**Response by Ireland to the Office of the High Commissioner for Human Rights**

**Subject: Human Rights of People with Disabilities –**

**Human Rights Council resolution 19/11**

**1. Detailed Information on the measures adopted by your country to ensure that persons with disabilities have equal opportunities for productive and gainful employment in the open labour market.**

In Ireland there is a statutory Sectoral Plan on employment and training matters for people with disabilities prepared by the Department of Jobs, Enterprise and Innovation (this plan is available at: <http://www.djei.ie/labour/strategy/sectoralplan.pdf>).

Public sector organisations are obliged to promote and support the employment of people with disabilities, and achieve a statutory minimum 3% target of staff with disabilities (Disability Act 2005, Part 5). The National Disability Authority (NDA) issues an annual report on compliance and can recommend specific action where a public body is in breach of these obligations for two successive years

It is illegal to discriminate on grounds of disability in employment, promotion or training, and employers must reasonably accommodate people with disabilities to do their job, where the cost is not disproportionate (Employment Equality Acts -The Employment Equality Act 1998 came into force on the 18th October 1999, and was amended on the 25th October 2004 by the

Equality Act 2004, see www.equality.ie).

Ireland’s Department of Education and Skill’s Statement of Strategy, 2011-2014, states that the Department’s mission is “to enable learners to achieve their full potential and contribute to Ireland’s economic, social and cultural development” (p.3). The Strategy notes that:

“in addition to improving education outcomes generally we need to ensure our learners and graduates have the right skills for employment and provide reskilling and upskilling opportunities for the unemployed – particularly those at risk of long-term unemployment” (p.4)

One of the Department’s long-term objectives is to enhance the educational provision for children with special educational needs (p. 6).

Ireland’s Department of Education and Skills provides for the education of children with special education needs through a number of support mechanisms depending on the child’s assessed disability.

In general, educational provision for children with special needs is made:

· In special schools;

· In special classes attached to ordinary schools;

· In integrated settings in mainstream classes.

While the Department of Education and Skills policy is to ensure the maximum possible integration of children with special needs into ordinary mainstream schools, students who have been assessed as having special educational needs have access to a range of special support services. The services range from special schools dedicated to particular disability groups, through special classes/units attached to ordinary schools, to placement on an integrated basis in ordinary schools with special back-up supports.

Children with more severe levels of disability may require placement in a special school or special class attached to a mainstream primary school. Each such facility is dedicated to a particular disability group and each operates at a specially reduced pupil teacher ratio. Pupils attending these facilities attract special rates of capitation funding and are entitled to avail of the special school transport service and the school bus escort service.

A significant development was the enactment of the Education for Persons with Special Education Needs Act, 2004. With effect from 1 January 2005, the National Council for Special Education (NCSE) has taken over responsibility for processing resource applications for children with disabilities who have special educational needs. Under the new arrangements, the Council, through the local Special Educational Needs Organiser (SENO) process the individual applications for resources at primary and post primary level and inform the school of the outcome. There are approximately 85 Special Education Needs Organisers (SENOs) employed by the Council, who have been deployed on a nationwide basis, with at least one SENO being deployed in each county. They are charged with facilitating access to, and co-ordinating education services for children with special needs in their areas. In addition to processing requests for resources, the Council will co-ordinate the provision of education and related support services with health authorities, schools and other relevant bodies.

The following supports are available to support pupils with special educational needs:

* Provision for 9,950 learning support/resource teacher posts, including those provided under the General Allocation model, in mainstream primary and post primary schools providing additional teaching support to pupils with special educational needs

· Over 1,000 teachers in special schools

* Provision for 10,575 special needs assistants in mainstream primary, post-primary schools and special schools supporting the care needs of students with disabilities.
* Special equipment. Funding is provided to schools for the purchase of special equipment for pupils with special educational needs. Approximately €1.3m was provided to schools for assistive technology support in 2011.
* School Transport. Pupils attending special schools and special classes attached to mainstream schools are entitled to avail of the Special School Transport Service if they cannot avail of the Bus Éireann service. Bus escorts are also provided on special school transport services. Approximately €60 million is spent annually on school transport for special needs pupils.
* Capitation grants. Enhanced capitation rates are paid in respect of pupils attending special schools and special classes. These special rates vary, depending on the particular level of need involved. The current rates range from €456 to €879 per pupil.
* Special schools and classes. For children for whom mainstream provision is not appropriate, placement may be made in one of the 125 special schools and approximately 600 special classes and units located around the country. Each such class is dedicated to a particular disability category and operates at a significantly reduced pupil teacher ratio e.g. 6:1 in the case of pupils with severe/profound general learning disability (GLD) and 8:1 for pupils with a moderate GLD.
* Home Tuition. A home tuition grant is available for pupils with special educational needs or grave medical conditions who are unable to attend school on a regular basis. It may also be provided to pupils who are awaiting an appropriate educational placement.
* All primary and post primary schools have access to psychological assessments either directly through the National Educational Psychological Service (NEPS) or through the Scheme for commissioning Psychological Assessments (SCPA) which is administered by NEPS.
* Special Education Support Service (SESS). The Department has provided for a comprehensive system of continuing professional development (CPD) for teachers in the area of special educational needs. Central to this is the "Special Education Support Service" (SESS) which was established in September 2003. The service consolidates co-ordinates, develops and delivers a range of professional development initiatives and support structures for school personnel working with students with special educational needs in a variety of educational settings. These settings include mainstream primary and post-primary schools, special schools and special classes. The CPD provided by the SESS covers a range of specialities, including inter alia:

→Autistic Spectrum Disorders (ASDs)

→Dyslexia

→Challenging Behaviour

→Post-primary issues in Special Educational Needs

→specialist training for Autism Units attached to schools

It is estimated that 20,000 places will be provided to teachers for Continuing Professional Development in Special Educational Needs in 2012.

The Department of Education and Skills overall spend to support persons with special educational needs in 2012 will amount to approximately €1.3bn which is approx. 15% of the entire budget of the Department of Education and Skills.

**Access to Further and Higher Education**

The European Social Fund-supported Third Level Access Measure provides support for students with disabilities, through the Fund for Students with Disabilities. The Fund provides support to both Further and Higher education institutions for the provision of services and supports for full-time students with disabilities.

The Disability Access Route to Education (DARE) is a college and university admissions scheme which offers places on a reduced points basis to school leavers with disabilities. DARE has been set up by a number of colleges and universities and is intended for school leavers who have the ability to benefit from and succeed in higher education but who may not be able to meet the points for their preferred course due to the impact of their disability.

**2. Detailed information on the measures adopted to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against person with disabilities in the field of employment, as well as to eliminate discrimination on the basis of disability by private employers and enterprises.**

Ireland has no views or observations to provide on this question.

**3. Information on affirmative action programmes, incentives and other measures, if any, your country has developed to promote employment opportunities for persons with disabilities in the public and private sectors. Has your country adopted any measure to increase employment opportunities for persons with disabilities belonging to particularly vulnerable groups?**

In Ireland there are two principal affirmative action programmes to promote employment opportunities for persons with disabilities currently active within the Civil Service. One is the Willing and Able Mentoring (WAM) programme operated by AHEAD (http://www.ahead.ie/employment\_wamprogramme.php ). This is a paid position for 6 months within the Civil Service Department. It is operated as a graduate training programme, so that the employees' disability is only disclosed to his colleagues if the employee chooses to do so.

The second programme is the Job Shadow Initiative operated by the Irish Association of Supported Employment (http://www.iase.ie/pages/job\_shadow/job\_shadow.html). This is a one-day unpaid placement which gives the candidates an opportunity to shadow an employee in their job and get experience working in a Government Department.

Both of these programmes are open to the public and private sectors.

**4. Information on measures your country has introduced to enable persons with disabilities to access general technical and vocational guidance programmes, placement services and vocational and continuing training (article 27(l)(d)). Please also indicate the steps taken to promote vocational and professional rehabilitation, job retention and return to work programmes for persons with disabilities (articles 26 and 27(l) (k)).**

Ireland launched the National Disability Strategy on September 21 2004 to underpin the participation of people with disabilities in society through significant developments in policy and provision. The Strategy subsequently was comprised of 4 key elements

· The Disability Act 2005.

· The Citizens Information Act 2007

· Six Sectoral Plans; and

· a multi-annual Investment Plan for high priority disability support services.

The Department of Education & Skills provides a range of vocational training and retraining programmes both mainline and by specialist training providers (for those people with disabilities requiring more extensive support) through its training agency FÁS.

The Department of Social Protection provides Public Employment Services for people with Disabilities wishing to access or return to the open labour market. The supports available may be summarised as follows:

**Vocational Guidance Service** – People with Disabilities may call into a Department of Social Protection Employment Service Office to meet with an Employment Services Officer who will provide them with full information, advice and guidance in relation to training and employment. There are specific supports for disabled people.

**Wage Subsidy Scheme** – WSS – provides financial incentives to employers, outside the public sector, to employ disabled people who work more than 20 hours per week. The Scheme is structured in three strands. The employer can benefit from one or all, simultaneously.

* Strand I subsidy - is a general subsidy for any perceived productivity shortfall in excess of 20% for a disabled person, in comparison to a non disabled peer. An employee must work a minimum of 21 hours per week up to a maximum of 39 hours per week. The rate of subsidy is €5.30 per hour and is based on the number of hours worked, giving a total annual subsidy available of €10,748 per annum based on 39 hour week.
* Strand II - is based on the total number of disabled employees in a company, an employer can apply for a grant to cover additional costs ranging from an additional 10% for 3-6 employees to a maximum of 50% of the wage subsidy for 23+ disabled employees.
* Strand III - is where 30 or more disabled people are employed, employers can avail of a grant of €30,000 per annum to assist with the cost of employing an Employment Assistance Officer.

**Reasonable Accommodation Fund for the Employment of Disabled People**

Reasonable Accommodation is a term used in equality legislation to define the framework within which an obligation is placed on employers and training bodies to take appropriate measures to accommodate people with a disability.

Department of Social Protection operates a series of private sector employment supports to assist disabled people to access and progress in employment (State employment of People with Disabilities is governed by a Quota System). These private sector supports are now grouped under the umbrella name of the Reasonable Accommodation Fund

These supports could be outlined briefly as follows:

1 - Employee Retention Grant Scheme – ERGS is available to private sector employers when an employee develops a disability whether occupational or not. It provides funding to identify accommodation or training to enable the employee to remain in their current position or to re-train them to take up another position within the organisation. There are two stages to the scheme;

- Assessment, 90% of the costs of developing a retention strategy can be funded to a max. of €2,500.

- Implementation, 90% of eligible programme costs can be funded to a max. of €12,500.

2 - Workplace Equipment Adaptation Grant – WEAG is available to employers in the private sector who need to adapt equipment or the workplace to accommodate a disabled employee. The maximum grant provided is €6,350 and covers minor building modifications such as ramps or accessible toilets; assistive technology; amplifiers for telephones, etc.

3 - Job Interview/Induction Interpreter Grant – JIIG is available to cover the costs of an interpreter up to a maximum of €106.68 for a three hour period for interview and induction purposes where an interviewee or new staff member is deaf, hard of hearing or has a speech impediment.

4 - Personal Reader Grant – PRGS is available to blind or visually impaired persons who are in employment and who need a Personal Reader to assist them with job related reading. Such reading is part of the employee’s duties but due to the nature of their visual impairment they cannot perform reading duties themselves. The grant to be paid will be based on a fee per hour, in line with minimum wage. Where there is a requirement for technically qualified readers, the fee to be paid will be looked at on an individual basis and may be higher.

Other Supports Available which are not part of Reasonable Accommodation Fund.

**Disability Awareness Support Scheme** – DASS assists the integration of disabled people into the workplace and helps to eliminate mistaken perceptions about them. It is available to all companies in the private sector who are interested in employing, retaining or relating to people with disabilities. Funding of up to 90% of development costs is available in the first year and up to 80% of costs in subsequent years with an annual limit of €20,000 payable to an organisation. To avail of this funding, however, development must be carried out by a Department of Social Protection approved organisation.

All these employment supports are available to the private sector only. Each Government Department must fund its own “reasonable accommodations” for people with disabilities.

Supported Employment Programme is an open labour market initiative providing disabled people with supports to help them access the open labour market. It is implemented by sponsor organisations on behalf of Department of Social Protection who employ Job Coaches to provide a range of supports tailored to the individual needs of a jobseeker. The ultimate outcome is that the employee becomes independent of Job Coach support. Supported Employment Service is an employment and recruitment service to assist people with a disability to secure and maintain a job in the open labour market.

Supported Employment Service provides a range of supports to employers and people with a disability, through Job Coaches. The range of supports include:

· Individual Needs Assessment

· Vocational Profiling and Career Planning

· Individual Employment Plan

· Job Sourcing and Job Matching

· On-the-Job Support and Coaching

· Advice and Support to Employers

· Follow-up Support and Mentoring to both Employers & Employees

Further information may be obtained on the FÁS website: www.FÁS.ie or on the Department of Social Protection website: www.welfare.ie

**FÁS Training Services**

FÁS, the Irish National Training and Employment Authority, provides vocational training for the unemployed and re-entrants to the workforce through specific skills training and traineeships, and training for those in employment through apprenticeships and in-company training. People with disabilities are encouraged to avail of all these mainline training options.

FÁS also contracts with 20 Specialist Training Providers (STPs), such as the National Learning Network, in its 55 Centres country-wide to deliver training courses to people with disabilities who require more intensive support than would be available in non-specialist training provision.

Some key features of specialist vocational training include:

· Additional training duration;

· Adapted equipment;

· Enhanced programme content;

· Trainer to learner ratio;

· Specialist qualifications of staff;

· Additional opportunities for assessment; and

· An individualised approach.

In general, there are three broad types of Special Training Needs, which are addressed and met through Specialist Training Providers, namely

· needs relating to access

· needs relating to training content and duration

· non-occupational training-related needs.

1. Needs relating to Access Barriers

These are needs, which are to do with getting the potential learner into an appropriate training situation, from which s/he may participate in, and benefit from, essentially the same training provision as a non-disabled peer. Specialist training centres remove or overcome barriers, which, in other training environments, learners with disabilities encounter disproportionately. The removal of access barriers may involve physical support, or the provision of special aids or adaptations for people with disabilities. It would also include a supportive environment which maximises opportunities for learners' to learn through their strengths.

Alternatively, access-related needs, might involve preliminary or extra training to put the learner with a disability in the same 'starting position' as others. This might include:

· Longer duration in training;

· Numeracy and/or literacy training for learners with an intellectual disability;

· Low vision training, mobility and Braille training for learners who are partially sighted or blind;

· Sign language provision for learners who are deaf.

2. Needs relating to Training Content and Duration

These are needs, requiring support, which are such that a learner would be unable to benefit fully from training on the same basis as their non-disabled peers, even if appropriate physical support is made available.

These supports include:

* Additional assistance during training for people with emotional and/or behavioural difficulties;
* The provision of trainers who are trained to meet the needs of people with disabilities;

· The need for a longer period of training;

· An individualised approach to the training curricula;

* Additional support modules, e.g. personal effectiveness, managing disability, self-advocacy etc.;
* Work preparation, including extra or different training in job-search skills, personal presentation, etc.

3. Non-Occupational Training-Related Needs

These are needs, in the absence of which, the learner may be unable to benefit. For example, additional help for a person with mental health difficulties in managing his/her medications or learning to manage personal finance for a person with an intellectual disability. Other non-occupational training-related needs might include travel training and/or learning to reside in rented accommodation.

Specialist Training Provider Courses

· Accommodation Services

· Amenity Horticulture Vocational Course

· Artlink

· Business Studies (Administration)

· Business Studies and Finance

· Catering

· Certificate in Horsemanship

· College Start

· Commercial Horticulture

· Computer Aided Design

· Computer Applications

· Computer Programming

· Culinary Skills

· Desktop Publishing

· Digital Photography Imaging

· Electronics Assembly & European Certificate in Computers Maintenance

& Networking

· Elementary Catering Assistant

· Employer Based Training

· Foundation Level 1 - Training for Success

· Fresh Start

· Graphic Design

· Information Technology and Office Skills

· Information Technology by Distance Learning

· Information Technology

· IT and Computer Maintenance

· Performing Arts

· Pre-Employment Programme - Training for Success

· Retailing with Industry Partnership

· Skills Base Foundation

· TUSA

· Vocational Skills Foundation

Training programmes are delivered by specialist training providers through centre-based training, employer-based training or distance learning structures. Courses offer certification on the National Framework of Qualifications at Levels 3, 4 and 5.

Ultimately the aim of STP’s training services is to support participants to progress towards the labour market.

**Local Training Initiative**

The FÁS Local Training Initiative programme is a project-based training and work experience programme carried out in the local community run by local community groups. The programme allows local communities to carry out valuable and necessary projects of benefit to their communities, while at the same time training participants in areas related to the project work so that they can go on to gain employment or progress to further training. Anyone who is unemployed and over the age of 16, at any level of literacy, is eligible to participate.

Currently, the Local Training Initiative is supporting many organisations engaged in a wide range of initiatives including genealogy, environmental, heritage, tourism, theatre, sports, and coaching. Some projects are targeted at specific groups in society, such as women, early school leavers, men, homeless people, recovering addicts, prisoners, travellers, etc.

FÁS provides support in the form of allowances and funding to assist with the Local Training Initiative, for example, training allowances for participants and grants for supervisors, materials and administration.

Training on Local Training Initiatives is certified and leads to recognised awards on the National Framework of Qualifications.

**Skillnets**

Skillnets which is an enterprise-led body funded through the National Training Fund to provide companies with new opportunities to develop relevant, effective answers to their training and development needs will endeavour to accommodate any person with a disability to access training courses through the Skillnets Network Structure.

**5. Detailed information on the measures your country has adopted to promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one’s own business.**

Ireland has no views or observations to provide on this question.

**6. Information on the measures adopted by your country to ensure that reasonable accommodation is provided to persons with disabilities in order to facilitate access to or continuance of employment (articles 5(3) and 27(l)(i))**

Under the Employment Equality Act of 1998, it states (b) An employer shall do all that is reasonable to accommodate the needs of a person who has a disability by providing special treatment or facilities to which paragraph (a) Paragraph (a) states " For the purposes of this Act, a person who has a disability shall not be regarded as other than fully competent to undertake, and fully capable of undertaking, any duties if, with the assistance of special treatment or facilities, such person would be fully competent to undertake, and be fully capable of undertaking, those duties.

Disabled peoples’ rights of equal access to employment are protected by the Disability Act 2005 and the Employment Equality Acts of 1998 and 2004. The latter prohibits discrimination on a number of grounds including disability.

Ireland has mainstreamed its services for people with disabilities. Access to employment for people with disabilities was previously dealt with in the Sectoral Plan of the former Department of Enterprise, Trade and Employment and currently in the Sectoral Plans of the Department of Social Protection and the Department of Education and Skills. These Plans outline both Departments key initiatives in promoting equal opportunities for disabled people in the open labour market. These plans are currently in the process of being updated. The plans form the basis of developing a National Disability Strategy of which a comprehensive employment strategy will now form a part.

In November 2011, The Minister for Disability, Equality, Mental Health and Older People appointed two new groups to assist her in the implementation of the National Disability Strategy (NDS):

1 The National Disability Strategy Implementation Group.

2 The Disability Stakeholder Group.

These two groups replace the previous National Disability Strategy Stakeholder Group (NDSSMG) and the previous DSG.

**The National Disability Strategy Implementation Group**

The NDSIG consists of representatives of relevant Government Departments; the National Disability Authority, the lead statutory agency; the County and City Managers Association; and the Disability Stakeholders Group (DSG).

**The Disability Stakeholders Group**

The DSG consists of representatives of service users and service providers as well as a number of people living with disabilities appointed in their personal capacity. It has been established to assist and advise her on the NDS Implementation Plan and the monitoring of same and to work with Departments through the NDSIG in supporting its implementation.

Ten Government Department will indicate actions to be included in the new NDS Implementation Plan together with Key Performance Indicators (KPIs). This process is outside of but complementary to the Sectoral Plans required under the Disability Act. The Minister aims to ensure that there will be thematic meeting of the NDSIG in future to involve a group of departments with related responsibilities. This will support effective cross sectoral working.

**7. Information on measures your country has to protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances.**

Ireland has no views or observations to provide on this question.

**8. Detailed information on the poverty reduction measures, social security and income-maintenance schemes that your country has developed to provide adequate income support to persons with disabilities who, owing to disability or disability-related factors, have lost or received a reduction in their income from employment (including self-employment) or have been denied employment opportunities (article 28(2)(b) and (e)).**

Please find below theNumber of Recipients of Illness, Disability and Carer' Payments by Payment Type, 2010 and 2011

Type of Payment | 2010 | 2011 | Change 2011 over

| | | 2010 -----------------+-------------------+-------------------+-------------------

Disability | 101,111 | 102,866 | 1.7% Allowance | | | -----------------+-------------------+-------------------+-------------------

Blind Pension | 1,485 | 1,496 | 0.7%

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Carers Allowance | 50,577 | 51,666 | 2.2%

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Illness Benefit | 81,253 | 73,397 | -9.7%

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Injury Benefit | 835 | 776 | -7.1%

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Interim Illness | 374 | 327 | -12.6%

Benefit | | |

-----------------+-------------------+-------------------+-------------------

Invalidity | 50,766 | 49,792 | -1.9%

Pension | | |

-----------------+-------------------+-------------------+-------------------

Disablement | 13,721 | 13,993 | -2.0%

Benefit (1), | | |

(2), (3) | | |

-----------------+-------------------+-------------------+-------------------

Carer’s Benefit | 1,642 | 1,637 | -0.3% -----------------+-------------------+-------------------+-------------------

Total | 301,764 | 295,950 | -1.9%

1. Disablement Benefit is paid where a person suffers loss of physical or mental faculty as a result of an accident at work or contracting an occupational disease. It differs fundamentally from other Social Welfare Income support payments in that it is a compensatory payment, rather than an income maintenance payment. Accordingly Disablement Benefit can be paid in addition to other Social Welfare payments such as Illness Benefit and Invalidity Pension and can also be paid where a person continues to work.

2. Incapacity supplement is paid as an increase to Disablement Benefit where a person is permanently incapable of work and does not qualify for any other Social Welfare payment. 889 persons were in receipt of an Incapacity Supplement payment at the end of 2011.

3. Constant Attendance Allowance is paid as an increase to Disablement Pension where the degree of disablement is assessed at between 50% and 100% and the person has been certified as being in need of constant care and attention.98 persons were in receipt of Constant Attendance Allowance at the end of 2011.

Please find below Expenditure on Illness, Disability and Carers by Payment Type, 2010 and 2011.

Type of Payment | 2010 | 2011 | Change 2010 over

| | | 2011

| | |

| (€000) | (€000) |

-----------------+-------------------+-------------------+-------------------

Special | | |

Assistance | | |

-----------------+-------------------+-------------------+-------------------

Disability | 1,109,505 | 1,089,178 | -1.8%

Allowance | | |

-----------------+-------------------+-------------------+-------------------

Blind Pension | 16,032 | 15,625 | -2.5%

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Carer’s | 501,789 | 507,193 | 1.1%

Allowance | | |

-----------------+-------------------+-------------------+-------------------

Domiciliary Care | 95,710 | 99,924 | 4.4%

Allowance | | |

-----------------+-------------------+-------------------+-------------------

Respite Care | 128,097 | 130,392 | 1.8%

Grant | | |

-----------------+-------------------+-------------------+-------------------

Social Insurance | | |

-----------------+-------------------+-------------------+-------------------

Illness Benefit | 942,571 | 875,641 | -7.1%

-----------------+-------------------+-------------------+-------------------

Injury Benefit | 17,884 | 16,508 | -7.7%

-----------------+-------------------+-------------------+-------------------

Invalidity | 639,994 | 606,512 | -5.2%

Pension | | |

-----------------+-------------------+-------------------+-------------------

Disablement | 78,822 | 77,460 | -1.7%

Benefit | | |

-----------------+-------------------+-------------------+-------------------

Medical Care | 360 | 317 | -11.9%

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Carer’s Benefit | 26,288 | 24,474 | 6.9%

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Total | 3,557,052 | 3,443,334 | -3.2%

**Disability Activation Project**

Ireland is committed to supporting people to participate more fully in society and to become more self-sufficient by providing supports that address financial and other barriers. One of the objectives of the Department for Social Protection’s disability Sectoral plan is to “engage meaningfully with persons of working age, particularly marginalised groups, and provide services directly and in co-operation with other relevant agencies to encourage and support these people in taking up relevant work, training and education or development opportunities.”

In January 2008, the Department for Social Protection successfully obtained funding under the European Social Fund, Human Capital Investment Operational Programme 2007-2013, for a cross agency programme to develop and assess new approaches to promoting participation in the economy on the part of people with disabilities.

While the disability activation project is aimed at people of working age, the expected outcomes do not lie exclusively in labour market activity. Given the levels of social exclusion experienced by certain people, outcomes such as enhanced quality of life, educational advancement and increased social and foundation skills are equally important and may in certain instances provide a stepping stone to potential labour market engagement. The objective of the disability activation project for people with disabilities is to promote participation and social inclusion, primarily through activation measures aimed at people of working age applying for or in receipt of both short term disability payments, such as illness benefit, and long term payments such as disability allowance and invalidity pension.

Since the commencement of the project 1,048 illness-related payment recipients have been invited to attend for interview. Of these, some 663 people have met project staff on a one-to-one basis to complete personal progression plans. 18 training programmes targeted specifically at people on disability/illness payments, including people who acquire a disability in adult life, have been held in 9 locations.

Mullingar, 3 in Longford, 3 in Athlone, 1 in Roscommon, 1 in Kilbeggan and 1 in Tullamore. A total of 210 people have participated in programmes.

In March 2010, an Employment, Education and Training Open Day, for people in receipt of disability/illness payments, was held in Tullamore. Over 3,100 invitations issued and approximately 700 people attended. In October 2010, the project supported a disability services and information ‘open day’ in Mullingar. 2,600 people in receipt of disability/illness payments were invited to attend.

**Partial Capacity Benefit**

The legislative measures to provide for the introduction of a Partial Capacity Benefit scheme in 2011 have been provided for in the Social Welfare (Miscellaneous Provisions) Act, 2010.

The structure of welfare provision in Ireland for people with illnesses or disabilities has hitherto reflected a view that people can be categorised as being either capable of full-time work or incapable of full-time work. This approach fails to capture the reality that many people with a disability will have a capacity to engage in the open labour market. The partial capacity scheme will facilitate such people by enabling them to engage in open market employment while continuing to enjoy the security of income support from the State.

Following on the enactment of the basic legislative provisions in 2010, attention has now turned to putting in place the various steps required to allow the scheme to be formally introduced. These include drafting regulations; developing of the medical criteria against which partial employment capacity will be assessed; training the Department’s medical assessors; and developing support systems.

Partial Capacity Benefit scheme was launched on 13 February 2012.

As of June 29, 2012 the Department of Social Protection (DSP) had received 927 applications in total. 659 from Illlness Benefit and 268 from Invalidity Pension customers. The DSP have received 396 Medical Assessor opinions. The analysis of these is as follows;

Profound (100% payment due) - 9

Severe (75% payment due) - 52

Moderate (50% payment due) - 335

The Department of Social Protection have decided 254 claims to date. There is a current backlog to be dealt with. There are also delays between Medical Assessor opinion and the actual date of award. This is due to the Department’s policy of "dovetailing" the introduction of the PCB (reduced) rate with the start of employment (if it's within 2-3 weeks).

**Review of Disability Allowance**

A review of the disability allowance scheme was completed and the report was formally launched in November 2010. The review examines the development of the scheme since its introduction in 1996 following the ending of the disabled person’s maintenance allowance. It explores the range of factors which have contributed to the increase in the scheme numbers from some 36,000 in 1996 to almost 100,000 by the end of 2009.

Apart from population growth, other factors, including the easing of the means test, the extension of entitlement to those in full-time residential care and greater medicalisation of certain conditions, have also played a role in the numbers catered for by the scheme.

The review demonstrates that the scheme includes a hugely diverse range of customers with an equally broad range of needs in terms of activation and other supports. Against a background of a severe rise in unemployment, there is a need to ensure that activation services are directed in the most efficient way possible. The review proposes that a process of identifying capacity and segmentation be introduced at the point of application for disability allowance with a view to better matching services and needs and that collection of medical data be improved in order to enhance the evidence base for identifying the scope for more effective targeted early interventions.

In the context of the disregard arrangements which facilitate take-up of employment, the review indicates that further efforts are required to emphasise the message that work pays for disability allowance claimants.

The review recommends that the issue of increasing the minimum qualifying age for the allowance from 16 to 18 be revisited and also supports the merger of the blind person’s pension scheme and the disability allowance scheme. (Department of Social Protection Annual Report 2010)

**Medical Referral and Case Management Project**

In order to streamline the administration of medical assessments and as part of the medical referral and case management (MRCM) project, medical reports on disability allowance and carers applications are now routinely scanned. This provides an electronic facility for referral and scheduling of medical assessments and records the outcome of assessments in a standardised coding structure.

**Invalidity Pension**

As part of the Department’s ongoing service delivery modernisation programme, new support systems and processes have been put in place and since December 2010 all new claims for invalidity pension are now dealt within this new system. This also provides a more integrated view of customer data and easier access to insurance records facilitating a quicker decision process.

In addition, since mid 2010, entitlement to invalidity pension is now based on a diagnostic report completed by a customer’s own general practitioner. Previous to this, many customers required in-person assessments to establish entitlement to invalidity pension which caused delays in claim processing.

**Q 10. Information on measures adopted to closely consult with and involve persons with disabilities and their representative organisations in the development, implementation and monitoring of legislation and policies to promote and protect access to employment opportunities for persons with Disabilities.**

Ireland has no views or observations to provide on this question.

**Q 11. Recent statistical data on the number of persons with disabilities employed in the public sector, disaggregated on the basis of age, sex and type of disability.**

Ireland has no views or observations to provide on this question.

**Q12. Is your country involved in international cooperation programmes related to the promotion of work and employment opportunities for persons with disabilities? Please describe the ways the programmes are inclusive of and accessible to persons with disabilities.**

A significant proportion of disability related funding is channelled through Ireland’s Development Cooperation Programme, Irish Aid. Poverty reduction, to reduce vulnerability and increase opportunity, is the overarching objective of the Irish Aid Programme. People with disabilities are among the most vulnerable to poverty and its effects. The World Health Organisation recognises that a comprehensive response requiring action across a diverse range of activities is required in order that disability can be prevented and disabled people are not excluded or exploited.

Disability is one of a number of issues that is mainstreamed and therefore disability is systematically considered in the design of development programmes and addressed in a multidimensional way. Examples include the specific references to disability in Irish Aid’s health and education policies and emphasis on access by disabled and other marginalised groups within our support to basic education and health in developing countries. In countries such as Zambia and Ethiopia, we work with governments to ensure that disability is included in social protection frameworks. In particular, we work to ensure that disabled people are provided with allowances as a means of economic security and empowering them to participate in society and reach their potential.

We also work to ensure that services are provided to assist disabled people. In this context, Irish Aid provides €56.7 million to Concern, Goal, Trocaire, Christian Aid and Self Help Africa all of which undertake health, livelihoods and human rights work that benefits disabled people. In addition, NGOs focusing exclusively on disability related issues such as Liveability Ireland, Sightsavers, Christian Blind Mission, Children in Crossfire and local NGOs in Malawi, Tanzania and Vietnam have also received support for their work in recent years. In Tanzania, Ireland supports a local NGO, Comprehensive Community Based Rehabilitation Tanzania (CCBRT) which is the largest indigenous provider of disability and rehabilitation services in the country providing quality rehabilitation services to 120,000 people with disabilities and caregivers each year.

Irish Aid supports multilateral organisations which include disability in their programmes. Ireland has an important partnership with the International Labour Organisation which has helped to build the capacity of governments, employers’ organisations and unions to work together in developing disability sensitive policies whilst also providing appropriate training for legal experts, labour inspectors, university staff and the judiciary. It has also provided practical support and advice on the inclusion of people with disabilities in the workplace, including through access to small enterprise development activities, vocational training and micro-finance. In particular, the programme has encouraged entrepreneurship amongst women with disabilities. The programme is regarded internationally as a leader in addressing disability issues in the workplace.

In responding to humanitarian emergencies, Irish Aid takes particular care to address the specific needs of people with disabilities. This commitment is one of the guiding principles of our humanitarian relief policy. Acting on this commitment requires the full involvement of people with disabilities in needs assessments and planning. We ensure that this approach is also adopted by our partner organisations. All of our humanitarian interventions are guided by the standards set out in the Sphere handbook, the international best practice manual, based on the obligations under international humanitarian, human rights and refugee law. Specific instances of the inclusion of disability in Irish humanitarian programming include the stipulation last year following the Haiti earthquake that sanitation facilities, including latrines, should be designed to facilitate access by people with disabilities.

As a mainstreamed issue, disability benefits from resources directed across a range of long term development programmes and emergency humanitarian actions. This is in addition to funding of over €3.9 million which was allocated specifically for groups working directly on disability. In 2012, we will continue to engage with our development and humanitarian partners to ensure that the needs of people with disabilities receive the high priority they deserve.