

Transitional Outcomes, Employment and Human Rights



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Introduction

This evidence summary explores the evidence on how employment outcomes for young people with additional support needs can be considered from a human rights perspective. The evidence presented below contains academic and gray literature.

Accessing resources

We have provided links to the materials referenced in the summary. Some of these materials are published in academic journals and are only available with a subscription. Some of these are available through [The Knowledge Network](#) with an NHS Scotland OpenAthens username. The Knowledge Network offers accounts to everyone who helps provide health and social care in Scotland in conjunction with the NHS and Scottish Local Authorities, including many in the third and independent sectors. [You can register here](#). Where resources are identified as ‘available through document delivery’, these have been provided to the original enquirer and may be requested through NHS Scotland’s [fetch item service](#) (subject to eligibility).

Where possible we identify where evidence is published open access, which means the author has chosen to publish their work in a way that makes it freely available to the public. Some are identified as author repository copies, manuscripts, or other copies, which means the author has made a version of the otherwise paywalled publication available to the public. Other referenced sources are pdfs and websites that are available publicly.

Background

This evidence overview refers to young people with additional support needs which include:

- disability or health
- learning environment
- family circumstances
- social and emotional factors ([Education Scotland 2018](#)).

For more detailed information on young people with ASN and transitional support see our previous outlines [here](#) and [here](#).

Transitions overview

Transitions are seen as a natural part of life for all people ([Stewart, 2013](#)).

There are many forms of transition across a person's life – transitions to day-care, primary school, secondary school, further education and training, tertiary education, leaving home, first job, buying a home and so forth.

Young people especially can experience a succession of transitions in a short time span, such as further education and training, employment, and other options that lead to independence (Gillan and Coughlan [2010](#)).

However, the experiences of transitions among young people with ASN are often different. For young people with intellectual disabilities, 'transition' is a recognised term for the period of time during which young people leave school and move from children's to adult health and social services ([Young-Southward, 2018](#)). When youth transition out of child services they might simultaneously experience changes in support in health care, education, disability support, income, justice/ correction, and child welfare. These changes in services experienced in transitions are critical to youth with

complex service needs. This transition is also important to the youth as it is associated with increased expectations to fulfill adult roles, which may be difficult to realize if they don't transition well ([Forte et al 2011](#)).

The transition process is generally experienced as stressful, uncertain, and problematic, particularly in terms of the bureaucratic aspects (Ellman et al [2010](#)). Moreover, studies report that young people with intellectual disabilities (ID) for example experience transitions as usually accompanied by several challenges including difficulty finding employment due to high unemployment levels, restricted community participation, continued living with parents and dependence on the family ([Davies & Beamish 2009](#)).

Key areas where young people experience difficulties associated with transitions are often identified as:

- Independence
- Transition planning
- Daytime activity
- Community participation ([Young-Southward, 2018](#))

The important influence of environmental factors including family systems, post-school services and access to transport also have considerable impacts on transition outcomes ([Foley et al 2011](#)).

See ESSS outlines on more about transitional outcomes.

Employment and young people with ASN

Low employment outcomes

Overall, young people with ASN experience higher levels of unemployment and exclusion from the labour market. The unemployment rate for disabled people was 8.4% in October-December 2020, up from 6.9% a year previously.

This compared to an unemployment rate of 4.6% for people who are not disabled ([House of Commons Library 2021](#)).

People with ASN encounter systematic barriers to accessing work due to lack of extra support and training and due to a societal emphasis on impairment.

[Hedley et al \(2017\)](#) argue that a contributing factor to poor work outcomes among young people with ASN (they look at Autism Spectrum Disorders particularly) is the emphasis on impairment and social deficits instead of strengths and expertise (see also [Holwerda et al, 2012](#)). Furthermore, individuals with ASN, who may otherwise be well suited for a position, often require assistance to gain and maintain meaningful employment, with family members often playing a critical role in securing this employment ([Howlin et al, 2004](#)).

Even when individuals with ASN are employed, however, the meaningfulness of their employment is questionable as it tends to be in low paying jobs with limited working hours and in jobs that are most often well below the individual's level of education and expertise ([Holwerda et al, 2012](#); [Roux et al, 2015](#); [Shattuck et al, 2012](#)). Current employment outcomes for people with ASD are very concerning given the multifaceted effects of employment (or lack of employment) on both the individual and society.

[Hornholt et al \(2018\)](#) argue that as work is considered beneficial for the health and well-being of people, they highlight that this is especially important for people with disabilities as having a disability is often linked with social isolation (WHO, [2011](#)). Employment is then an opportunity to reduce this isolation and to also reduce poverty ([Schur, 2002](#)).

Additionally, meaningful employment has been associated with increased sense of agency and better subjective well-being, while unemployment can have negative effects on psychological and physical health and, furthermore, has been associated with increased mortality and higher suicide rates ([Wanberg, 2012](#)).

Employment (or the lack thereof) can have a significant impact on families as well with one of the major concerns of parents of individuals with ASD being their child's ability to live independently once parents are no longer able to support them ([Van Bourgondien et al., 2014](#)). There is some evidence that employment may improve independence, thus potentially helping to alleviate this worry ([Hedley D et al 2017](#)).

Gillan and Coughlan ([2010](#)) identified a number of barriers to successful transition from special education into post-school services for young adults with an intellectual disability in Ireland:

- a lack of information about available options
- a lack of meaningful alternatives to the specialist vocational training provider; waiting lists for available services
- lack of person-centred practices in vocational training services
- and a lack of coordination between child and adult services.

However, it should be noted that employment is not always inherently beneficial if natural supports in the workplace are missing and job requirements do not fit the worker's capabilities (Williams et al [2016](#)). Nonetheless, work is important and meaningful for people with disabilities and keeps its health promoting effects over time (Saunders & Nedelec, [2014](#)).

Employment and human rights for people with ASN

The 'disabling' by society of young persons with disabilities means we need to frame the concerns of persons with a disability not simply as a social problem but as a human rights imperative. Treating disability as a human rights issue directly addresses, and seeks to readjust, the power relationships that shape the unequal treatment of the disabled ([Browne and Millar 2016](#)).

The rights of young people with additional support needs are essentially those of young people generally as well as those of people with disabilities ([Browne and Millar 2016](#)). However, young people are often overlooked when

it comes to accessing support and the means to become more self-reliant and independent.

This can have far reaching impacts on the lives and wellbeing of people with disability. The Division for Social Policy and Development (DSPD) ([n.d](#)) states that: “All human rights are interrelated, interdependent and indivisible. Consequently, violations of the right to work can lead to violations of the enjoyment of other human rights by persons with disabilities. For example, a person with a disability who is unable to work and earn a fair wage may be unable to attain an adequate standard of living. Similarly, violations of other human rights, such as the right to education, can also impact on the ability of persons with disabilities to realize their right to work and employment” (p. 5).

A human rights approach to disability focuses on the inherent dignity of the human being: “It places the individual centre stage in all decisions affecting him/her and, most importantly, locates the main ‘problem’ outside the person and in society ([Quinn and Degener 2002, 9–10](#))”. Browne & Millar ([2016](#)) argue that a rights-based perspective gives equal importance to the needs of each individual and requires that societal resources are used to ensure that every individual has equal opportunities for participation, including the right to remain within his/her local community and to be included in the ordinary structures of education, health, employment and social services.

This approach views individuals with disabilities as equal citizens and stakeholders in society. It challenges the ‘social impulse to rank people in terms of their usefulness and to screen out those with significant differences’ ([Quinn and Degener 2002, 10](#)). From an employment perspective, this means giving access to opportunities that most people take for granted in a way that respects and accommodates difference ([Verdonschot et al. 2009](#)).

Historically, the Convention on the Rights of Persons with Disabilities and its Optional Protocol (A/RES/61/106) was adopted on 13 December 2006 and entered into force on 3 May 2008. The Convention is intended as a human rights instrument with an explicit, social development dimension. It adopts a

broad categorization of persons with disabilities and reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms.

According to Article 23, employment rights are enshrined in the declaration of human rights:

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
2. Everyone, without any discrimination, has the right to equal pay for equal work.
3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
4. Everyone has the right to form and to join trade unions for the protection of his interests.

The majority of European Countries have ratified the U.N. Convention on the Rights of Persons with Disabilities ([UNCRPD, 2006](#)). The Convention determines that persons with disabilities have equal rights to work and gain a living. Discrimination in job-related matters is prohibited, and the promotion of self-employment, entrepreneurship and starting one's own business is required. Furthermore, organizations need to ensure that workers with disabilities are provided with reasonable accommodation at work (Article 27).

The UN Division for Social Policy and Development (DSPD) ([n.d](#)) however, found a number of challenges facing persons with disabilities in relation to realization of the right to work. To address these and achieve the realization of the right of persons with disabilities to work, public services need to go beyond legislation, and consider policy formation, specific programmes, inclusive and accessible financial services, ensuring accessibility, and awareness-raising.

The DSPD ([n.d](#)) argues for the importance of mainstreaming Disability in National Development Policies which is now reflected in many of the Scottish Government's strategies.

Scottish Government Strategy

The strategic direction of services in Scotland is characterised by a move towards a human rights approach.

The Young Person Guarantee ([2020](#)) states the Government's commitment to do "whatever it takes to keep young people connected to work and education, including addressing pre-existing inequalities faced by young people from minority ethnic backgrounds, young disabled people and young women and girls" (p 5).

The Scottish Government has also committed to build on the [Seven Principles of Good Transitions](#) and recommendations received from sector experts, disabled young people and their families and carers to improve transitions into education, learning and work for disabled young people.

The Keys to Life Implementation Framework ([2019](#)) also sets out one of the Government's ambitions to make sure disabled people can enjoy full participation with an adequate income to participate in learning, in education, voluntary work or paid employment and retirement (p 7).

Mainstreaming disability inclusion strategies into existing processes ensures the rights of persons with disabilities in terms of work and employment.

However, there is little evidence which explores the implementation of a human rights approach to supporting people with disabilities. This suggests that either a human rights perspective is only in its incipient stages of being embedded in everyday practice. It can also indicate that these principles have not been adequately implemented so far. The lack of implementation evidence needs to be addressed in order to understand the challenges for service provision and to better respond to the needs of individuals with disabilities.

Nonetheless, many interventions and approaches are incorporating principles of human rights in their activities. Browne and Millar ([2016](#)) developed a framework for a rights based approach to the integration of children and young people with disabilities. They identify seven components which make up this framework:

- citizenship
- social inclusion
- recognition
- agency
- voice
- capabilities
- equality
- and self-realisation

Many organisations already provide support which include these components. The following section gives some examples of approaches to workplace integration which include the above components of a human rights approach.

Approaches which integrate human rights principles into employment transitions

The DSPD ([n.d](#)) highlights key approaches which ensure the rights to work of people with disabilities are respected:

- Supported Employment - such as advice and professional coaching;
- Micro-financing - Access to finance is a critical factor in developing self-employment opportunities for people with disabilities and, for this reason, all micro-financing institutions should mainstream the inclusion of persons with disabilities;
- Ensuring accessibility - equal opportunities refers to the process through which the various systems of society and the environment –

such as services, activities, information and documentation – are made available to all, with an emphasis on participation, access and partnerships as principles;

- Awareness raising - A key approach to achieving the rights of persons with disabilities to work is to raise general society awareness of the work potential and right to employment of persons with disabilities;
- Achieving Decent Work Opportunities in the Public Service - public services should take a leadership role as a headliner employee.

Creating opportunities for inclusion and participation in shared educational environments

Agarwal et al (2021) explored the topic of postsecondary education (PSE) programs serving individuals with intellectual disabilities (ID). These programs aim to improve life outcomes by increasing skills in three key areas: academics, independent living, and employment. Their qualitative study analyzed data from 58 interviews conducted with parents whose child was enrolled in a PSE program nested within a large public university. Parents considered the following elements as being valuable and effective in helping their child grow:

- participation in the residential program
- independent living workshops
- inclusive academic classes
- having access to academic and faculty mentors and supportive program staff.

Participants felt that employment experiences like job shadowing and internships and the opportunity to participate in a large campus were the most valuable and essential for an individual's independence and development. Digital resources such as iPads, and public speaking classes were also seen as beneficial in developing confidence and communication skills.

Their study highlights that a sense of inclusion and participation in mainstream education is crucial for the positive development of people with ASN and also reflects the principles of a human rights approach.

Acknowledging that workplace experiences vary from person to person

Studer et al ([2017](#)) explored the factors that shape employment after basic vocational training among people with intellectual disabilities. Their aim was to reveal the different factors that affected workplace integration as perceived by those with disabilities. The results of the study show that successful workplace integration for people with disabilities occurs through the combination of different factors:

- Vocational training is not a guarantee of workplace integration;
- The arrangements and individual experiences following a vocational programme affect the perceived importance of vocational training;
- A carefully set up transition prevents any questioning of goals attained;
- Participants in this study considered self-competences (motivation, willingness to change, resistance to stress) more useful to integration than technical skills. However, self-competences can only be used where the basic conditions are favourable. Thus, the desired further education cannot be achieved if suitable training programmes are missing;
- The significance of workplace integration differs from person to person.

The authors believe that the distinction between the general labour market and supported forms of employment is blurred; there are in fact a number of different employment types to be considered as successful workplace integration.

Matching individual skills with job requirements is crucial for successful integration. It also underlines the importance of promoting flexible modes of

working, so that people with disabilities can gain positive experience of workplace integration in different types of activities.

Employment and self-realisation

Studer et al ([2017](#)) argue that if investment in training people with disabilities is to be successful and useful, it is essential to take a long- term perspective on the set-up and support of transitions. That means creating a life plan together with the person concerned, taking into consideration their needs and desires, and then regularly checking the plan, and modifying it if required. This is challenging when, for example, in the transition from school to vocational training, the goal of immediate placement takes priority over the professional desires of the disabled person, especially where a crucial choice is at stake. Hence, from the beginning, the chief characteristic of the job- seeking process is important.

Different work arrangements should be handled flexibly in order to enable smooth and ‘mistake- tolerant’ transitions from sheltered employment to the general labour market, and vice versa. In addition, long- term professional support (e.g., by a job coach) is extremely important.

People with ASN should have access to lifelong learning and development opportunities in the same way that most people do. Participants in their study felt that successful workplace integration occurs when they have the possibility of developing and enhancing their own professional aspirations, and institutional and personal networks give them options to choose from (Studer et al [2017](#)).

Envisioning the future

Being able to envision the future is crucial for anyone’s personal and professional development. An image of the future is a vision of things to come which encourages and stimulates creative exploration and self-development ([Browne and Millar, 2016](#)). The realisation of the full potential of the human person requires the presence in thought and in action of such an image

(Polak 1973). Smyth and McConkey (2003) found that many of the young persons with severe learning disabilities in their study were able to articulate their future needs but that parents were, perhaps, less certain, often wanting to support their ambitions but yet afraid that these may not be realisable.

Ivzori et al (2020) in a study on transitions among young people at risk (YAR) consider that young people, in general, and YAR, in particular, lack work skills, habits, and knowledge about labor rights, realistic job opportunities, and ways to pursue career development after school. Some studies emphasized that YAR either lack future aspirations (related to idealistic ideation) or experience a large gap between their future aspirations and expectations (a more realistic ideation). Future expectations often decrease as youth gain greater understanding of their strengths and available opportunities, which affects their self-identity. These barriers suggest the need for programs to facilitate the transition and adjustment of YAR to employment and adult life.

Transition career programs for YAR should include:

- knowledge about employment
- job-search skills
- vocational skills
- Self-awareness
- Self-advocacy
- and normative behavior at work.

In addition, employers and youth indicated five key focus areas for transition programs:

- social skills (e.g., respect, conflict resolution);
- communication skills (e.g., verbal and nonverbal communication);
- high-order thinking skills (e.g., the ability to identify a problem, to obtain and evaluate information, and to problem solve);
- self-control (e.g., managing feelings and behavior); and positive self-perception and self-advocacy (e.g., presenting needs and strengths).

Professional support with transitions

Putlak's (2018) qualitative data from the open-ended survey questions suggests that parent knowledge of key transition practices - proven to influence transitional outcomes for young people, improves when a transition specialist is involved in the planning.

People with disabilities are often caught between their longing for self-determination and their dependence on structural conditions and support at work. In this context, the attitudes of the supporting persons are crucial (Studer et al 2017). Thus, professional support should be offered with the aim of helping the supported person to achieve self-determination. Only a systematic and exhaustive deployment of a permeable education system, seeing support as dialogue, and services as rendered to an equal, can do justice to the desires and needs of disabled persons, and best ensure that the process results in their successful workplace integration (Studer et al 2017).

Other references:

Pillay Y and Brownlow C (2017) Predictors of successful employment outcomes for adolescents with autism spectrum disorders: A systematic literature review. Review Journal of Autism and Developmental Disorders, 4(1), pp.1-11

A systematic literature review was conducted on the predictors of successful outcomes for adolescents with ASD post-compulsory education. Four predictors were identified:

- supported workplace intervention
- ASD traits and behavioural intervention
- functional independence intervention
- and family advocacy intervention.

Moore E J, & Schelling A (2015) Postsecondary inclusion for individuals with an intellectual disability and its effects on employment. Journal of Intellectual Disabilities, 19(2), 130–148.

<http://doi.org/10.1177/1744629514564448>

This is a comparative case report where graduates from two types of PSE (Postsecondary education programs) for individuals with IDs are surveyed regarding employment outcomes and other personal developments.

This case demonstrates significant positive employment outcomes for individuals with IDs who attend post secondary programs compared to those who do not attend such programs.

The findings in the study suggest that the discrepancy between the two programs may be less severe than expected. In other words, attendance in an employment-focused PSE program may have similar benefits for individuals with IDs, regardless of the degree of integration that the program offers.

There were, however, some distinctions between the two programs that are worth noting:

- The average hours of employment were higher for the graduates of the specialized program compared to the integrated program;
- Graduates of the integrated program demonstrated higher levels of employment outside the traditional settings for individuals with IDs (food preparation, production, and janitorial) than those of the specialized program, in which a higher prevalence of traditional placement was observed;
- Graduates of the integrated program achieved a higher hourly rate than either those of the specialized program.

The authors argue that there is a growing body of evidence that suggests that education programs for individuals with IDs are highly effective as a means to increase employment rates for such individuals. Such data can and should be used to encourage further propagation of PSE programs for individuals with

IDs and provides justification for pilot programs of similar kinds in countries wherein PSE programs have not yet been made available for individuals with IDs.

[Roundtree E \(2017\) A Qualitative Examination of Postsecondary Education Programs for Students with Intellectual Disabilities and the Perceptions of Parents and Teachers Towards These Programs, PhD Thesis](#)

This thesis provides information on the interactions between the different components of the ICF for young people with Down syndrome who are transitioning from school to post-school. Domains of participation are explored in detail revealing the important influence of environmental factors on social participation. Participation in different post-school day occupations was associated with changes in behaviour and linked with family quality of life.

[Fasching H \(2014\) Vocational education and training and transitions into the labour market of persons with intellectual disabilities, European Journal of Special Needs Education, 29:4, 505-520, DOI: 10.1080/08856257.2014.933546](#)

This article reports on a nationwide survey conducted with organisations that run labour market support programmes in Austria. It illustrates the accessibility and success rate of these programmes for women and men with intellectual disabilities (ID). A significant percentage of the people with ID who take part in these programmes were able to obtain employment on the regular labour market - with work assistance in particular appearing to be a promising measure for obtaining employment. However, the relatively high success rate of vocational integration on the labour market does not belie the fact that a considerable number of people with ID are still not able to access vocational education and training measures. This is particularly true for those with ID who attended non-mainstream schools and in general is true for women more than for men. Not being able to access vocational education and training measures leads to discrimination of the target group when it

comes education and employment. The results suggest that inclusive schooling facilitates the accessibility and success rate of vocational education and training programmes for men and women with ID.

[Beyer S, Meek A and Davies A. \(2016\) "Supported work experience and its impact on young people with intellectual disabilities, their families and employers", *Advances in Mental Health and Intellectual Disabilities*, Vol. 10 No. 3, pp. 207-220. <https://doi.org/10.1108/AMHID-05-2014-0015>](https://doi.org/10.1108/AMHID-05-2014-0015)

The Real Opportunities project set out to implement a number of the approaches that can assist transition to adulthood in nine local authority areas in Wales. Supported work experience was delivered by small job coaching teams in each area. The purpose of this paper is to establish the impact of the work experience and employment teams by describing the placements provided, any change in the skills of young people, and the responses to the placements by employers, young people and their families.

[Dearing K \(2021\) Exploring a non-universal understanding of waged work and its consequences: sketching out employment activation for people with an intellectual disability, *Evidence & Policy: A Journal of Research, Debate and Practice*, Volume 17, Number 2, May 2021, pp. 261-277\(17\) <https://doi.org/10.1332/174426421X16140992285741>](https://doi.org/10.1332/174426421X16140992285741)

This study looks at the employment landscape and the intersecting layers of policy consequence for people who have an intellectual disability, and are in receipt of social care, who wish to engage with work preparation employment support. The author demonstrates that there is a mismatch between how evidence informs policy, and how funding is allocated to support with work preparation. Those unable to secure Supported Employment services are, instead, navigating extreme employment disadvantage and scant opportunities, in the open labour market. Further, bound up in this analysis is evidence of a non-universal understanding of waged work where any form of financial remuneration is welcome.

[Beyer S & Meek A & Davies A \(2016\). Supported work experience and its impact on young people with intellectual disabilities, their families and employers. Advances in Mental Health and Intellectual Disabilities. 10. 207-220. 10.1108/AMHID-05-2014-0015](#)

The Real Opportunity project takes a holistic view that experiences in a number of areas of young people's lives need to be supported if they are to be successful in gaining employment post-school.

[Melling K & Beyer S & Kilsby M \(2011\). Supported employment for people with learning disabilities in the UK: The last 15 years. Tizard Learning Disability Review. 16. 23-32. 10.5042/tldr.2011.0165](#)

Melling et al (2011) revisit the aspirations of the authors for supported employment development from 1997 against a changing policy context with the introduction of Valuing People and Valuing People Now. It reviews developments in employment policy, innovation, the framework for funding supported employment and changes in the level of employment for people with learning disabilities since 1997. It summarises the progress in this area over the period, and suggests the need for further action to deliver the Government's vision of employment inclusion and to secure the rights of people with learning disabilities to a place in the workplace.

[Intensive Personalised Employment Support](#)

Intensive Personalised Employment Support is a voluntary scheme which provides up to 21 months of individual support in situations where the person is unlikely to get into work in the short term.

People with ASN and their carers

[Giri, A, Aylott, J, Giri, P, Ferguson-Wormley, S, Evans, J. Lived experience and the social model of disability: Conflicted and interde-pendent ambitions for employment of people with a learning disability and their family carers. Br J Learn Disabil. 2021; 00: 1– 9. <https://doi.org/10.1111/bld.12378>](https://doi.org/10.1111/bld.12378)

This article talks about a consultation done with adults with learning disabilities and/or autism who attend day centres and their family-carers. The authors asked participants about their current situation, their employment and the barriers to work.

They found out that very few people with learning disabilities and/or autism or their family-carers were employed. There were lots of things stopping people with learning disabilities and/or autism and family-carers from being able to work.

The authors argue that disability theories like the “social model of disability” need to go back to looking at inclusion, citizenship and independence, based on the real life experience of people with a learning disability. The government needs to provide strong plans to help people with learning disabilities and/or autism and family-carers get into work. “Co-production” networks should be set up between people with learning disabilities and families to support employment.

Conclusion

Browne et Millar ([2016](#)) recognises that there continues to be in place a set of institutional, cultural, legal and administrative processes which run counter to the underlying ethos of a rights paradigm and the development of a social support infrastructure accordingly. They stress the need to develop a new narrative which would reflect and create a stronger context for the developing and embedding a rights-based social support infrastructure.

So far, in Scotland, there is little evidence that a human rights approach to employment is being implemented. This lack of clear and local evidence suggests there is a lack of policy impact on transitional outcomes for young people with additional support needs. This means that a lot of the current government strategies have not fully translated into practice. It could also mean that implementation might only be happening in isolated ways. Further work is needed to explore this implementation gap.

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