



DISABILITY FEDERATION OF IRELAND

Guide to Government Policy on Disability

For Voluntary Disability Organisations

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The New Direction of Disability Policy

Since DFI was invited by Government to represent the disability interest in social partnership, the organisation has played a key role in moving the issue of disability to the centre of Ireland's social policy agenda.

The primary aim of this guide is to facilitate an understanding of the new direction brought about by a number of policy developments in relation to disability. The most notable of these are the National Disability Strategy, its reflection in the social partnership agreement, Towards 2016, and Government commitments contained in the Programme for Government (2007) and Renewed Programme for Government (2009). These developments will impact on the work of voluntary disability organisations and on people with disabilities.

It is intended that this guide will assist stakeholders to understand the changes in Government policy on disability, and to identify the monitoring systems now in place to ensure delivery of this policy. The guide will also support voluntary disability organisations in their work to achieve full inclusion for people with disabilities.

To assist in the process of supporting voluntary organisations, the guide will:

- Explain the disability policy commitments contained in the National Disability Strategy and Towards 2016.
- Provide an understanding of the structure of the National Disability Strategy.
- Provide an understanding of key disability specific developments as a consequence of the National Disability Strategy and Towards 2016.
- Provide an understanding of 'Mainstreaming' in the context of obligations on public bodies and Sectoral Plan commitments.
- Describe the monitoring infrastructure in place for implementing Government policy on disability.
- Examine the 'Role of Disability Organisations' in this new environment.

It should be noted that the information outlined in this printed guide captures a specific 'moment in time' in the context of disability policy developments. The guide is part of an ongoing information process that is provided by DFI,

and which will be kept current on the DFI website,

www.disability-federation.ie

The guide, therefore, does not represent the last word on this issue. Together with website updates, and reference to primary policy documents, as noted in this publication, the guide forms part of an ongoing DFI process of information provision in relation to disability policy in Ireland.

In reading this guide, there is no doubt that the disability sector has made great advances in recent times. It is clear that perseverance and a passionate concern for the dignity and rights of disabled people have brought us to this point.

As a sector we can now build on these gains. We need to grasp the opportunities that are available, so that people with disabilities can benefit to the maximum extent from the commitments made through the National Disability Strategy, and embedded in Towards 2016. It is an important time for voluntary disability organisations. We will need to work differently, to join in collaboration with other community and voluntary organisations, with Government and with other statutory organisations and agencies. By embracing this new way of working, organisations will be instrumental in releasing

significant potential for further and far reaching gains for disabled people.

It is now the intention of Government to provide disability services to a greater extent in a mainstream context. This will have implications for the disability sector.

One such implication is that there will be a greater role for voluntary disability organisations in supporting and influencing other organisations, sectors and agencies, beyond the disability specific arena. This is essential if people with disabilities and disabling conditions are to be empowered to maximise their opportunities, to experience the full benefit of wider access to enhanced disability specific and mainstream public services.

Unfortunately, however, we must now do so in a very different economic context, one in which the levels of funding for priority services for people with disabilities continue to be reduced. Organisations must be prepared to meet this challenge. DFI will be there to help at all stages of the process.

Paul Ledwidge
Chairperson

1. Introduction

A Vision for the Future – Changing the Lives of People with Disabilities

1.1 The New Policy Context

Before detailing specific elements of Government policy in relation to people with disabilities, the context within which this policy is delivered needs to be set.

The implementation of this new approach is an ambitious programme which is set within the ten-year framework of Towards 2016, the social partnership agreement.¹ The implication of these developments is that the issue of disability has now been prioritised in Government policy. For the first time, the State has resolved to ensure that disabled people can participate, to the fullest extent possible, in all aspects of life in Ireland. It is an unprecedented commitment.

In addition to specific disability commitments contained in both the National Disability Strategy (NDS) and Towards 2016 (T16), a 'lifecycle framework', outlined in Towards 2016, also ensures that people with disabilities will benefit from all commitments in that agreement. This 'lifecycle framework' encompasses the whole population, children, people of working age, older people and people with disabilities through all stages of their lives.

Central to the new approach is the focus of Government on the high levels of social, economic and cultural disadvantage experienced by people with disabilities.

Now, the State articulates a new vision of the rightful place of people with disabilities in Ireland.

The State is now committed to a new vision of:

“....an Ireland where people with disabilities have, to the greatest extent possible, the opportunity to live a full life with their families and as part of their local community, free from discrimination.”

Towards 2016 (p.66)

To achieve this new vision, Government has identified five long term goals, against which all developments and activities affecting people with disabilities should be benchmarked. These long term goals are detailed in Towards 2016.

All commitments under the National Disability Strategy are endorsed by all of the social partners, together with Government, through the social partnership agreement, Towards 2016.

Towards 2016

Long Term Goals

Every person with a disability would have access to an income which is sufficient to sustain an acceptable standard of living

Every person with a disability would, in conformity with their needs and abilities, have access to appropriate care, health, education, employment and training and social services

Every person with a disability would have access to public spaces, buildings, transport, information, advocacy and other public services and appropriate housing

Every person with a disability would be supported to enable them, as far as possible, to lead full and independent lives, to participate in work and in society and to maximise their potential

Carers would be acknowledged and supported in their caring role

1 The social partnership process emerged in Ireland in the 1980s in the context of recession, falling living standards, rapidly rising unemployment and emigration, and a developing crisis in the public finances. Government and the social partners have agreed that the implementation of the National Disability Strategy should be the focus of disability policy over the lifetime of the current Social Partnership Agreement, Towards 2016.

2. Understanding Commitments to People with Disabilities

2.1 The Structure of the National Disability Strategy

The definition of disability underpinning the National Disability Strategy is noted in the Disability Act 2005:

“.....‘disability’, in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment.”

At its launch in September 2004, the National Disability Strategy was presented with five components:

- Disability Act 2005.
- Six Sectoral Plans.
- Education for Persons with Special Educational Needs Act 2004 (EPSEN).
- Citizens Information Act (2007) including commitment to Personal Advocacy Service (PAS).
- A Multi-Annual Investment Programme (2005 – 2009).

These five components build on existing policy and legislation, including the anti-discrimination provisions of the Equality Acts² relating to employment and the provision of facilities, goods and

services. In addition, Government has committed to amending the Cabinet Handbook³ to ensure that substantive directions from Government are disability proofed.

The National Disability Strategy:

- Together with its reflection in Towards 2016, is a positive action measure aimed specifically at addressing the social disadvantage experienced by people with disabilities.
- Is based on a number of critical changes in how we understand, plan for, and deliver, services to people with disabilities as equal citizens in Irish society.

The implications of the National Disability Strategy are that:

- People with disabilities, in the same way as other Irish citizens, will use, wherever possible, mainstream public services, including primary care, information, education, training, and employment, to meet the majority of their health and social needs.
- People with disabilities will be included in the planning and delivery of local services – they have a right to access and receive mainstream goods and services in their local communities.

- People with disabilities, who satisfy certain criteria, have a right to an Independent Assessment of Need (IAN) and Service Statements relating to their disability specific needs and services, including health and education services.

2.2 Understanding The New Policy Context

The new policy context concentrates on enhancing two mutually supporting areas, namely, disability specific services and access for disabled people to mainstream public services.

I. Disability Specific Services

The new policy context:

- Ensures increased access for people with disabilities to specialist disability health services, through Part 2 of the Disability Act 2005 and the Independent Assessment of Need, that is, assessment of a person's health and personal needs, legislated for under the Disability Act 2005. The Independent Assessment of Need currently applies only to 0 to 5 year olds.⁴
- Connects the Independent Assessment of Need with the assessment of the person's

² Equality Act (2004, 2000, 1998).

³ The Cabinet Handbook is an internal Government (Cabinet) guide for Ministers. Its purpose is to assist Ministers and officials in the preparation of matters to be dealt with at Government meetings, in accordance with the principles of collective responsibility. It also offers guidance on a number of ancillary matters.

⁴ The Independent Assessment of Need has been suspended because of the current economic situation.

educational needs under the Education for Persons with Special Educational Needs Act 2004 (EPSEN).

- Allows for the establishment of a Personal Advocacy Service (PAS) under the Citizens Information Act 2007, the function of which is to support people to access their entitlements to social services. The Citizens Information Board (CIB) will administer the PAS process.⁵ The CIB also provides comprehensive information on issues around the National Disability Strategy.

II. Mainstream Services

- The National Disability Strategy makes clear the definition of mainstreaming in stating, in Section 26 of the Disability Act 2005, that public bodies should integrate services for people with disabilities and persons without disabilities, where practicable and appropriate. They will, in particular, provide supports to people with disabilities, where appropriate, to access mainstream public services.

- This commitment to ‘mainstreaming’ is underpinned by six statutory Sectoral Plans, in which six key Government Departments set out their programme of work in this regard.
- These Plans include an outline of access to public buildings and services as well as responsibilities under public service employment which require public bodies to promote and support the employment of people with disabilities.
- Individual Sectoral Plans also include Department specific initiatives and positive action measures aimed at responding to the needs of their ‘customers’ with disabilities.

To better understand the role disability organisations must play in supporting and securing the implementation of the Strategy, an overview of some core commitments, both disability specific and mainstream, contained in the Strategy are outlined in 2.3 below.

2.3 Enhanced Disability Specific Service for People with Disabilities

Disability commitments that are specific to the individual are contained in:

⁵ The PAS was envisaged as a resource to complement other forms of advocacy (e.g. funded advocacy projects, community visitors) in dealing with the more complex cases. Currently the PAS programme under the Citizens Information Act 2007 has been paused because of funding issues.

- The Education for Persons with Special Educational Needs Act (2004).
- The Independent Assessment of Need under Part 2 of the Disability Act.
- The Personal Advocacy Service under the Citizens Information Act 2007.

The main points of these disability specific commitments are outlined at the end of this section.

2.4 Mainstreaming of Public Services for People with Disabilities – Obligations on Public Bodies and Sectoral Plans

Since June 1997 Government has stated that policy relating to disability, previously delivered through the health arena, now belongs ‘on the agenda of every Government Department and public body’.⁶

“We are committed to ensuring that disability is placed where it belongs, on the agenda of every Government department and public body”

An Action Programme for the Millennium (June 2007)

⁶ ‘An Action Programme for the Millennium’ Fianna Fáil / Progressive Democrats Programme for Government 1997, p.18.

Mainstreaming

The policy of ‘mainstreaming’.

Requires that services and supports for people with disabilities are provided in the same way that services and supports for other members of society are provided, that is, in the mainstream.

Encompasses the broader needs of people with disabilities, such as housing and employment, as part of mainstream policies in these areas.

2.4.1 Obligations on Public Bodies

The new policy direction requires public bodies to:

- Plan for disability access to public buildings by 2015 (Disability Act 2005, Part 3).
- Integrate, where practicable and appropriate, their services for people with disabilities with those of persons without disabilities.
- Ensure communications are, as far as is practicable, in an accessible format.

- Designate an ‘access officer’ to assist people with disabilities in accessing its services.
- Provide a complaints mechanism and an ‘inquiry officer’ to deal with complaints; appeals can be made to the Ombudsman, **www.ombudsman.gov.ie**
- Meet employment targets in the public sector that are established on a statutory basis, of at least 3% (Part 5 of the Disability Act 2005), for people with disabilities.

2.4.2 Government Departments with Sectoral Plans

A system of Departmental Sectoral Plans has been legislated for. The purpose of these Sectoral Plans is to ensure that disability is given due priority in service planning and delivery in the work of six key Government Departments:

- Health and Children
- Social Protection⁷
- Transport
- Environment, Heritage and Local Government
- Communications, Energy and Natural Resources
- Enterprise, Trade and Innovation⁸

The Sectoral Plans were developed in consultation with the disability sector, and were approved by the Oireachtas in October 2006. Any revisions must be voted by both Houses of the Oireachtas, and progress reports must be submitted to the Oireachtas every three years. Together, the specific obligations on public bodies and the obligations under the Sectoral Plans ensure that responsibility for disability extends across Government.

7 Previously the Department of Social and Family Affairs.

8 Previously the Department of Enterprise, Trade & Employment.

Key Sectoral Plan, EPSEN and other Commitments

The section that follows outlines some of the key commitments in EPSEN and the Independent Assessment of Need, and key obligations in each of the Departmental Sectoral Plans.

Education for Persons with Special Educational Needs Act

The Education for Persons with Special Educational Needs Act (2004) (EPSEN) sets out how the State intends to make provision for the education of persons with special educational needs in future. The following are some of its key commitments:

- For children and young people up to 18 years, EPSEN makes provision, where appropriate, for an assessment, the development of an Individual Education Plan (IEP), and an independent appeals process. An Individual Education Plan sets out the learning goals that are to be achieved by a student over a specific period of time.
- Having been notified by the parents of a student in the school, or having otherwise formed the opinion, that the student is not benefiting, to the extent that would be expected of the student, from the education programme provided in the school to children who do not have special educational needs, the school principal shall take such measures as are practicable to meet the educational needs of the student concerned.

- If the principal is of the opinion that the student concerned is still not benefiting from the special measures taken, and that this may arise from the student having special educational needs, the principal, after consultation with the parents of the student, shall arrange for an assessment of the student to be carried out. The National Council for Special Education will oversee the process.
- The Individual Education Plan will detail the teaching strategies, resources and supports necessary to achieve those goals and will be reviewed annually.
- Phased process for implementation of IAN is envisaged, with children and young people aged 5 to 18 being covered for health, personal supports and educational supports concurrently. The process to begin when the relevant provisions of the EPSEN Act commence.⁹
- The Independent Assessment of Need (IAN) under the Disability Act interconnects with the EPSEN Act for children and young people up to 18 years of age.
- Health and education staff will co-ordinate their work to cover health, personal services and special education as appropriate. The HSE may request education services from NCSE for a child and the NCSE may request health services from HSE.

⁹ It was planned that the steps required to commence EPSEN would be in place by the end of 2010. This has now been postponed indefinitely, due to the cost implication of full implementation of EPSEN. However some activities have been progressed by the Department of Education and Skills and the Department of Health and Children to further implementation on a non-statutory basis. The original implementation plan is available on the website of the National Council for Special Education www.ncse.ie

Independent Assessment of Need

The Independent Assessment of Need (IAN) is legislated for under Part 2 of the Disability Act. IAN is an assessment of the full range of a child or young person's needs associated with his or her disability. An assessment report detailing the child or young person's health and educational needs and the services required to meet those needs is provided.¹⁰

- IAN is being implemented on a phased basis and currently only applies to 0 – 5 year old children. (The IAN for 5 – 18 years old has been paused because of funding restrictions in the current economic climate.)
- Although the IAN for children 5-18 years is currently on hold, a national project, Progressing Disability Services for Children 0-18, was established within the HSE in June 2010 to address current serious issues for that group.
- The HSE must present a report annually to the Minister for Health and Children – these Reports will inform future planning of disability services.
- The assessment is undertaken without regard to available resources and documented in an assessment report.
- The assessment is to be co-ordinated by an independent assessment officer within the HSE.

- The Liaison Officer prepares a Service Statement setting out, within available resources, what HSE funded services will be provided, and what education services will be provided to adults, and the time frame involved. The individual then becomes entitled to receive the services set out in the Statement. The Liaison Officer will assist with communication between individuals and public bodies providing services.
- The process includes provision for reviewing assessments and Service Statements.
- Applicants must be allowed to participate in the process, either personally or through a designated representative.
- Applicants have a right to redress through independent complaints and appeals mechanisms, including, if necessary, the enforcement of decisions through the Circuit Court.
- Complaints about the contents of the Service Statement or the failure to provide a service within the time frames prescribed are heard by a complaints officer in the HSE. Complaints procedures are also set out in EPSSEN.
- The following can be appealed to the Disability Appeals Office (www.odao.ie):
 - A finding that a person does not have a disability.
 - Failure to adhere to timeframes for starting or completing an assessment.
 - Assessment was not carried out in accordance with regulations.
 - Contents of the Service Statement.
 - Failure to provide a service set out in a Service Statement.
- A recommendation by the complaints officer can be appealed to an independent appeals officer appointed by the Minister for Health and Children.

10 See also information in this section relating to Department Of Health And Children Sectoral Plan.

Department of Health and Children

The Disability Act 2005 states that the Sectoral Plan 'shall contain information concerning – (a) services provided by or on behalf of the Minister to persons with disabilities'. The Department of Health and Children Sectoral Plan includes:

- An outline of the concept of mainstreaming of health services for people with disabilities.
- Arrangements for implementation of the Independent Assessment of Need.
- A review of the existing information management systems within the disability and mental health services.
- Details of services to be provided, such as primary care and specialist health services.¹¹

Note: As of June 2009, finalisation of the revised Sectoral Plan by the Department of Health and Children has been deferred until completion of the Value for Money and Policy Review of Disability Services.

- Eligibility criteria for service provision.
- Legislation to establish HIQA (this legislation is now passed), the Social Services Inspectorate, and legally binding Service Standards.
- Details of the €900m Multi-Annual Investment Programme 2006 - 2009 under the National Disability Strategy, to provide development funding for disability specific support services.
- Arrangements for co-ordinating services and initiatives between Government bodies in relation to education, housing, income supports, vocational training and employment.
- Provision for national consultation and monitoring processes through a National Disability Advisory Committee.

(Note: of that €50 million was allocated under MAF in 2008, but instead a reduced amount of €33 million was provided and no funding was provided in 2009).

11 Although people with disabilities are now in part accessing services through the mainstream health services, such as those provided through Primary Care Teams, mainstream services are still underdeveloped. Furthermore, any developments that there have been are not comprehensively captured or supported through the existing Department of Health and Children Sectoral Plan. It is hoped that such developments will be rectified in the forthcoming review of this Sectoral Plan.

Department of Social Protection¹²

The Disability Act 2005 states that the Sectoral Plan 'shall contain information concerning – (a) services provided by or on behalf of the Minister to persons with disabilities'. The Department of Social Protection Sectoral Plan includes:

- Development of co-ordinated 'activation measures' for people of working age to improve access to training and work, by means of prompt and effective assessment and the removal of disincentives in benefits Programmes.
- Memorandum of Understanding with Department of Enterprise, Trade & Innovation¹³ and FÁS to promote activation.

- Development of the Personal Advocacy Service (PAS)¹⁴ under the Citizens Information Act 2007.
- Provision of improved income supports for carers.
- Implement revised earnings disregard for disability allowance which exempt a proportion of earnings from employment.
- Review of a Cost of Disability Payment [brought forward under Programme for Government June 2007].
- Arrangement for transfer of functions from Department of Health and Children to Department of Social Protection for certain benefits.
- Consultation and monitoring nationally through the Disability Consultative Forum.

12 Previously known as the Department of Social & Family Affairs.

13 Previously known as the Department of Enterprise, Trade & Employment.

14 This programme has been paused because of funding issues.

Department of Enterprise, Trade and Innovation¹⁵

The Disability Act 2005 states that the Sectoral Plan 'shall contain information concerning – (a) services provided by or on behalf of the Minister to persons with disabilities'. The following are some key points in the Department of Enterprise, Trade and Innovation Sectoral Plan:

- The development of a comprehensive employment strategy aimed at promoting systematic engagement with people with disabilities – specific target of 7,000 set for increased employment of people with disabilities.
- An increase in the maximum period during which people with disabilities can be on Community Employment.
- Provision of enhanced employment programmes and vocational training, including implementation of the FÁS Vocational Training Strategy.

- A protocol with Department of Social Protection¹⁶ to extend activation, and with Department of Health and Children bridging rehabilitation and vocational training.
- Further development of supports to open market employment in both public and private sectors.
- Increased participation rates on Community Employment schemes.
- Increased target for usage of FÁS services.
- Exploration of the extension of the National Employment Action Plan (NEAP) / FÁS referral process to people with disabilities in the context of their special needs.
- Promotion of safe workplaces and practices.
- Consultation and monitoring nationally through the Consultative Forum on the Employment Strategy.

15 Previously the Department of Enterprise, Trade and Employment.

16 Previously the Department of Social & Family Affairs.

Department of Transport

The Disability Act 2005 states that the Sectoral Plan 'shall contain information concerning – (a) services provided by or on behalf of the Minister to persons with disabilities'. The Department of Transport Sectoral Plan includes:

- Application of concept of 'Transport for All' in relation to public transport, including taxi services.
- Information on investment in the different modes of transport necessary to increase accessibility.
- Time frames identified for progress and completion set.

- As an example, inter-city coaches, both public and private, to be replaced by coaches that are accessible to people with mobility, sensory and cognitive impairments by 2015. A commitment to have all trains accessible by 2009 has largely been implemented.
- Links encouraged amongst agencies, including local authorities, to facilitate mobility for people with disabilities.
- Review of disabled parking.
- Consultation and monitoring nationally through the Public Transport Accessibility Committee.

Department of Environment, Heritage and Local Government

The Disability Act 2005 states that the Sectoral Plan 'shall contain information concerning – (a) services provided by or on behalf of the Minister to persons with disabilities'. The Department of Environment, Heritage and Local Government Sectoral Plan includes:

- That each Local Authority's disability implementation plan will set out a programme, with dates, for progressing the objective of ensuring that public places, roads, pedestrian crossings and footpaths provided by it are, as far as possible, accessible to and usable by persons with disabilities.
- Development of a National Housing Strategy for people with disabilities that facilitates access to appropriate housing and accommodation.

- Reform of the Disabled Persons Grant Scheme to improve equity and targeting.
- Housing Adaptation Grant Scheme has been implemented and is now being evaluated.
- Arrangements for co-operation and co-ordination on cross-cutting disability issues between bodies at national and local levels, for example, combining housing needs with appropriate health and social supports.
- Updating of standards set out in Part M (access for people with disabilities) of the Building Regulations, and provision of more effective enforcement of those standards.
- By 2015 local authorities to have completed comprehensive audits and plan for remedial action to make facilities and buildings accessible.

Department of Communications, Energy and Natural Resources

The Disability Act 2005 states that the Sectoral Plan 'shall contain information concerning – (a) services provided by or on behalf of the Minister to persons with disabilities'. The Department of Communications, Energy and Natural Resources Sectoral Plan includes the following:

- The Commission for Communications Regulation (ComReg) reviewed the Universal Service Obligations that concern the availability of basic fixed line telephone services at an affordable price to end users to include regulatory measures for people with disabilities.
- Consultation on the provision of an Emergency Call Answering Service conducted in August 2009 regarding introduction of Emergency Call Answering Service accessible to people with disabilities.

- ‘An Post’ owned premises and new ‘An Post’ appointed Sub Post Offices to be accessible within two years. Existing non-compliant Sub Post Offices, while being encouraged to be compliant, are not obliged to be.
- Consultation and monitoring nationally to be undertaken through a committee comprising the Department, ComReg, the National Disability Authority (NDA) and other commercial sectors involved in the Plan.
- Schedule for subtitling of TV programmes created.

3. Disability Policy Implementation and Monitoring Framework

The implementation of the National Disability Strategy and the realisation of the vision for people with disabilities is a huge challenge. The overarching responsibility for the implementation process lies with the Oireachtas, and over time a significant framework has been developed in terms of procedural and monitoring mechanisms to ensure the delivery of Government commitments.

3.1 Monitoring Mechanisms and Consultation Structures

The Department of the Taoiseach, the Department of Community, Equality and Gaeltacht Affairs¹⁷, and the Office for Disability and Mental Health, as well as a number of other mechanisms, are part of the framework of the monitoring and consultation process for the implementation of the National Disability Strategy. The key elements of the monitoring process are outlined below, and an illustration of the implementation and monitoring mechanisms also can be found on p.35.

a) Department of the Taoiseach

The Department of the Taoiseach has overall responsibility for monitoring the National Disability Strategy. The Cabinet Sub-Committee on Social Inclusion, chaired by the Taoiseach, has the role of ensuring co-ordination of the implementation process across Government departments.

The Department of the Taoiseach chairs the National Disability

Strategy Stakeholders Monitoring Group (NDSSMG) (see (e) overleaf), which meets twice yearly to review progress reported by the Government departments named in the National Disability Strategy. This allows the Strategy to be monitored on a ‘whole of Government’ basis.

b) Disability Equality Unit - Department of Community, Equality and Gaeltacht Affairs¹⁸

The role of the Disability Equality Unit is to provide ongoing coordination and monitoring of the implementation of the NDS across all departments. It also acts as secretariat to the NDSSMG and submits twice yearly progress reports to the Cabinet Sub-Committee on Social Inclusion.

c) The Office for Disability and Mental Health

The Office for Disability and Mental Health was established to support the Minister for Disability and Mental Health in exercising his responsibilities across four key Government departments¹⁹.

- Health & Children
- Education & Skills
- Enterprise, Trade & Innovation
- Community, Equality and Gaeltacht Affairs

The Office for Disability and Mental Health brings together responsibility for a range of different, but related, policy areas and state services which directly impact on the lives of people with disabilities²⁰. The Office provides leadership in terms of managing the delivery of the National Disability Strategy and realising the vision for people with disabilities. The Minister’s Office prioritises key issues or areas that:

- are central to the success of the National Disability Strategy (e.g. health agenda);
- may be proving difficult to activate;
- may need enhanced attention.

The various Government departments are expected to work very closely with the Department of the Taoiseach, Equality Unit of the Department of Community, Equality and Gaeltacht Affairs and the Office for Disability and Mental Health on all relevant issues. This is to ensure maximum return from the ‘whole of Government’ approach that underpins the NDS. The development of similar Offices for Children and Young Adults, and for Older People is also noteworthy.

17 Until recently the ‘Equality’ agenda was the responsibility of the Department of Justice, Equality and Law Reform.

18 The responsibility for the ‘Equality’ agenda now rests with the Department of Community, Equality and Gaeltacht Affairs.

19 Department of Education and Skills was formerly Department of Education and Science, Department of Enterprise, Trade and Innovation was formerly Department of Enterprise, Trade and Employment, and the Equality Unit, now under the auspices of the Department of Community, Equality and Gaeltacht Affairs was formerly under the auspices of the Department of Justice, Equality and Law Reform.

20 Speech by Minister John Moloney, Minister for Disability, Equality and Mental Health at the launch of Multiple Sclerosis Ireland’s National Activity, Exercise and Physiotherapy Research Programme, 24th June 2008.

d) National Disability Authority (NDA)

The NDA (www.nda.ie), established under the National Disability Authority Act 1999, provides independent, evidence based advice and information to the Minister for Community, Equality and Gaeltacht Affairs²¹.

e) National Disability Strategy Stakeholders Monitoring Group

NDSSMG is made up of the following:

- Senior Officials Group, comprising representatives from
 - The Department of the Taoiseach
 - The Department of Community, Equality and Gaeltacht Affairs
 - The Department of Education and Skills
 - The Department of Finance
 - Each of the six Government departments with Sectoral Plans
- Disability Stakeholders Group (DSG) See (f) below
- The following organisations and groups are also represented at meetings of the NDSSMG:
 - National Disability Authority
 - Health Service Executive
 - National Council for Special Education

- Irish Congress of Trade Unions
- Irish Business Employers Confederation
- FÁS
- Commission for Communications Regulation

The NDSSMG is jointly chaired by the Department of the Taoiseach and the Chair of the DSG, and meets twice each year to discuss its bi-annual progress reports. The following are some key points in relation to the bi-annual progress reports:

The progress reports are presented twice a year by the Disability Equality Unit to the Cabinet Sub-Committee on Social Inclusion.

- The purpose of the progress reports is to monitor and review progress on the implementation of the National Disability Strategy.
- It is expected that progress will be reported in keeping with the vision of the National Disability Strategy and having regard for the five long-term goals set out in Towards 2016.
- A summary report outlining the key developments for the period concerned, and individual reports from Sectoral Plan Departments and the Disability Equality Unit of the Department

²¹ The NDA previously provided this information to the Minister for Justice, Equality and Law Reform. The Equality Unit of that department has now been transferred to the Department of Community, Equality and Gaeltacht Affairs.

of Community, Equality and Gaeltacht Affairs are published.

f) Disability Stakeholders Group

The role of the DSG is to monitor and track the commitments in the National Disability Strategy, as reflected in Towards 2016. Representatives were appointed to the group by the Minister for Justice, Equality and Law Reform in 2006. However, responsibility for equality issues has now been changed and future appointments will be made by the Minister for Community, Equality and Gaeltacht Affairs.

The following is some information in relation to the work of the DSG.

- The group is comprised of representatives of:
 - The Not for Profit Business Association
 - The National Federation of Voluntary Bodies Providing Services to People with Intellectual Disabilities
 - Inclusion Ireland
 - People with Disabilities in Ireland
 - The Irish Mental Health Coalition
 - Disability Federation of Ireland
- An independent Chair is appointed to the group by the Department. The Chair of the DSG is also Co-Chair of the NDSSMG.

- A number of sub-groups have been established within the DSG to address the work of the Government Departments with Sectoral Plans.
- These DSG sub-groups address issues of concern in relation to commitments contained in the NDS and detailed in the sectoral plans. This is done on an ongoing basis, within the overall remit of the NDSSMG, which is to monitor and review progress on the implementation of the National Disability Strategy.
- The DSG as a group meets with the NDSSMG twice yearly.

g) Consultative Committees

A number of Consultative Committees have also been set up in each of the Sectoral Plan departments. While some of these committees were in place prior to the National Disability Strategy, others have been set up following the publication of the Sectoral Plans. They include, amongst others:

- Department of Health and Children National Disability Advisory Committee
- Department of Social Protection Disability Consultative Forum
- Department of Transport Public Transport Advisory Committee
- Department of Enterprise, Trade and Innovation Consultative Forum on People with Disabilities

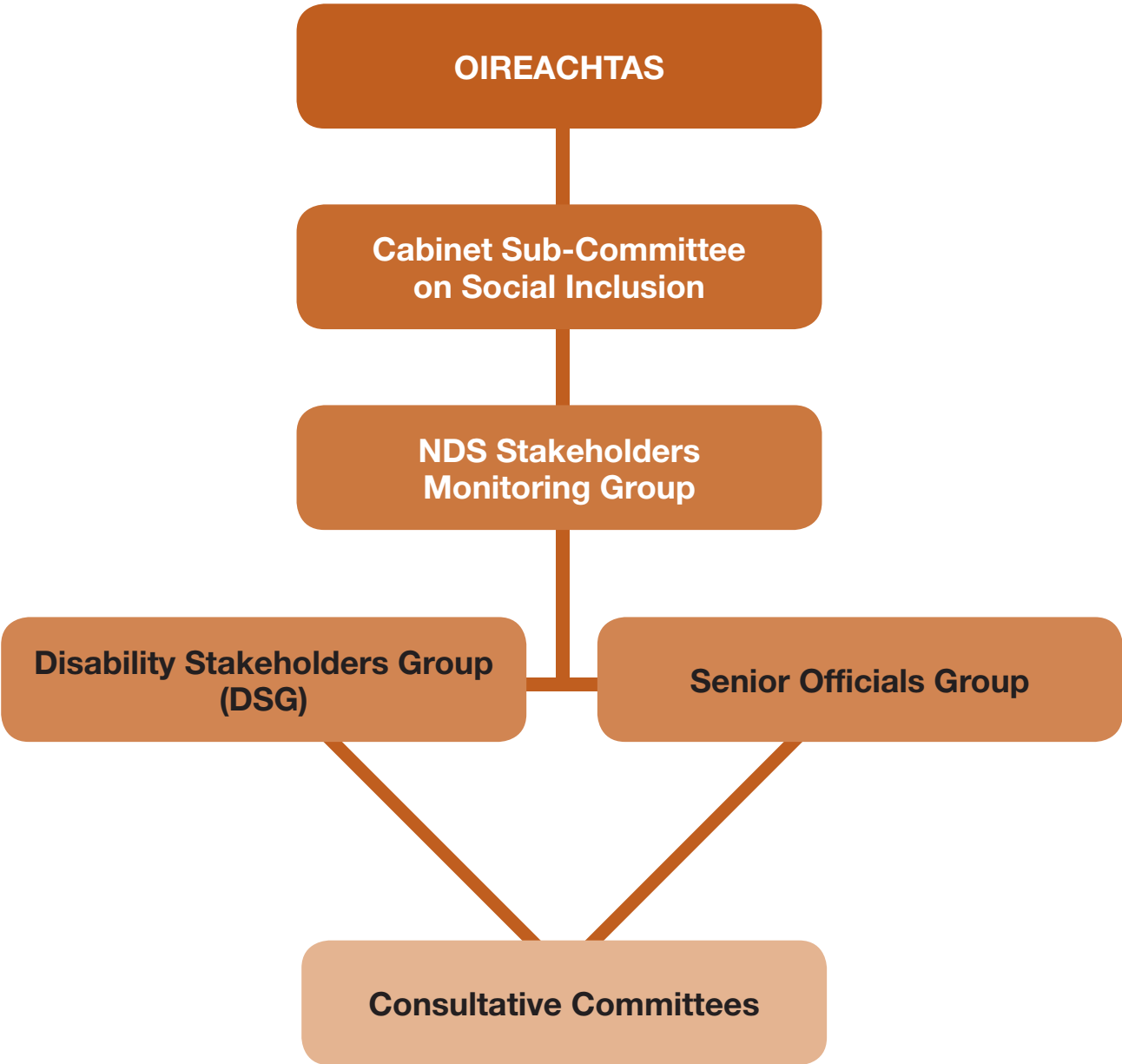
- FÁS National Disability Advisory Committee
- Department of Environment, Heritage and Local Government Disability Act Sectoral Plan Advisory Committee
- Department of Communications, Energy and Natural Resources – Commission for Communications Regulation

Each of these committees is responsible for the implementation of their Departmental Sectoral Plan and, as an extension, the many commitments contained in the National Disability Strategy.

h) Towards 2016: Framework for implementation of the National Disability Strategy

The Social Partnership Agreement, Towards 2016, reflects Government policy and practice in relation to the National Disability Strategy and provides the overarching framework for the implementation of the Strategy. It identifies a number of priority commitments to the National Disability Strategy, sets long term goals and outcomes, and advances the mainstreaming agenda for people with disabilities, who will benefit from commitments across the lifecycle framework to children, people of working age, and older people. Monitoring of these specific commitments is done through the specific social partnership structures.

Monitoring the Implementation of the National Disability Strategy



4. The Role of Voluntary Disability Organisations

Implementation of the National Disability Strategy commitments and the realisation of the vision for people with disabilities present significant challenges. It challenges each Government Department to ‘think’ disability into its programmes and into the delivery of its public services. It challenges voluntary disability organisations, individually and as a sector, to consider the role they can and must play in realising the new vision. As a first step, all organisations will need to understand the implications of this new vision. We will need to recognise and understand the challenges that we face in working to achieve this vision. We will need to re-examine our activities and our working methods. Most of all, we need to ask,

“What is the role that my organisation can play in realising this new vision for people with disabilities?”

Government has acknowledged the great value of the experience and knowledge held by voluntary disability organisations.²²

Participation by these organisations in the process of securing the implementation of the Strategy is critical, given their extensive understanding of disability issues and their role as service providers.

To achieve the long term goals and objectives of person-centred support and service packages, the knowledge, experience and energy of all voluntary

disability organisations will need to be harnessed. For doors of opportunities to open up for people with disabilities, organisations will need to work in partnership with one another and across the community and voluntary and statutory sectors. The National Disability Strategy provides a strong base from which collaborative working relationships can be developed between voluntary disability organisations, other organisations in the sector, Government Departments and statutory agencies.

Prior to mainstreaming, organisations provided a full range of services for people with disabilities. The consequences of the changes in disability policy are that the role of voluntary disability organisations will also change. Organisations will increasingly have a responsibility to ask themselves,

‘How can I ensure that the people with disabilities whom we support will have access to appropriate support packages that incorporate a mixture of disability specific services and mainstream service provision?’

Organisations will need to:

- Be fully familiar with the needs of people with disabilities.
- Be in a position to work with other organisations and

agencies to plan and co-ordinate the delivery of services.

- Monitor not only their own service delivery to those they represent, but also that of statutory and other community and voluntary organisations.
- Gather / measure positive outcomes for people with disabilities, based on the commitments outlined in this document.
- Record examples of ‘good practice’.
- Record information on deficits in service provision and work towards having these deficits rectified.

DFI has identified a number of key roles that voluntary disability organisations will need to play if Government commitments to people with disabilities are to be fully realised.

4.1 Information Management Within Voluntary Disability Organisations

As significant players in the provision of health and social services and in providing regular support and representation for people with disabilities, voluntary disability organisations have a key role to play in informing

22 Towards 2016 (Section 34. Implementation of the Lifecycle Approach).

statutory and other community and voluntary organisations of the needs of people with disabilities. Organisations need to recognise the importance of the knowledge that they hold, and continue to build a deeper understanding of the needs of people with disabilities. With this knowledge and experience there is a huge opportunity for organisations to report on the needs of people with disabilities and to consult and work collaboratively with other organisations and groups, both voluntary and statutory, to advance the implementation of the National Disability Strategy.

A number of active databases and information gathering processes are currently available to be used as a resource for the work of your organisation:

- **National Intellectual Disability Database (NIDD)**
The National Intellectual Disability Database is managed by the Health Research Board. It provides information on specialist services and supports for people with intellectual disabilities. This database is updated by voluntary disability organisations that support people with intellectual disabilities.
- **National Physical and Sensory Disability Database (NPSDD)**
The National Physical & Sensory Disability Database is managed by the Health Research Board and can provide information on the specialist service and support needs of people with physical and sensory disabilities. Unlike the NIID which provides comprehensive information on people with intellectual disabilities, this database is not comprehensive of all physical and sensory disabilities. However not all people with disabilities will use or need specialist services. The database is used by the Health Service Executive as a planning tool.
- **Independent Assessment of Need²³**
Currently IAN is being implemented only for the 0 – 5 year old children, and therefore captures data on the needs of this cohort only. When implementation is restarted for the 6 – 18 year old cohort it should provide information on the needs of those who undertake the process. This information can form the basis for future planning for services. At present the Health Service Executive is keeping its case management information internally.

23 The Independent Assessment of Need is on hold because of the current economic climate.

- **Central Statistics Office**
The National Disability Survey was conducted by the Central Statistics Office (CSO) as a follow-on study from the 2006 Census of Population. The overall objective of the Central Statistics office survey was to provide a more comprehensive picture of persons reporting a disability in the Census of Population through an analysis of a number of factors. Volume 1 was published in 2008. The National Disability Survey 2006 Volume 2 was published in 2010 www.cso.ie

This builds on the results from the first survey by providing additional detailed information on the experience of people with disabilities in important areas of life, including attitudes of other people, built environment accessibility, and transport.

These databases are valuable resources for voluntary disability organisations in their work for planning purposes and in identifying need. However, additional information can be generated by individual disability organisations in consultation with their members. How this information is managed is critical. To maximise its value to the sector and beyond, it must be comprehensive and lead to the identification of unmet need and service delivery requirements. It can, for example, highlight the need for increased access to Primary, Continuing and Community Care

services, such as physiotherapy services, etc., or identify the number of people moving from post-primary to adult services or to further education. It can also, importantly, be used as a planning tool in preparing for the upturn in the economy.

While the Independent Assessment of Need is on hold, and the National Physical & Sensory Disability Database is not comprehensive, the information gathered by voluntary disability organisations can be invaluable in supporting planning for the future needs of service users. This information can be offered by organisations as a resource to Primary Care Teams, and to other areas of service delivery, for their specific planning process. Increasingly, this should:

Provide information about the disability and about the needs of service users, based on active consultation.

- Be used to track service provision and any shortfalls experienced.
- Identify inconsistencies in provision nationally using the goals of National Disability Strategy and Towards 2016, outlined in this guide.

- Provide information on, and highlight where relevant, existing disability specific and mainstream services (e.g., primary, continuing and community care, housing, training, etc).
- Support problem solving.

4.2 Co-ordination, Partnership and Collaboration

The National Disability Strategy contains commitments to developing collaborative working relationships between the statutory and voluntary disability sectors in the delivery of services and supports. Government has acknowledged the value of collaboration between statutory bodies and disability organisations. Opportunities are also available for co-operation between organisations within the disability sector, and with others beyond the sector. Through these alliances disability organisations will be in a strong position to advance the implementation of the National Disability Strategy by, for example:

- Developing a stronger voice by harnessing their individual capacities with other disability and other voluntary organisations.
- Jointly investigating the quality of service delivery, developing joint service delivery programmes, advocacy in

relation to service gaps, and developing shared human resources and / or financial management systems.

- Developing relationships within the disability sector that link local and national levels will benefit all organisations by opening up opportunities for joint projects, such as organisational capacity building. Niche, i.e. organisations that have specialist information on specific conditions, and smaller organisations, in particular, may find better ways of disseminating key information on the needs of their members.
- Developing relationships beyond the disability sector to support seamless service delivery. For example, 'key' partners can be identified in areas such as community development and housing and other programmes, with County and City Development Boards and Social Inclusion Measures groups. These may facilitate better and more streamlined service delivery in relation to housing. Relationships may be direct or indirect, through alliances developed within the wider community and voluntary sector.

4.3 Monitoring

The disability sector and disability organisations individually must be pro-active in monitoring

Government commitments to the implementation of the National Disability Strategy. The experience and knowledge of disability organisations is essential to the monitoring process if the necessary supports for participation of people with disabilities in the mainstream are to be provided.

A number of areas in which voluntary disability organisations can play a much stronger role have been identified by DFI. Some of these are outlined below:

- Monitoring the delivery of disability specific and mainstream services and supports including service deficits, so that organisations can keep abreast of:
 - Who provides the various services, whether health, education, training, housing, social support, transport or other services.
 - Who supports people with disabilities to access the appropriate services.
 - Areas where services are below standard or not tailored to respond to need.
 - Length of waiting time for service provision.
 - The prevalence of particular disabilities, and planning for response.
- Gaps in service provision for the individual or specific disability, working with other organisations nationally, when necessary, to get this information.
- Areas where identification of need and service provision is working well, e.g., activation and progression focus.
- Tracking needs and entitlements of people with disabilities to ensure that they have independent advocacy if required, i.e. the Independent Assessment of Need and / or the Personal Advocacy Service (PAS), adequate service statements, and the services outlined in those statements²⁴.
- Monitor disability proofing initiatives to ensure positive outcomes for people with disabilities in local communities.
- Feed information on unmet needs into the monitoring mechanisms of the National Disability Strategy – if this information is passed to DFI, the issues can be raised with the relevant Departmental Consultative Committees and the National Disability Strategy Stakeholders Monitoring Group.

24 The PAS has been suspended at present due to the economic climate.

- Highlight problems through links with local consultative fora, local authorities, and County / City Development Boards (CDBs). These will co-ordinate plans for service delivery at local level, and should be able to indicate where resources are inadequate.

4.4 Measuring Positive Outcomes for People with Disabilities

The success of the implementation of the NDS and Towards 2016 can only be assured by measuring the positive outcomes in the lives of people with disabilities. Organisations that are not currently measuring outcomes can begin that process by using the goals outlined in the NDS and Towards 2016, and described in this guide. Positive outcomes should also be linked back to active consultation with people with disabilities and to any complaints lodged with the organisation.

4.5 Recording Information on Deficits in Service Provision

If an organisation develops effective information management systems, co-ordination, partnership and collaborative work processes, monitoring processes and measures outcomes for its members and service users, service provision deficits will very quickly become evident. Pro-active responses by organisations working

to address these deficits will be one of the first steps towards innovative and more responsive strategic planning. The result will be further progress in the implementation of the NDS and on more positive outcomes for people with disabilities.

4.6 What Action Does My Organisation Need to Take?

It is clear that, in the new environment brought about by Government commitments in the NDS and Towards 2016, disability organisations will need to change their working methods. To ensure that people with disabilities, on whose behalf organisations are working, receive the support packages that they require in a timely manner, so that they can participate to the full in society. Information will need to be gathered and managed, and service and support deficits will need to be recorded. New working partnerships and relationships will need to be developed to co-ordinate delivery of services. Organisations will need to use their experience and knowledge to work with Government, its agencies and others, to plan for current and future needs of people with disabilities.

DFI has identified a number of reflective questions for organisations to consider new ways of working and developing new practices in the new environment.

Questions for Disability Organisations

• The Role Of Voluntary Disability Organisations

- Given the changed vision and direction of Government policy, what changes or adaptations should be considered by your organisation?
- How is your organisation incorporating the new developments into its strategic planning?
- What changes should be considered by your organisation in specific areas, such as:
 - Consultation with people with disabilities?
 - Gathering information on positive outcomes?
 - Support services and advocacy work with your members / people with disabilities?
 - Collecting and analysing information?
 - Participating in networks and alliances?
 - Funding sources?
 - Staffing in your organisation's structure?
 - Campaigning focus?
- Will your organisation need additional staff and / or need to provide further training for staff?

- Can your organisation adapt to the new environment within your current resources? If not, where can the resources be found to enhance capacity?
- Can collaboration with related organisations help to enhance the capacity of your organisation?

• Information Management

- How can your organisation ensure that the information held by it on the people with disabilities whom you support is comprehensive and up to date?
- What types of data or information generated by the National Disability Strategy and other national initiatives are most relevant to your organisation?
- Do you use Central Statistics Office, the National Physical & Sensory Disability Database and the National Intellectual Disability Database statistics, reports, etc to inform planning?
- What information do you have on barriers to inclusion experienced by people with disabilities whom you support?
- Are there ways to channel the organisation's experience into decision making processes?

- How can your organisation influence the Independent Assessment of Need process (when fully implemented)?
- Once the Independent Assessment of Need is implemented, will your organisation be able to track member/client applications and responses to identify issues of concern?
- How can Health Service Executive data on the Individual Assessment of Need (when fully implemented) be used to measure the extent of exclusion of people with disabilities from the process?
- Approximately how many of your members may be eligible for a full assessment, and how many are doubtful? What case can be made for their eligibility?
- Among those assisted by your organisation, are there persons who may be excluded from the Independent Assessment of Need because their disabilities do not fit the definition of disability as set out in the Disability Act? Does a case need to be made for their inclusion?
- How is your organisation planning to ensure that its knowledge and experience around the needs of its members are taken into account in IAN planning?
- What planning is underway in your organisation to influence development of the Independent Assessment of Need liaison worker activities, including the service statement?
- What information does your organisation have about the diversity of need for the given disability?
- What information does your organisation have about appropriate services, e.g., from experience outside Ireland?
- What information does your organisation have about inconsistencies in access to services around the country?
- Has your organisation marshalled evidence about its own services for assessing need and in supporting people with disabilities?
- **Co-ordination, Partnership and Collaboration**
 - Can collaboration between your organisation and related disability, statutory, or other organisations and agencies help to enhance the capacity of your organisation?

- Does your organisation work with allies to further its agenda?
- Are there ways to channel your organisation's experience into the National Disability Strategy mainstreaming structures and to gain intelligence from it?
- Has your organisation looked into the potential for integration of people with disabilities into mainstream education and training services? Could integration be achieved through collaboration with statutory agencies? Have your members expressed a wish to use mainstream services, and can you support them to do so?
- Has your organisation developed, or can it develop, good links into the County and City Development Boards (CDBs) and Social Inclusion Measure (SIM) structures? How can these be used by your organisation to improve service co-ordination for people with disabilities in their local communities?

- **Monitoring**

- Has your organisation decided on the key elements of the National Disability Strategy that it needs to monitor most closely?
- Who are your organisation's allies or partners in monitoring implementation?
- How can allies work collaboratively to ensure effective monitoring?
- How is your organisation participating in monitoring progress of the sectoral plans and the National Disability Strategy at the national and local levels?
- What information does your organisation have about inconsistencies in access to services around the country?
- How is your organisation's advocacy work connecting with the disability advocacy service?
- Are there persons with disabilities who are less visible than others in the context of their service needs? How can this be remedied?

4.7 How DFI Can Support Organisations

In recent years DFI has placed a growing emphasis on developing projects that respond to the common concerns of disability organisations, and, in these times of significant change, to promote their long term sustainable development.

To this end, DFI developed its 'Service Suite', a constantly evolving suite of supports and services for its member organisations. The services and supports provided through Service Suite are aimed at strengthening an organisation's governance in relation to compliance with company law. It also strengthens the strategic positioning of the organisation in the context of translating policy into practice, resulting in the provision of the necessary supports and services for people with disabilities in the mainstream.

Included in 'Service Suite' are:

- The DFI Organisational Healthcheck - a diagnostic tool to measure governance standards and capacity of member organisations.
- PQASSO – Quality Assurance System for Small Organisations.

- Garda Vetting.
- SKILL Programme.
- Human Resource Management (with Adare Human Resource Management).
- 'Chairs as Effective Leaders' Programme.
- Guidance on Financial Implications of Charities Legislation (with the Institute of Certified and Public Accountants).
- Developing Memorandum and Articles of Association (with Carmichael Centre for Voluntary Groups).
- Support for Collaborative Working.
- External Supervision Service (resource for dealing with occupational stress).
- Policy Support and provision of information on the National Disability Strategy and Towards 2016.

The Service Suite is constantly being expanded and updated, and is a valuable resource for support and guidance for DFI member organisations.

IMPORTANT NOTICE!

The information in this publication captures a specific ‘moment in time’ in the context of disability policy. This guide is part of an ongoing information process that is provided by DFI, and which will be kept up to date on the DFI website, www.disability-federation.ie

This guide, therefore, is not the last word. Together with DFI web updates, and relevant primary documents, as noted in this publication and also available on the DFI website, the guide forms part of an ongoing process of information and explanation in relation to disability policy in Ireland.

5. Conclusion

Government policy now provides clear direction on the equal participation of people with disabilities. Government has committed to delivery of the National Disability Strategy, and to a new vision for people with disabilities in Ireland. Significant opportunities are now available for voluntary disability organisations to be part of the planning for, and the process of, achieving the vision, identified by Government for people with disabilities.

At this time, disability organisations are being asked to review and question the role of their organisation in developing new and effective ways of playing their part in ensuring that the new vision for people with disabilities is realised. This is essential if people with disabilities are to benefit from the opportunities afforded to them through the National Disability Strategy. It is also essential if voluntary disability organisations are to be effective in ensuring that relevant services and supports are provided for people with disabilities, to enable their full inclusion in Irish society. People with disabilities, their families and carers, deserve nothing less.

Notes

Notes



DISABILITY FEDERATION OF IRELAND

Disability Federation of Ireland (DFI) is the national support organisation for voluntary disability organisations in Ireland who provide services to people with disabilities and disabling conditions

Hidden
Physical

Intellectual
Sensory
Neurological

Mental Health
Emotional

DFI works to ensure that Irish society is fully inclusive of people with disabilities and disabling conditions so that they can exercise fully their civil, social and human rights. In pursuit of this vision, DFI:

- Acts as an advocate for the voluntary disability sector
- Supports organisations to further enable people with disabilities

There are 127 organisations within membership or as associates of DFI. DFI also works with a growing number of organisations and groups around the country that have a significant disability interest, mainly from the statutory and voluntary sectors. DFI provides:

Information
Training and Support
Networking

Organisation and Management Development
Advocacy and Representation
Research and Policy Development

DFI represents the disability interest within social partnership through its participation in the Community and Voluntary Pillar. DFI is a member of the Disability Stakeholders Group, which works with Government to progress the National Disability Strategy and it is also active in other fora.

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