers or identify correct weights and measurements). We found 95% of respondents support this recommendation, and 92% of employers would be willing to hire an apprentice with those practical adjusted minimums.

Apprenticeships are life-chance opportunities. Implementing these recommendations will enable more people with a learning disability and/or learning difficulty to enter and successfully complete apprenticeships.

