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**Questionnaire on the provision of support to persons with disabilities**

**Information on services available for persons with disabilities in Sweden.**

Services available for persons with disabilities in Sweden are mainly regulated by three laws: LSS - the Law regulating Support and Service to Persons with Certain Functional Disabilities[[1]](#footnote-1), SoL - the Social Service Act[[2]](#footnote-2) and SFB - The Social Insurance Code (chapter 53)[[3]](#footnote-3). The LSS is an add-on law to the SoL and is a rights-based law meaning you can claim your rights in court. Being an add-on law means that people who are covered by LSS are also eligible for services included in SoL.

The LSS applies to:

1. Persons with intellectual disabilities and people with autism or conditions similar to autism.
2. Persons with significant and permanent intellectual functional disabilities following brain damage as an adult.
3. Persons who as a result of other serious and permanent functional disabilities, which are clearly not the result of normal ageing, have considerable difficulties in everyday life and great need of support or service.

Any person included in one of these groups can apply for services. An individual assessment of the need is made for each form of service applied for within the LSS. The LSS consists of ten forms of services that are regulated in article 9 of the act.

LSS can be granted for people up to the age of 65 and aims at providing good living conditions. Upcoming or new needs after the age of 65 are handled through SoL. Both LSS and SoL have regulations granting children the right to influence decision making.

The SoL is a general law that grants every citizen the right to decent living conditions. This includes the right to economic assistance, health and social care. The social services have specific responsibilities for certain groups of which one is persons with disabilities.

Both the LSS and SoL are mainly administered by municipalities. Personal assistance can however also be granted through SFB and is in these cases administered by The Swedish Social Insurance Agency (Försäkringskassan).

Statistics show that of all services that can be granted within the LSS there are regional differences. In 2015 69.500 individuals were granted services with the LSS act, out of which 40 percent were women and 60 percent were men[[4]](#footnote-4). On average, 0,7 percent has been granted LSS-services. The region of Stockholm has the lowest percentage, 0,6 percent and the region of Västerbotten has the highest, 1,0 percent. This indicates geographical differences in the implementation of the LSS act[[5]](#footnote-5).

Persons with disabilities can access information about the benefits of LSS and SoL from municipalities, The Swedish Social Insurance Agency as well as from 1177 (national guide to health and social services). Municipalities also spread information about the LSS through outreaching activities.

A challenge in the application of both SoL and LSS is to ensure geographical equality in provision of services. This includes equal interpretations of the law at the local and regional level and conditions for application of the acts between municipalities.

The interpretation of the law is also a challenge at the national level. The application of the LSS act by the Supreme Administrative Court of Sweden has been criticised for not responding to the fundamental intentions of the act when it came into practice in 1994.

Another challenge is the competence, experience and continuity of staff both within baseline services and the social services.

Finally, other challenges include strengthening self-determination for service takers and that the perspective of the rights of the child always is prevalent in both assessments and services.

**Personal assistance**

The number of persons with disabilities with personal assistance managed by The Swedish Social Insurance Agency through SFB is 16.142 out of which 7.394 are women and 8.748 are men[[6]](#footnote-6). The number of persons with disabilities with personal assistance managed by municipalities is 4.295, out of which 1.996 are women and 2.299 are men (2015).[[7]](#footnote-7)

The delivery of personal assistance can both be carried out by the public and private sector. It is also possible for individuals to manage the service themselves and for persons receiving personal assistance according to LSS to both choose the deliverer and the specific personal that carry out the service.

When municipalities are responsible for personal assistance they always finance the first 20 hours a week. Any hours in addition to these are funded by the The Swedish Social Insurance Agency through SFB. If The Swedish Social Insurance Agency is responsible for the personal assistance the guideline for costs is 284 SEK per hour. This amount is to be distributed in different services within the personal assistance such as salary, education etc.

**In-home, residential and community support**

The number of persons with disabilities with relief care service at home within LSS is 3.762, out of which 1.210 are women and 2.552 are men (2015)[[8]](#footnote-8).

Relief care service at home is funded by municipalities.

**Support in decision-making and communication**

Under the LSS persons can be granted advice and other personal support. This consists of expert support with the aim of contributing to good living conditions and to prevent and reduce the effects of functional disability. The assistance shall be of an advisory and generally supporting character. The number of persons with disabilities that receive this service is 4.351 individuals, out of which 1.961 are women and 2.390 are men (2015)[[9]](#footnote-9).

Communication support can be included in personal assistance as a basic need. It can also be given by county councils through assistive technology. In 2014 11.211 assistive devices related to communication were prescribed, out of which 5.320 to men and 5.891 to women[[10]](#footnote-10).

Advice and other personal support is funded by the county councils. Communication support through assistive technology can be given and funded by municipalities as well as county councils or the State.

**Number of sign language and deafblind interpreters**

According to surveys carried out in 2015 to private interpreter agencies as well as interpreter centrals that are publicly funded the number of sign language interpreters is 426[[11]](#footnote-11). In addition, there are an unidentified number of freelance interpreters in service. There is currently no data available on the number of deafblind interpreters.

**Partnership between State and private service providers**

The LSS act permits the responsible provider (municipality, county council or State) to make agreements with other (non- and/or for-profit) actors to provide services. Over the last year there has been a development towards more for-profit organizations providing LSS-services. For instance, a majority of persons granted personal assistance from The Swedish Social Insurance Agency has their service provided by a for-profit organization.

**Personal involvement in design, planning, implementation and evaluation**

The LSS act proclaims that the individual, to the greatest possible extent, is given influence and codetermination of provided services and that the quality of services systematically shall be developed and secured.

It is however the public sector that is responsible for the implementation of the legislation. NGO:s do however advocate for changes in the design, planning and implementation of services and participates in political dialogue with different actors of the public sector.

There is currently a debate between these actors as regards to the upcoming regulations of the LSS. The upcoming regulations aim at making the law more accurate towards service recipients and can thus have effects for persons who currently receive services through the LSS act.

1. Lag (1993:387) om stöd och service till vissa funktionshindrade. [↑](#footnote-ref-1)
2. Socialtjänstlag (2001:453) [↑](#footnote-ref-2)
3. Socialföräkringsbalk (2010:110) [↑](#footnote-ref-3)
4. Socialstyrelsen (2014) LSS – the Law regulating Support and Service to Persons with Certain Functional Disabilities – in brief [↑](#footnote-ref-4)
5. Socialstyrelsen (2016) Statistics on functionally impaired – measures specified by LSS [↑](#footnote-ref-5)
6. Försäkringskassan (2016) Antal assistansberättigade och antal timmar. www.forsakringskassan.se [↑](#footnote-ref-6)
7. Socialstyrelsen (2016) Statistics on functionally impaired – measures specified by LSS [↑](#footnote-ref-7)
8. Socialstyrelsen (2016) Statistics on functionally impaired – measures specified by LSS [↑](#footnote-ref-8)
9. Socialstyrelsen (2016) Statistics on functionally impaired – measures specified by LSS [↑](#footnote-ref-9)
10. Socialstyrelsen (2016) Hjälpmedel i kommuner och landsting – en nationell kartläggning av regler, avgifter, tillgång och förskrivning [↑](#footnote-ref-10)
11. Statskontoret (2015) Det framtida behovet av teckenspråks- och skrivtolkar [↑](#footnote-ref-11)