

# Hybrid work and disabled people

Post-pandemic policy problems

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# Summary

Our review of evidence and discussions with experts indicate that hybrid working is desirable for most workers and can bring important additional benefits for disabled people. Yet it can also create additional challenges and new access needs for some. Opportunities and rights for hybrid working should be expanded but must be paired with additional support where needed to support equality in the workplace. Encouraging hybrid working as a smart working policy for all employers will reduce bias and stigma against those working flexibly and make it easier for employers to apply an individualised approach to their entire workforce.

For disabled people to get benefits from hybrid working, they should have maximum autonomy and control over their working pattern. Good practice guidance and examples are important to normalise hybrid working, and reforms to enforcement and support mechanisms for reasonable adjustments are needed. Hybrid working is not equally available to all, and disabled people are more likely to work in industries where hybrid working is less routine. Government support and encouragement for these industries to trial approaches to flexible working could help.

We still don't know enough about the long-term impact of hybrid working on disabled people's capacity to work, or even about take-up of flexible working among different groups and industries. Other countries have trialled different methods of supporting and encouraging disabled people at work – such as disability employment quotas – but evaluations of these are scarce. We need more standardisation of data collection and more qualitative and quantitative evaluation of disabled people's experiences in hybrid work to embed positive lessons across the economy.

# Introduction

## The shift to flexible working

The pandemic forced a revolution in working practices on organisations and employees alike. While before the pandemic, remote and hybrid working had been increasing gradually, this increased substantially during the pandemic to a peak of around half of workers in Great Britain working at least partially from home, and 38% working from home exclusively.<sup>1</sup>

In September 2022, when legal pandemic restrictions had largely ended, around 1 in 5 (22%) had worked at least one day from home in the previous week and around 1 in 8 (13%) worked from home exclusively, compared to 12% and 5% before the pandemic, respectively.<sup>2</sup>

Although the Government has had commitments to widen the availability of flexible working since 2019, the pandemic created even more significant interest among policymakers and researchers to understand the variation in trends in flexible working across industries and demographic groups, as well as understanding the impact of hybrid working on workers and employers.

A growing body of research shows that a hybrid work environment appropriately designed around workers' individual support needs can contribute to raised productivity, increased prosperity and a happier and healthier workforce.<sup>3</sup> There is also evidence to show that remote working practices can support some (though by no means all) workers to stay in or return to the workforce where they otherwise would be unable to work.<sup>4</sup>

## The disability employment gap

Through discussions with stakeholders and policymakers, IPPO has identified a particular interest in the impact of hybrid working on the experiences and employment outcomes of disabled people. Around 23% of the UK working age population are disabled under the Equality Act 2010 definition, an increase from 19% before the pandemic.<sup>5</sup>

There is a significant 'disability employment gap', with the overall difference in the employment rate of disabled people and non-disabled people being 29 percentage points in early 2023. Behind this headline figure, there are stark variations between groups of disabled people, with only 28% of those with a learning difficulty in work (72% economically inactive). Among those actively seeking work, 6.4% of disabled people are unemployed, compared to 3.4% of those who are not disabled.<sup>6</sup>

In November 2017, the Government set out a [10 year action plan](#) to get 1 million more disabled people into employment by 2027. More recently, the Government has published its [National Disability Strategy](#) and [recently consulted](#) on the Disability Action Plan. In the face of persistently [high economic inactivity](#) and sluggish economic growth, encouraging as many

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<sup>1</sup> [POST, Natasha Mutebi and Abbi Hobbs - The impact of remote and hybrid working on workers and organisations](#)

<sup>2</sup> [POST, Natasha Mutebi and Abbi Hobbs - The impact of remote and hybrid working on workers and organisations](#)

<sup>3</sup> [Hybrid Work Commission 2023 – Literature review in Annex B](#)

<sup>4</sup> Chung, H., & Van der Horst, M. (2018). Women's employment patterns after childbirth and the perceived access to and use of flexitime and teleworking. *Human Relations*, 71(1), 47-72. <https://doi.org/10.1177/0018726717713828>;

Lyttelton, T., Zang, E., & Musick, K. (2022). Telecommuting and gender inequalities in parents' paid and unpaid work before and during the COVID-19 pandemic. *Journal of Marriage and Family*, 84(1), 230-249.

<sup>5</sup> [Department for Work and Pensions – Family Resources Survey 2021/22: Disability data tables](#)

<sup>6</sup> [House of Commons Library – Disabled People in Employment](#)

people as possible into the workforce is a key government priority. Tackling economic inactivity was a theme of the March 2023 budget, referred to as a 'Back to Work Budget'.

## Hybrid working and disabled people

Hybrid working is one adjustment which [may help](#) disabled people to participate in the workforce, and to widen the talent pool for employers. Putting employment outcomes aside, reasonable adjustments such as flexible and hybrid working can provide disabled people with important psychological and practical resources to manage their own health condition and feel empowered in their careers. Later in this briefing we describe the many benefits which disabled people reported hybrid working can bring.

Yet it is also clear that hybrid working is not a universal solution: this way of working can [also bring new challenges](#) and create new access problems, and there is no 'one size fits all' when it comes to workplace adjustments. We also know that disabled people are overrepresented in industries where hybrid working is less available, meaning disabled people are less likely to have immediate access to working arrangements which can bring significant benefits to many.<sup>7</sup>

As the pandemic fades into the past, there are concerns that a lack of appropriate support can create a gap in progression and career opportunities between those with disability-specific requirements for hybrid work and others returning to the office. Disabled homeworkers can also experience flexibility stigma, i.e. negative bias around their work capacity, motivation and productivity, leading to negative career outcomes.<sup>8</sup>

The following briefing paper is a summary of the key evidence surrounding the current policy landscape around hybrid working as it relates specifically to disabled people, which also has many implications for the wider labour market and workforce. We provide discussion of policy options for the future and make several high-level recommendations to steer policy decision-making around hybrid work and disability going forward.

This paper has been informed by two roundtables and numerous conversations with experts working in the field of disability and employment policy, but the findings presented do not necessarily represent individual views, and any errors remain IPPO's responsibility.

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<sup>7</sup> Hoque, K. & Bacon, N. (2021) Working from home and disabled people's employment outcomes. *British Journal of Industrial Relations*. <https://doi.org/10.1111/bjir.12645>

<sup>8</sup> Chung, H. (2020). Gender, flexibility stigma, and the perceived negative consequences of flexible working in the UK. *Social Indicators Research*, 151(2), 521-545.

# Key recommendations

## For Government

1. The next Government should prioritise introducing a UK-wide right to flexible working for all workers, which would allow disabled workers to benefit without penalisation or stigma
2. Enforcement of workplace rights should be brought under the Equality Act and a single enforcement body should be empowered to tackle discrimination at work
3. The Department of Work and Pensions should prioritise reforming Access to Work to allow for more streamlined processes for applicants and provision for greater employer engagement in applications
4. The Government should establish targeted funding and resource to pilot innovative approaches to flexible working for employers who may find it more challenging, such as small or service-oriented businesses. Evaluations of these initiatives should include qualitative engagement and quantitative outcomes monitoring.
5. The Government should make available all data it collects on employment and disability to the wider research community to stimulate analysis and discussion, and should prioritise collection of more longitudinal data on disabled people's employment outcomes
6. The Government should consider methods to encourage better reporting on take-up of flexible working by employee demographic (gender, occupational level, disability status) and distinguishing between different types of arrangements (e.g. part-time, term-time working, job shares, flexitime, hybrid and homeworking). This could be reported as part of annual gender pay gap reporting, or through disability reporting for 'Disability Confident' employers.

## For employers

1. Employers should always display flexible working options on job adverts, normalising flexible working for all and giving applicants choice and transparency
2. The Flexible Working Task Force should support research comparing international policy responses to supporting disabled people in a hybrid work environment, considering alternative solutions such as disability quotas and their potential application in the UK
3. The Flexible Working Taskforce should initiate a campaign to attract more employers to the 'Disability Confident' scheme which involves voluntary disability reporting, with a view to making disability reporting mandatory within the next decade
4. The Flexible Working Taskforce should develop clear, sector-wide definitions for terms like 'flexible work' and 'hybrid work' to ensure comparability across research and data sources, and seek endorsement for these from key industry bodies

## For researchers and advocacy groups

1. Invest in research comparing international policy responses to supporting disabled people in a hybrid work environment, evaluating the effectiveness of interventions, such as disability quotas, tried in other countries
2. Work to evaluate long-term impacts of hybrid working on disabled people, including analysing Disability Confident reporting, gathering data on how reasonable adjustment requests are dealt with, and reporting on how reform of the Work Capability Assessment will impact disabled people
3. Continue concerted action to publish, gather, and share good practice to support employers and managers to offer hybrid working with appropriate individual support

## Definitions

Different people and groups can mean different things when they talk about hybrid work and disability. Below we set out the definitions which guide our approach in this paper, as well as some reflections on the ambiguity which different definitions can introduce to policy discussions and outcomes.

Conflating different meanings for the same terms can also lead to significant challenges in understanding the impact of changing trends in flexible, hybrid, and remote working on disabled people.

**Flexible working** is generally used as a catch-all term meaning employer flexibility to allow employees to work in a way that suits their needs. There is no single recognised definition; a valuable reference is [De Menezes and Keliher's definition](#) of flexible work as “working arrangements which allow employees to vary the amount, timing, or location of their work”. This can include having variable start and finish times, working from home, job share requests, or a variation of contracted hours – including part-time working or term-time only working.

Requests for flexible working can be handled formally, via a [statutory request](#) to the employer and a variation of contract, or informally via agreement with line managers or HR departments. Employers will have varied organisation-level policies about types of flexible working which are routinely offered, and have the right to refuse these requests, but must justify their decision.

The Government also now [distinguishes](#) between three types of flexible working:

- [Statutory requests](#) using the statutory Right to Request Flexible Working legislation
- Non-statutory (regular) – where employees use organisation-level flexible working policies to agree a variation to their contract; this can be a faster and less restrictive process than when requesting through statutory rights
- Non-statutory (ad hoc) – the flexibility which organisations and teams allow for employees to flex how they work, which can vary on a day-to-day basis

**Hybrid working** is a form of flexible working where workers spend some of their time working remotely (often from home, but could include other locations), and some in the employer's workplace. While in some cases, hybrid working may entail a flexible approach to days spent in the office – for example, teams agreeing informally when to meet in person – in other cases the number of days to be spent in the office is set out by employers and/or included in employment contracts, limiting the degree of ad-hoc flexibility for the employee. It is important for organisations to be clear and transparent in exactly what hybrid working means for their specific context. It would also be helpful for research organisations to encourage common definitions of this concept, to allow for comparability between studies and data sets.

**Disability** is defined by the [Equality Act 2010](#) as ‘a physical or mental impairment that has a “substantial” and “long-term” negative effect on someone's ability to do normal daily activities’, where ‘long-term’ means 12 months or more. Under this definition, disability can result from physical, sensory, cognitive and mental health conditions, which do not necessarily have to be medically diagnosed. However, the explicit focus on ‘physical’ or ‘mental’ impairments could result in some people with sensory or cognitive impairments not realising that they are covered by the definition.

This definition is built on the ‘[medical model](#)’ of disability, in which impairments and health conditions rather than way that society is structured are perceived as the cause of being disabled. The ‘[social model](#)’, adopted by many in the disability rights movement, focuses on the societal causes of disability in order to empower disabled people and ensure that the onus is on society to provide an inclusive environment rather than promoting the idea that disabled people need to be ‘fixed’. In this context, stairs can be seen as an adaptation that non-disabled people

use to navigate inclines. Despite the theoretical underpinning, the lack of a requirement for diagnosis does support self-identification, which is more in line with the social model.

The UK does not have a statutory 'disabled worker' status or mechanism through which employees can formally 'prove' their disability status. Although some feel such systems can have some benefits, mainly in granting additional rights and making it easier to enforce employers' responsibilities, they also mean that many people who are not formally registered as disabled will miss out on disability-specific support. There are many reasons why someone may not have a formal diagnosis, including long NHS waiting lists for diagnosis, certain tests not being available through the NHS, a lack of medical understanding of a particular condition or impairment, or simply there being no need for a diagnosis or treatment.



# The regulatory landscape

**This section summarises the rights that workers currently have to request flexible working, the responsibilities employers have to respond to requests, and the support and enforcement mechanisms available to them.**

The UK Government has an interest in encouraging best practice in working practices to build a competitive and productive economy which can attract the best talent from around the world, as well as fulfil its obligations to support equality of employment opportunity and the development of the workforce.

While the Government has taken an interest in flexible working increasingly being available to all employees, there is also specific legislation which gives disabled people additional protections and rights in relation to workplace adjustments.

## Making flexible working more accessible

Over the past decades, flexible working has become steadily more normalised within the UK labour market. In 2003, new legislation provided employed parents and certain other carers with 26 weeks continuous service with a right to request a flexible working arrangements, including hybrid working. In 2014, the right to request flexible working was extended to all employees with 26 weeks continuous service.

In March 2018, the Government set up the [Flexible Working Taskforce](#), co-chaired by the Department for Business, Energy and Industrial Strategy (BEIS) and the CIPD, bringing together key industry, government, trade union and third sector partners to work on widening the availability and uptake of flexible working through campaigns, guidance and expertise. One of the taskforce's early campaigns was aimed at encouraging employers to state clearly the possibility of flexible working in job advertisements to encourage employees to consider their working arrangements.

The [2019 Conservative Party manifesto](#) committed to “encourage flexible working and consult on making flexible working the default unless employers have good reasons not to”. From September to December 2021, the Department of Business, Energy & Industrial Strategy ran a consultation on ‘[Making flexible working the default](#)’. This set out initial proposals to reshape the existing regulatory framework, including allowing all employees to request flexible working from day.

This led eventually to the introduction of the [Flexible Working Act](#), which received royal assent in July 2023. Expected to come into force in spring 2024, this legislation will legally protect employees' right to request flexible working from day one of their employment. Employers will be required to consult with an employee and consider alternative arrangements before denying a request. In addition, employers will be required to respond more quickly than before and the burden on employees to explain the impact the change will have on companies will be reduced.

This has been [welcomed](#) by many groups representing employers and campaigners, but has also [been criticised](#) for not going far enough, with charities, trade unions and flexible work campaign groups suggesting that flexible working should be a universal right, with employers required to accommodate this. It is currently [Labour Party policy](#) to give the right to flexible working for all workers as default, with additional support given to small- and medium-sized businesses to adapt to flexible working practices and increase the uptake of flexible working.

Some [campaign groups](#) are also calling for all job adverts to make clear the possibilities of flexible working for the role at advertising stage, to increase transparency and normalise flexible working as part of an attractive job offer.

The Department of Business and Trade has [collected evidence](#) on informal, non-statutory routes to flexible working (for example, by agreement with a manager), with a view to informing the Government's flexible working strategy going forward.

## Additional rights and protections for disabled people

Under the Equality Act, employers are [required to make reasonable adjustments](#) in cases where they know someone is disabled or where a disabled staff member or applicant requests an adjustment. 'Reasonable' means that the adjustment is practical and affordable to make, and employers are required to consider possible alternative arrangements in cases where an initial request is not deemed reasonable. For example, installing a lift may not be affordable, but in such cases employers must make every effort to make alternative adjustments, such as making it possible for someone to do their job from the ground floor. However, guidance explicitly states that employers should not change the basic nature of the job, which would go beyond what is reasonable.

Requests for [flexible working](#) (including compressed hours, reduced hours, working from home some of the time) are likely to be considered a reasonable adjustment if requested under the Equality Act. If a request for flexible or home working is made under the Equality Act, providing the equipment to support home working may also be part of the reasonable adjustment.

In our roundtable, speakers representing disabled people expressed the importance of the Equality Act, which places a statutory duty on employers to accommodate reasonable adjustments which are essential to disabled people doing their job, as the key legislation underpinning disabled people's right to hybrid working. However, they felt that a more universal shift towards acceptance and greater rights for flexible working was essential to ensuring all disabled people can access flexible working without stigma.

One contributor highlighted that, even if the request to work from home or in a hybrid way is made as a reasonable adjustment, it is often perceived as a 'gift' from employers, making people hesitant to ask for additional adjustments – such as assistive technology – to enable them to work from home most effectively. There is some evidence to support this, for example, a [study by the Work Foundation](#) found that all respondents who requested additional support or new adjustments while working remotely, close to 1 in 5 (19.1%) had their request refused, with no alternative arrangements put in place.

What is more, studies have shown that up to 1 in 3 of UK workers believe that flexible working is negatively viewed by managers or colleagues, and can lead to negative career outcomes.<sup>9</sup> A combination of statutory and cultural change can help to change the culture and normalise hybrid working so people are empowered to ask for additional adjustments. Recent studies have shown that when flexible working is framed as a universal right for all workers, homeworking is less likely to be met with stigmatised views.<sup>10</sup>

The Department for Work and pensions recently [consulted on](#) changing the descriptors in the Work Capability Assessment, which determines the support people receive through Employment and Support Allowance (ESA) and the health-related element of Universal Credit (UC). The proposed changes raise the threshold of conditions and limitations which would designate people as having 'limited capacity to work' (LCW) or 'limited capacity for work-related activities' (LCWRA) and therefore qualifying for additional benefits. In particular, they remove LCW qualifying criteria related to mobility and mental health, under the assumption that remote work should enable most people who were previously unable to work due to low mobility or poor mental health to take up remote jobs.

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<sup>9</sup> Chung, H. (2020). Gender, flexibility stigma, and the perceived negative consequences of flexible working in the UK. *Social Indicators Research*, 151(2), 521-545.

Chung, H. (2022). *The Flexibility Paradox: Why flexible working can lead to (self-)exploitation*. Policy Press.

<sup>10</sup> Wang, S., & Chung, H. (in review). Gender, parental status and flexibility stigma and the role of contexts. *mimeo*.

Despite many disability organisations and experts at our events expressing [concerns](#) that the proposed reforms will financially disadvantage, drive into poverty and further stigmatise disabled people unable to work, in November 2023 the Government announced its intention to go ahead with the reforms. This is despite a previous proposal in the March 2023 [Health and Disability White Paper](#) to abolish the Work Capability Assessment altogether, replacing it with one health and disability assessment. Given the significant risks these reforms to the Work Capability Assessment pose to the well-being of disabled people previously acknowledged as having low capacity to work, there is an urgent need for further research on the availability and impact of remote work for disabled people, and an ongoing dialogue with Government about the best ways to make workplaces more inclusive (including improving the Access to Work support scheme).

## How are disabled people's rights enforced?

If an employer does not make a reasonable adjustment which has been claimed due to disability, this could be grounds for a discrimination claim at an employment tribunal. The [Equality and Human Rights Commission](#) provides guidance for employers around workplace adjustments.

Although data is limited, some studies have found that prior to the pandemic, a reasonable adjustment request was more likely to be refused if the request was to work from home. For example, a [2020 study](#) by Cardiff University with 108 disabled lawyers found that home working was the most frequently refused reasonable adjustment request. The TUC [has also reported](#) that before the pandemic, it received widespread anecdotal evidence of disabled workers being denied flexible working including home based working as a reasonable adjustment. More data is needed on the types of reasonable adjustments which are accepted or rejected by employers.

The Remote4All [research study](#) conducted by Coventry University and funded by the Digital Innovation fund found that line manager support was crucial in ensuring that suitable reasonable adjustments were fully understood and implemented according to the needs of the individual. This highlights the importance of cultural change within workplaces, as well as guidance, support and training for line managers in ensuring hybrid work can be an enabler, rather than a barrier, for disabled people in the workplace.

General public perceptions of employer accommodation of reasonable adjustments are more positive than those of disabled people, with 64% of the general population [believing](#) that they felt most employers are willing to accommodate their employees disabilities, but dropping to 43% among those who have a long-term condition.

Protections are weaker for those making a request under the Flexible Working Act. Employers can reject a flexible working request for any of eight legal reasons which give them wide leeway – they include any additional costs for the business or impact on capacity to meet customer demand. Proposals to reduce these reasons submitted to the Government's consultation on the Flexible Working Act were ultimately rejected.

While there is no legal right to appeal a flexible working request, employees [can make an Employment Tribunal claim](#) if they feel that their employer did not engage with their flexible working request appropriately or did not follow legal procedure to consider the request. However, a tribunal has little scope to challenge an employer's refusal of a request based on their interpretation of the eight 'permitted reasons'.

Workers have much stronger rights to appeal a refusal of a flexible working request under the Equality Act 2010, if the reason for their request is due to disability or caring responsibilities. In such cases, refusal of a flexible working request could be [grounds for a potential discrimination claim](#).

An [investigation](#) by the CIPD has found that the 'odds are stacked against people' taking their

employer to employment tribunal, and that low-skilled, low-paid and non-unionised workers, as well as those working in SMEs, are among those most at risk of breaches of many aspects of employment legislation. The CIPD [has suggested](#) that the Government consider bringing responsibility for enforcing workers' rights under the Equality Act 2010 within the remit of a single enforcement body to help tackle discrimination at work.

## Guidance and good practice

Many attempts at encouraging employers to accommodate staff working flexibly have taken the form of good practice guidance demonstrating the potential benefits of hybrid working for both employers and employees. The Flexible Working Taskforce has recently [relaunched](#) its 'happy to talk flexible working' campaign, encouraging employers to advertise jobs as flexible in their job advertisements, to increase transparency and normalise flexible working for all.

Charities have produced guidance on hybrid working, including information on assessing roles for hybrid working, creating hybrid working policies and consulting employees on hybrid working. Some examples include:

- The Chartered Institute for Personnel Development [provides guidance](#) for employers on managing flexible working requests, for managers on supporting hybrid workers, and for employees on how to request flexible working. It is also currently working with the DWP on a line manager guide to appropriately supporting employees who are working in a hybrid way
- Guidance [from ACAS](#) on working from home and hybrid working
- [Guidance from the CMI](#) on avoiding the hidden problems of flexible working
- Practical [guidance](#) from Working Families on key areas of people management, recruitment and induction, inclusion and fairness, and health, safety and wellbeing (2021)
- [Advice](#) from Timewise, a flexible working charity, on how to make a success of flexible working
- [Guidance](#) from Make UK for employers on the latest issues associated with home and hybrid working
- The Health and Safety Executive [provides guidance](#) for employers on supporting disabled people in work, including remote work
- Unison provides a [bargaining guide and model policy](#) for working from home and hybrid working, with sections specific to disabled people

As flexible working becomes more mainstream, others are working on tools to allow employers to be more responsive to the needs of their remote workforce. For example, a group of academics from Coventry University have recently developed a psychometric assessment tool - ['e work-life'](#) - to measure remote workers' experience of remote working and wellbeing, better enabling organisations to understand how remote work is affecting their employees and introduce relevant support policies and guidance.<sup>11</sup> The same group is also developing a scale to specifically support neurodivergent and/or disabled remote workers, enabling development of interventions and guidance targeted at supporting this community of workers.

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<sup>11</sup> [Grant, C.A., Wallace, L.M., Spurgeon, P.C., Tramontano, C. and Charalampous, M.](#) (2019), "Construction and initial validation of the E-Work Life Scale to measure remote e-working", *Employee Relations*, Vol. 41 No. 1, pp. 16-33. <https://doi.org/10.1108/ER-09-2017-0229>

[Charalampous, M., Grant, C.A. and Tramontano, C.](#) (2022), Getting the measure of remote e-working: A further validation of the E-Work Life Scale. *Employee Relations* <https://doi.org/10.1108/ER-11-2021-0483>

# The evidence base

This section discusses what we currently know about the unequal distribution of hybrid working across the economy, and discusses the challenges to and importance of better data collection on disability and flexible working.

## Who has access to hybrid working?

There is relatively limited data on the association between disability and remote and hybrid working. Employers are not currently required to report on the proportion of their workforce who are disabled, making it difficult to track outcomes. There is no longitudinal data tracking long-term outcomes in relation to hybrid work and disability.

The [Understanding Society survey](#), which is longitudinal, asks people about any disabilities they have, and has begun monitoring working patterns, including hybrid and home working, since the pandemic. One [working paper](#) using Understanding Society data found that disabled people that people with disabilities were retained in work at lower rates than non-disabled people, particularly among those who had been working in the accommodation and food sectors, although driving factors behind this could not be identified. We still need more analysis of long-term employment outcomes to understand flows between sectors over time, and a better understanding of the factors driving disabled people to change or leave jobs.

ONS and UKHLS data demonstrates that hybrid working is much more popular in some sectors than others. In April 2020, industries such as communications, finance and insurance, science and public administration had over 70% of their workforce working at least partly at home, [compared to](#) only 30% for manufacturing and 39% for health and social care. A [survey](#) carried out during the pandemic confirms this trend, with 60% of those in manufacturing saying they had never worked from home, as opposed to 31% of those in finance and insurance.

In addition to sectoral differences, working from home is generally carried out by those in higher occupational groups with higher education levels. This is partly due to the structural limitations of certain jobs that cannot be done from home, but also linked to the fact that many employers, especially prior to the pandemic, were hesitant to give homeworking access to workers they do not trust to work without being monitored by the managers.<sup>12</sup>

Both ONS LFS data and evidence collected by the House of Commons Work and Pensions Select Committee shows that disabled people are over-represented in industries with lower rates and possibilities of home working, primarily service occupations like retail and leisure. This is echoed by an academic [analysis](#) of representative UK data which found that disabled people are overall less likely to work from home than non-disabled people, primarily because they are under-represented in those higher-level, managerial roles where remote working is more widely available. The Commons Committee [also found](#) that disabled people were more likely to be working in industries affected by the pandemic and to face redundancy than nondisabled people.

This trend is mirrored internationally. Population survey data from the US in 2020-21 [also indicates](#) that disabled people were less likely to work from home due to the pandemic compared to non-disabled people, for the same reasons of distribution across industries. An [analysis](#) of representative national surveys in the US found that even where disabled workers are more likely to work from home, this had no impact on the disability wage gap,

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<sup>12</sup> Williams, J., Blair-Loy, M., & Berdahl, J. L. (2013). Cultural schemas, social class, and the flexibility stigma. *Journal of Social Issues*, 69(2), 209-234.

Chung, H. (2019). 'Women's work penalty' in the access to flexible working arrangements across Europe. *European Journal of Industrial Relations*, 25(1), 23-40. <https://doi.org/10.1177/0959680117752829>

indicating that while home-based work may create more employment opportunities, it doesn't help erase wage disparities.

[Analysis by the Work Foundation](#) also finds that 27% of disabled workers (1.3 million) are in severely insecure work in the UK, compared to 19% of non-disabled workers. A recent [EHRC report](#) highlights that the number of disabled workers on 'flexible' but insecure contracts (such as zero hours contracts or working in the gig economy) rose more among disabled people than among non-disabled workers. While such work may be considered 'flexible', allowing workers control over working hours and locations, the lack of long-term security and predictability can also worsen a disabled worker's health and prospects of gaining secure employment.

These findings point to the need for further tracking and evaluation of measures of disability-specific support schemes to ensure evidence-driven policymaking, as well as the need to guard against viewing hybrid working as the primary corrective to the disability employment gap. Wider labour market interventions are required.

## The post-pandemic return to work

Since the lifting of pandemic restrictions, there have been periodic reports of employers mandating workers to return to work in the office. These have primarily been reported in the press, such as large [employers](#) including Goldman Sachs and JP Morgan mandating all employees back to the office full time, and many others like Google and Amazon requiring at least three days per week.

Yet in our conversations with experts, there was a suggestion that reports of the employer drive to return to in-person work may be exaggerated or selectively noted in the popular consciousness. There was a general impression that the drive to return to the office was less of an issue than the need for additional support for those working remotely, or the need to expand flexible working to organisations which had never offered it in the first place. For example, the [CIPD's latest employer survey](#), completed in May 2023, found that over 80% of organisations allow hybrid working, either formally or informally. Three-fifths (60%) of employees said that they have flexible working arrangements in their current role, up from 51% in 2022

Experts we spoke to raised the need to address a 'regulatory lag' in some statutory health and safety guidance which has not been updated to take account of increased flexible working post-pandemic. For example, Health and Safety at Work Act 1974 currently states that employers need to provide health and safety information and protection at any place of work 'under an employer's control'. Little consideration has been given to the extent this covers people's homes when they are working remotely.

## The need for better data on hybrid working and disability

Data harmonization is very important to improving disability research and policy. Currently, there is notable variation in the type of disability data that is collected by governments and employers, although there have been international initiatives to create a common question set for governments to collect population data on disability.<sup>13</sup>

There is an ongoing conversation within government around strengthening requirements for larger employer to report on equalities demographics, including whether reporting on disability status and disability support initiatives should be made mandatory. While many [campaign groups](#) believe that disability reporting should be made mandatory for large employers, others

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<sup>13</sup> Mont D, Madans J, Weeks JD, Ullmann H. Harmonizing Disability Data To Improve Disability Research And Policy. Health Aff (Millwood). 2022 Oct;41(10):1442-1448. doi: 10.1377/hlthaff.2022.00479. PMID: 36190879; PMCID: PMC10072006.

like CIPD and BDF have [pointed out](#) the challenges to a universal approach to disability reporting and the need for a step-change, voluntary approach.

[One study](#) describes the high degree of variation in question sets on disability developed for inclusion in surveys and administrative systems, demonstrating the need for greater data harmonization across employers and administrative systems to support the development of evidence-based policymaking around the needs of the disabled population.

Employers who have signed up to level 3 of the Government's voluntary [Disability Confident employer scheme](#) are encouraged to publicly report on the employment of disabled people at their workplace. The [Voluntary Reporting Framework](#) suggests that employers collect disability status of their employees via anonymous staff surveys or through employees self-service updating their HR records. The framework also includes guidance to report on how the organisation has dealt with requests for workplace adjustments, what policies they have in place to support disabled people in employment, as well as the progression and pay of disabled people.

The DWP is working with other organisations like the CIPD to encourage more employer employers to make use of the reporting framework to voluntarily report disability employment data, allowing for greater comparability of employment outcomes when mapped against working patterns. While this voluntary framework is a welcome encouragement towards better data, it suggests that disability data be collected on an anonymous basis, which prevents employers from reporting on a disability pay gap. This is a significant contradiction in the framework and sends a mixed message to employers regarding expectations on improving disability employment and pay gaps.

While better collection of demographic data should be pursued, the current lack of universal, standardised data contributes to the argument for offering hybrid working to all workers, including those who are disabled. Framing hybrid working as a smart working policy that benefits employers, rather than a cumbersome adjustment for a portion of their workforce, will reduce bias and stigma against those working flexibly, and make it easier for employers to apply a universal policy to their entire workforce.

# Impact

**This section reviews the current evidence on how disabled people experience hybrid working, arguing that hybrid working brings important benefits and should be available as widely as possible, but must be paired with additional support to ensure it doesn't create additional access barriers.**

As part of this project, we conducted an initial review of international studies on hybrid working and disability identified by our partners, the EPPI Centre. We reviewed eighteen studies conducted in OECD countries since 2018 focusing on disabled people's experiences of remote/hybrid working. It was surprising to find a relatively low number of academic studies focused on disability and remote working, indicating a need for ongoing rigorous evaluation. We also reviewed 'grey literature' such as policy papers, government documents, and reports by third sector organisations.

## Flexible working is desirable...

In the existing studies and reports, we found broad agreement about the benefits of flexible and remote working for disabled people, particularly in terms of their subjective experience of work: increased autonomy, flexibility, work-life balance, and ability to manage their health.<sup>14</sup> Flexibility is particularly desirable for disabled people. In [a study](#) conducted by the Work Foundation, 44% of those who self-reported having a long-term health condition wished they had more flexibility over their work schedule, compared to 35% of the general population. Many [believe](#) that the benefits are not just for organisations but for employers too: 85% of disabled workers surveyed felt more productive working from home.

Overall, both academic and policy literature advocates for retaining flexible working methods, protecting them in law as reasonable adjustments, and putting any necessary additional support in place (e.g. equipment, training for managers) for disabled people to work remotely. Similar positive attitudes were echoed by participants at our roundtable. Condition-specific studies focused on people with conditions like cancer and autism also found that hybrid and remote working had a positive correlation with return to work post-illness and ability to manage workload.<sup>15</sup>

Responses to the government consultation on flexible working in 2021 also showed positive attitudes to flexible working across most individuals, business representatives and other

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<sup>14</sup> Fuentes K, Ragunathan S and Lindsay S ;. (2023). **Varieties of 'new normal': Employment experiences among youth with and without disabilities during the reopening stages of the COVID-19 pandemic.** Work (Reading and Mass.), , pp..

Hannam-Swain Stephanie and Bailey Chris . (2021). **Considering Covid-19: Autoethnographic reflections on working practices in a time of crisis by two disabled UK academics.** Social Sciences & Humanities Open, 4(1), pp.100145.

Lake Betsy and Maidment David W. (2023). **"Is this a new dawn for accessibility?" A qualitative interview study assessing teleworking experiences in adults with physical disabilities post COVID-19..** Work, , pp.1-15.

<sup>15</sup> Kruse Douglas, Park So Ri and van der Meulen Rodgers Yana; Schur Lisa ;. (2022). **Disability and remote work during the pandemic with implications for cancer survivors.** Journal of cancer survivorship, 16(1), pp.183-199.

Kollerup Anna, Ladenburg Jacob and Heinesen Eskil ; Kolodziejczyk Christophe ;. (2021). The importance of workplace accommodation for cancer survivors - The role of flexible work schedules and psychological help in returning to work.. Economics and human biology, 43, pp.101057.

Tomczak Michal T, Mpofu Elias and Hutson Nathan ;. (2022). **Remote Work Support Needs of Employees with Autism Spectrum Disorder in Poland: Perspectives of Individuals with Autism and Their Coworkers..** International journal of environmental research and public health, 19(17),



interested groups. Employers [recognised](#) that flexible working contributes to improving access to employment, improved employee wellbeing, lower staff turnover and increased innovation. Research [has also shown](#) that offering flexible working can attract more applicants to job vacancies and encourage older workers to retire later. Flexible working can also support labour market participation – a valuable intervention in a context of growing economic inactivity.<sup>16</sup>

### ...But can also create new barriers

Yet it's also clear that remote working is not a universal solution. Research from the University of Lancaster [has highlighted](#) that disabled people face particular challenges when working remotely and may require additional support. Disabled workers [were concerned](#) that as people increasingly returned to the office post-pandemic, those who continued to work from home due to disability would lose out on career development and support opportunities (although there is no data on the extent to which this is true).

Participants at our roundtable and experts interviewed expressed concern that remote working is creating new access barriers for some. Some disabled people find themselves working longer hours at home to 'keep up' with tasks that would take less time for others. A study undertaken by Coventry University interviewing 24 disabled/neurodivergent employees [found that](#) new barriers are emerging and that it is important that key enablers are in place to support this community of remote workers.

Working harder while at home is not a phenomenon limited to disabled people or disadvantaged groups. Professor Heejung Chung has recently synthesised data from around the world demonstrating that the shift to remote working can lead to people working longer and harder, especially in a climate where we see decline in workers' bargaining power and increased levels of economic insecurity.<sup>17</sup> A recent TUC and University of Kent joint project using digital diaries, researchers have found that disabled workers who were working from home have reported the experiences of working harder and longer when working from home, especially in light of potential biased views of colleagues or employers regarding their work capacities.<sup>18</sup>

### Workplace adjustments must be personal and come with tailored support

Experts emphasized that there is no 'one size fits all' when it comes to preferred working methods. Studies focused on people's qualitative experiences of work environments [highlight](#) the different impacts of remote working. For example, working online provides a wide array of communication options and tools. For some this is a benefit, others find it overwhelming. Some appreciate the removal of distractions while working from home, while others miss in-person interactions.

For disabled people, working from home can allow better self-management of impairments and allow people to avoid inaccessible transport systems. Yet many people also have inaccessible homes. Disabled people face [significant extra costs](#) in their everyday life and while not perfect, legislation placing duties on employers has made workplaces more accessible, in some cases more so than people's homes.

Hybrid working often means need to double up on adjustments, putting in place (for example) assistive technology or support both at home and work. For example, people who require a support worker often cannot work with the same person at home and in the office because of

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<sup>16</sup> Chung, H., & Van der Horst, M. (2018). Women's employment patterns after childbirth and the perceived access to and use of flexitime and teleworking. *Human Relations*, 71(1), 47-72. <https://doi.org/10.1177/0018726717713828>

<sup>17</sup> Chung, H. (2022). *The Flexibility Paradox: Why flexible working can lead to (self-)exploitation*. Policy Press.

<sup>18</sup> Forthcoming – TUC (2024) *Making hybrid inclusive: Black workers' experiences of hybrid working*.

distance between the locations. This can lead to significant additional costs for employers, and can lead to employers questioning the threshold for 'reasonable' cost for disability adjustments.

Much assistive technology is licensed by device, so providing it on two computers can be expensive for employers. A recent [Country Capacity Assessment of Assistive Technology \(AT\)](#) for England has highlighted that processes for accessing technology are often slow and stressful for users and providers alike, and provision is highly fragmented across the country.

Data collected by the Business Disability Forum in its [Workplace Adjustments survey](#) highlights that 56% of disabled employees said there are still disability related barriers in the workplace after adjustments had been made, and that the success of a reasonable adjustment request often depended on an employee's tenacity and capacity for self-advocacy, creating unequal outcomes and placing the burden for reasonable adjustments on the employee rather than the employer.

# Looking ahead

This section points to areas where further policy development and research is needed to promote greater equality in employment for disabled people.

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## Flexible working rights & employer perspectives

The government summary of responses to its consultation on the Flexible Working Act notes that some respondents suggested that the government should go further and actively guarantee flexible working from day one to further support employees. In turn, many employers have suggested that this would not be 'reasonable' and would entail significant disruption to their working practices, especially in workplaces which rely on shift work or on-site service delivery (such as retail or service industry).

In response, the CIPD has [called for](#) the government to create a 'flexible working challenge fund' for businesses with non-office and front-line workers to trial and promote different forms of flexible working. Such an approach could have important implications for regional inequalities, since some parts of the UK will have much larger concentrations of non-office workers, as well as SMEs which may find it more difficult to meet employees' reasonable adjustment requests within their budgets.

Employer perceptions of remote work continue to pose a challenge. There is a 'perception gap' among employers around the impact of remote or hybrid working productivity. Those whose whole teams already work from home are [more likely](#) to think that their workforce is more productive working remotely, while those who retained an in-person or hybrid approach more likely to think remote work can be a barrier to productivity. Making the right to flexible working universal, and tracking the impact this has on productivity, would help to normalise flexible working and tackle employer stigma.

Clearly, the concentration of disabled workers in certain industries, usually with less possibility of working from home, poses an ongoing problem to equitably distributing the positive benefits of hybrid working. An [international policy scan](#) of approaches pursued by other countries highlights a suite of possible approaches to support labour market participation by disabled people.

## International practice & need for evaluation

For example, in some countries, employers over a certain size must ensure that a certain proportion of their workforce is disabled, such as in Brazil, where companies with more than 100 workers [are required to ensure](#) a minimum of 2%-5% of their employees are disabled people. Financial incentives for employers who employ a certain proportion of disabled people were common, as was funding for employers to make workplaces more accessible or provide accessibility-enabling equipment. Australia has invested approximately AU\$1.4billion per year towards implementing its Disability Employment Services (DES) programme since 2018, with specialist businesses contracted by government to support and monitor disabled people in receipt of income support.

Yet there are few studies evaluating the long-term impacts of employment quotas for disabled people. More international research is needed on this subject. One 2018 assessment of disability employment quotas across several countries in Asia found that they have [minimal impact](#) on the disability employment gap. Similarly, the DES programme in Australia led to burgeoning costs for the government but little impact on employment outcomes, with [evaluations suggesting](#) that wider vocational and structural barriers make it more difficult for those with multiple barriers to access jobs. The DES programme prioritises those with fewer barriers who appear more likely to maintain employment. There is a real need for further evaluation of these programmes to provide clear evidence for what works to governments around the world.

## Barriers to accessing support

While funding and support for accessibility-enabling equipment is welcome, participants in our roundtable highlighted that in the UK the bureaucratic hurdles to accessing support funds can act as a significant barriers and are often inaccessible themselves, often leading disabled people to pay for necessary support themselves. Of disabled members who responded to a 2022 [Unison survey](#) on flexible working, only 5% had help from Access to Work, the government's flagship programme that funds adjustments for disabled workers, and 41% did not know about Access to Work. Reform of the Access to Work programme is needed to make supportive equipment and technology easier to access. This could be paired with a focus on better support for employers to ensure they take on more of the responsibility for providing reasonable adjustments.

## Wider policy context

Support for remote working also intersects with wider regulation around workers' rights which can impact the experience of working in a hybrid way. For example, other countries including Belgium and Argentina have legislated for the 'right to disconnect', meaning the right to disengage from work outside of normal working hours. Such protections may help to mitigate some of the trends towards 'self-exploitation' which other studies have highlighted as a risk of remote working.

The wider context of low productivity and rising economic inactivity in the UK provides an important policy imperative to understand how changes to ways of working, including hybrid working, impact the wider workforce, but particularly disabled people who experience a significantly lower rates of employment. With the pandemic fast fading into the past, this may be the last opportunity to capture deep qualitative evidence on people's experiences during the pandemic and to embed the shifts in policy and practice which happened at speed during the pandemic. The kind of data we collect and the questions we ask today will impact the economic trajectory and the lives of disabled people for years to come, and more focus on evidence-gathering to understand how interventions are working is essential to ensuring the innovative shifts of the pandemic era are not lost.

# Why we did this work

This briefing paper is the product of a programme of work and engagement on the topic of hybrid work and disability undertaken by the International Public Policy Observatory (IPPO) in summer and autumn 2023.

At IPPO, our work is shaped and framed by conversations with decision-makers from across the UK and devolved nations, understanding where academic evidence can support policymaking in changing circumstances and responding to [Areas of Research Interest](#) from Government departments.

In 2020, the UK Government Office for Science identified the 'Future of Work' as an Area of Research Interest, building on the work of the [Rebuilding a Resilient Britain](#) programme, noting an evidence gap on the long-term effects of the shift to remote working on the wellbeing and productivity of the workforce.

Following conversations with policymakers on this topic, IPPO convened a [roundtable of experts](#) in May 2023 to discuss the impact that changes to working patterns are having on individuals' wellbeing and economic productivity, and what additional evidence reviews would be useful to decision-makers. Discussions identified a particular interest and evidence gap around the impact of remote working on disabled people.

At IPPO, we have a focus on addressing socioeconomic inequalities and focusing on those groups which are most likely to experience additional barriers or disadvantages. When scoping this work, we became particularly interested in hybrid working arrangements – as opposed to other forms of flexible work – because this way of working means disabled people may require assistive technology or other adjustments in two places: both at home and in the office. We were particularly interested in investigating the 'double burden' this can create for disabled people.

However, the statutory landscape surrounding disability and hybrid working is usually broader, with legislation relating to people's rights to request flexible working, and reasonable adjustments covering a variety of possible support mechanisms or changes to working pattern. While we set out to maintain a focus specifically on hybrid working throughout this paper, at times the evidence cited encompasses hybrid working together with other forms of flexible working, such as home working or flexible hours.

In September 2023, IPPO organised a further roundtable focused specifically on hybrid work and disabilities, bringing together academics, policymakers, and stakeholders from across the UK to discuss key developments and policy challenges around hybrid working and disabilities over the last few years.

In autumn 2023, we also conducted a series of one-to-one meetings and discussions with policy stakeholders working in this space and conducted a rapid literature review of existing academic papers. Our partners at the [International Network for Governmental Science Advice](#) have also produced an international policy scan highlighting different approaches to workplace support and disability around the world.

We believe that lived experience and qualitative evidence is essential to understanding the experiences of disabled people. While we were not able to resource wider lived experience research for this project, many of the experts who participated in our roundtables and discussions themselves have lived experience of disability, and we focus on existing evidence from advocacy organisations who have conducted wide-ranging engagement with disabled people alongside qualitative academic

studies. As an organisation, we are working to understand how we can more effectively involve lived experience within our work more broadly, and specifically with regard to disability.

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