

DOTCOM: The Disability Online Tool of the Commission

Ireland

A. UN Convention status

A1. Ratification or conclusion of the UN Convention

Ireland signed the UN Convention on 30 March 2007 and ratified it on 20 March 2018 after a motion was agreed by the Dáil (Irish parliament) on 7 March 2018. The Convention took legal effect in Ireland on 19 April 2018.

Links

Documents of Ratification

<https://treaties.un.org/doc/Publication/CN/2018/CN.148.2018-Eng.pdf>

Dáil debate on 7 March re UNCRPD

<http://oireachtasdebates.oireachtas.ie/debates%20authoring/debateswebpack.nsf/takes/dail2018030700038?opendocument>

A2. Ratification or accession to the Optional Protocol

Ireland has not signed or ratified the Optional Protocol to the Convention. The Roadmap to Ratification of the CRPD stated that the government would sign and ratify the Optional Protocol at the same time that the government ratified the CRPD. However, Ireland ratified the CRPD on 20 March 2018 and did not sign or ratify the Optional Protocol. In a response to a parliamentary question on 17 April 2018, the Minister of State for Disability Issues, Finian McGrath T.D outlined that Ireland would ratify the Optional Protocol after completing a number of legislative amendments including the enactment of the Disability (Miscellaneous Provisions) Bill 2016, commencement in full of the Assisted Decision Making (Capacity) Act 2015 and the establishment of the Decision Support Service under that Act.

Links

Roadmap to CRPD Ratification

<http://www.justice.ie/en/JELR/Pages/PB15000549>

Parliamentary Question 15102/18

<http://www.justice.ie/en/JELR/Pages/PQ-17-04-2018-507>

A3. Declarations, Reservations and Objections

Ireland has entered a reservation on Article 27 which reads as follows: "Ireland accepts the provisions of the Convention, subject to the understanding that none of its obligations relating to equal treatment in employment and occupation shall apply to the admission into or service in any of the Defence Forces, An Garda Síochána (Ireland's National Police Service), the Prison Service, the Fire Brigade, the Irish Coastguard and the Ambulance Service."

Ireland has also entered reservations and declarations regarding Article 12 and Article 14 of

the Convention. They read as follows:

Article 12

"Ireland recognises that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life. Ireland declares its understanding that the Convention permits supported and substitute decision-making arrangements which provide for decisions to be made on behalf of a person, where such arrangements are necessary, in accordance with the law, and subject to appropriate and effective safeguards. To the extent article 12 may be interpreted as requiring the elimination of all substitute decision making arrangements, Ireland reserves the right to permit such arrangements in appropriate circumstances and subject to appropriate and effective safeguards."

Declaration: Articles 12 and 14

"Ireland recognises that all persons with disabilities enjoy the right to liberty and security of person, and a right to respect for physical and mental integrity on an equal basis with others. Furthermore, Ireland declares its understanding that the Convention allows for compulsory care or treatment of persons, including measures to treat mental disorders, when circumstances render treatment of this kind necessary as a last resort, and the treatment is subject to legal safeguards."

Links

Documents of Ratification

<https://treaties.un.org/doc/Publication/CN/2018/CN.148.2018-Eng.pdf>

A4. Comprehensive review

On 21 October 2015 the Department of Justice released a Roadmap to Ratification that sets out a schedule of legislative amendments that must be ratified prior to the CRPD ratification.

Links

Roadmap to Ratification

<http://www.justice.ie/en/JELR/Pages/PB15000549>

A5. Focal point

The 2015 Roadmap to Ratification designates the Human Rights and Equality Division in the Department of Justice as the focal point. Since the UN Convention was ratified in March 2018 there have been no updates on the focal point, however, the Department's website notes that it is responsible for coordinating the work needed for ratification.

Links

Roadmap to the CRPD Ratification

<http://www.justice.ie/en/JELR/Pages/PB15000549>

Department of Justice - Human Rights and Equality division

http://www.justice.ie/en/JELR/Pages/human_rights_and_equality

A6. Coordination mechanism

The 2015 Roadmap to CRPD Ratification does not include any plans for a coordination mechanism.

Links

Roadmap to CRPD Ratification

<http://www.justice.ie/en/JELR/Pages/PB15000549>

A7. Independent mechanism

In a statement released after Dáil Éireann, Ireland's national parliament, approved the motion to ratify the UNCRPD, the Irish Human Rights and Equality Commission (IHREC) set out its role in establishing a mechanism for a national independent monitoring framework for the Convention. The Disability (Miscellaneous Provisions) Bill 2016 will place IHREC's role on a statutory footing, it is expected to be passed before the end of 2018. Prior to the enactment of the 2016 Bill, IHREC under s.18 of the Irish Human Rights and Equality Commission Act 2014 have established a Disability Advisory Committee. Eleven members, made up of a majority of people with disabilities have been appointed to their roles on the Disability Advisory Committee by IHREC. The Disability Advisory Committee is brought together by the Commission to support its statutory function of monitoring Ireland's implementation of the UN Convention.

Links

Irish Human Rights and Equality Commission

<https://www.ihrec.ie/statement-un-convention-rights-persons-disabilities/>

Disability (Miscellaneous Provisions) Bill 2016

<https://www.oireachtas.ie/viewdoc.asp?DocID=34322&&CatID=59>

Irish Human Rights and Equality Commission Act 2014

<http://www.irishstatutebook.ie/eli/2014/act/25/enacted/en/html>

Formal Committee Begins Work in Monitoring Ireland's Obligations

<https://www.ihrec.ie/new-departure-on-rights-of-persons-with-disabilities-as-formal-committee-begins-work-in-monitoring-irelands-obligations/>

A8. Official reporting

The initial state report to the CRPD Committee will be due two years from the date of ratification, which will be March 2020. This would indicate that the process of preparing a report should be underway in Ireland. It is likely that bi-annual progress reports prepared under the National Disability Strategy may feed into this process as a basis for reporting progress.

Links

State reports to the UN Committee

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=83&DocTypeID=29

Link to all UN reporting cycle documentation

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=83

A9. Shadow reporting

Ireland has now ratified the Convention and the initial State Party report is due in March 2020. This will lead to a shadow reporting process. It is not clear who will be involved directly in this process, it is likely that the new Disability Advisory Committee (2019) together with Irish Human Rights and Equality Commission will have a role to play in the reporting process. However, the disability organisations represented on the Disability Stakeholders Group and the National Disability Strategy Stakeholders Monitoring Group could potentially be involved, or a collaborative network of stakeholders may form, as for the law reform process on legal capacity.

Links

Civil society reports to the UN Committee

https://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&CountryID=83&DocTypeID=14

Monitoring the National Disability Inclusion Strategy

<http://nda.ie/Publications/Others/National-Disability-Inclusion-Strategy/>

B. General legal framework

B1. Anti-discrimination legislation

Article 40(1) of the Irish Constitution states that all persons shall be held equal before the law. The Employment Equality Acts (EEA) 1998-2015 and the Equal Status Acts (ESA) 2000-2015 are the principal pieces of anti-discrimination law in Ireland. Both acts prohibit discrimination on the grounds of disability.

The EEA promotes equality, prohibits discrimination (with some exemptions) in relation to employment on the basis of nine grounds: gender, family status, marital status, age, disability, sexual orientation, religious belief, racial or ethnic origin and membership of the Traveller community. In addition to discrimination, the Act prohibits harassment, sexual harassment and victimisation. The Act requires that appropriate measures for people with disabilities in relation to access, participation and training in employment be taken by employers, and further allows for positive action measures to be adopted with the aim to ensure full equality in practice. The provision of reasonable accommodation should amount to no more than a nominal cost on the employer. What amounts to nominal cost will depend on the circumstances, such as the size and resources of the body in question. If the State provides grants or aids for assisting in providing special treatment or facilities, there may be an onus on the service providers etc. to avail of these grants.

The ESA prohibits discrimination on the same grounds as the EEA and applies to persons buying or selling goods, using or providing services, obtaining or disposing of accommodation and those attending or in charge of educational establishments. Denial of reasonable accommodation is recognised as constituting discrimination on the basis of disability. In the provision of goods and services reasonable accommodation must not exceed nominal costs.

Links

Constitution of Ireland

<http://www.irishstatutebook.ie/eli/cons/en/html>

The Employment Equality Acts 1998-2015 – A Summary

<https://www.ihrec.ie/guides-and-tools/human-rights-and-equality-for-employers/what-does-the-law-say/eea-summary/>

Guide to the Equal Status Acts 2000-2015

<https://www.ihrec.ie/guides-and-tools/human-rights-and-equality-in-the-provision-of-good-and-services/what-does-the-law-say/equal-status-acts/>

B2. Recognition of legal capacity

There is a common law presumption that persons over the age of 18 have legal capacity to make decisions. On 30 December 2015 Ireland signed into law the new legislation on legal capacity, the Assisted Decision-Making (Capacity) Act 2015. The new law applies to people over 18. Under the new law a person whose mental capacity is questioned is presumed to have legal capacity unless shown to the contrary. Capacity under this law is based on a functional approach and 'assessed on the basis of his or her ability to understand at the time a decision is to be made, the nature and consequences of the decision to be made by him or her in the context of the available choices at the time.'

For people who think their mental capacity is in question or will be in question they can appoint someone as a decision-making assistant. The Decision-making assistant advises and assists the person regarding the person's welfare, property and affairs as set out in the decision-making agreement. There is also provision for co-decision-making agreements where the person appoints a co-decision-maker. The co-decision-maker jointly takes decisions with the person on decisions regarding the person's welfare, property or affairs as set out in the co-decision-making agreement.

The law allows for the court to make declarations on the mental capacity of a person upon application. The court can declare that the person lacks capacity to make decision relating to the person's welfare, property or affairs unless the assistance of a suitable person as a co-decision-maker is made available or that the person lacks capacity to make decisions even with the assistance of a co-decision-maker. If the court finds that the person lacks the capacity to make decisions in personal welfare, property and/or affairs the court will issue an order either making the relevant decision and/or appointing a decision-making representative who is directed under the order to make decision on behalf of the person.

Some sections of the Act, which relate to the establishment of the Decision Support Service, the appointment of a Director of the Decision Support Service and codes of practice, were commenced in October 2016. The Health Service Executive and National Disability Authority have started drafting codes of practice and a Director of the Decision Support Service started in her role on 2 October 2017. It is not yet known when the rest of the Act may be commenced.

The law does not amend or alter laws that govern capacity or consent for: making a will, civil partnership, divorce, dissolution of civil partnership, adoption, guardianship, sexual relations, or serving on a jury.

Links

Text of the Assisted Decision-Making (Capacity) Act 2015

<http://www.oireachtas.ie/viewdoc.asp?DocID=24147>

Ward of Court System

http://www.citizensinformation.ie/en/health/legal_matters_and_health/wards_of_court.html

Statutory Instruments to Commence the Assisted Decision-Making (Capacity) Act 2015

http://www.irishstatutebook.ie/eli/isbc/2015_64.html

Updates on the Assisted Decision-Making (Capacity) Act 2015

<https://www.hse.ie/eng/about/who/qid/other-quality-improvement-programmes/assisteddecisionmaking/assisted-decision-making.html>

Decision Support Service

<http://www.mhcirl.ie/DSS/>

B3. Accessibility of voting and elections

Under Irish law, the right to vote is covered under Article 16.2 of the Constitution which confers this right on all citizens over 18 years of age and other persons in the state as defined by law (e.g. British citizens can vote in Irish elections if they are residing in Ireland). The physical accessibility of polling stations is covered by the Disability Act 2005 provisions on accessibility of buildings and public services (Sections 25 to 28). The Disability Act also requires information and communications between public bodies and people with disabilities to be accessible (Section 28) which would extend to voting and campaign information.

The Electoral Act 1992 sets out that "blind, illiterate or incapacitated voters" may vote with a companion if they satisfy the presiding officer that they would be unable to vote unaided and swear an oath to this effect. This provision has been challenged in the Irish courts with the High Court in March 2017 ruling that the State has a duty to assist. In October 2016 a Statutory Instrument was enacted to allow voters who are blind or have a visual impairment vote in secret with the use of template in referenda.

Links

Disability Act 2005

<http://www.irishstatutebook.ie/eli/2005/act/14/enacted/en/html>

Electoral Act 1992

<http://www.irishstatutebook.ie/eli/1992/act/23/section/103/enacted/en/html#sec103>

Electoral Regulations 2016 (S.I. No. 537/2016)

<http://www.irishstatutebook.ie/eli/2016/si/537/made/en/print>

Sinnott v. Minister for the Environment Judgement

<http://courts.ie/judgments.nsf/bce24a8184816f1580256ef30048ca50/bb79198bd8eb5ff7802580fb00463f32?OpenDocument>

B4. Official recognition of sign language

Irish sign language was recognised as an official language of the State in December 2017 following the Irish Sign Language Act 2017. The Act allows the language to be used in the courts and introduces statutory targets on the accessibility of TV programming. It also provides for the establishment of an Irish Sign Language Council to regulate interpreters, teachers and also deaf interpreters. Under the Act public bodies would be required to create action plans on how to promote the use of Sign language within their organisations.

Links

Irish Sign Language Act 2017

<http://www.irishstatutebook.ie/eli/2017/act/40/enacted/en/html>

Irish Deaf Society

<https://www.irishdeafociety.ie/isl-act-now-official/>

B5. National disability strategy and action plan

Following the expiration of the National Disability Strategy in 2015, the Department of Justice and Equality has published the National Disability Inclusion Strategy 2017 – 2021. The Strategy was prepared following a consultation process in 2015/2016. The process provided interested parties with the opportunity to make recommendations in key areas such as service provision, accommodation, health, employment, transport and education. The Strategy identifies and agrees specific actions and timescales for delivery under the following eight themes: Equality and Choice; Joined up policies and public services; Education; Employment; Health and Wellbeing; Person centred disability services; Living in the Community; and Transport and Accessible Places.

Links

National Disability Inclusion Strategy 2017-2021

<http://www.justice.ie/en/JELR/dept-justice-ndi-inclusion-strategy-booklet.pdf/Files/dept-justice-ndi-inclusion-strategy-booklet.pdf>

Consultation Document

<http://www.justice.ie/en/JELR/National-Disability-Strategy-Inclusion-Plan-Phase-3-Consultation-Document.pdf/Files/National-Disability-Strategy-Inclusion-Plan-Phase-3-Consultation-Document.pdf>

C. Accessibility

C1. Transport accessibility

Public services (including transport) are required to be accessible according to the Disability Act 2005. Under this Act, the Transport Sectoral plan was first prepared in 2006 and the most recent update to the plan was published in 2012. The Act's requirements for accessibility extend to all public transport services (public services as defined in the Act include any services provided by companies which are funded by a Minister or the Government).

Airplanes or a service provided by a person who only operates a train service or railway infrastructure of historic or touristic interest, however, are not covered by the act.

Despite the 2005 Disability Act and the sectoral plan there are reports that transportation, especially outside major metropolitan areas remains inaccessible to people with disabilities. For example, in 2012, only 42% of Bus Éireann's fleet was accessible. In 2018, in response to the slow progress made in this area and some controversy over access to train services, the Minister for Transport asked for a person with lived experience of disability to be appointed to the Board of Directors of all the national transport companies. The Department of Transport's Accessibility Work Programme published on 20 January 2019 notes that Directors with lived experience will be appointed to these Boards in the third quarter of 2018.

Links

The Sectoral Plan for Accessible Transport (2012 edition)

<http://www.dttas.ie/public-transport/publications/english/sectoral-plan-accessible-transport-transport-access-all>

Sectoral Plan for Accessible Transport (2006 edition)

<http://www.dttas.ie/sites/default/files/publications/public-transport/english/sectoral-plan-accessible-transport-under-disability-act-2005/sectoral-plan-accessible-transport-under-disability-act-2005.pdf>

Review of Department of Transport disability sectoral plan

<http://www.dttas.ie/public-transport/publications/english/sectoral-plan-accessible-transport-transport-access-all>

National Disability Authority, Transport and access for people with disabilities

<http://nda.ie/Image-Library/PDF-Downloads/Transport-and-disability-by-geographical-area-pdf.pdf>

Does Ireland provide equal public transport to wheelchair users? (17 August 2014)

<http://www.thejournal.ie/public-transport-wheelchair-access-1615874-Aug2014/>

People with lived experience on board of directors

<http://www.dttas.ie/press-releases/2018/ross-delivers-disability-board-promise>

Irish Rail criticised over new travel plans for wheelchair users

<http://www.thejournal.ie/protest-conolly-station-disability-services-trains-3822070-Jan2018/>

Department of Transport Accessibility Work Programme

<http://www.dttas.ie/sites/default/files/publications/corporate/english/dttas-accessibility-work-programme-2018-30062018/acc-work-programme-2018-30-june-2018.pdf>

C2. Built environment accessibility

Under the Disability Act 2005, public bodies must ensure, as far as practicable, that their buildings are accessible to people with disabilities. The Department of the Environment, Community and Local Government is responsible for ensuring accessibility of the built environment and has a sectoral plan setting out how accessibility goals will be achieved.

The Department of the Environment, Community and Local Government is responsible for updating and enforcing the standards set out in Part M (Access for People with Disabilities) of the National Building Regulations. Part M of the Building Regulations 1997 - 2010 relates to the accessibility of the built environment for people with disabilities. The regulations do not contain a definition of accessible housing however, it is defined in the National Housing Strategy for People with Disabilities as follows - "Housing which is accessible for people with physical and/or sensory disabilities to live in. This may be a purpose built new dwelling or a dwelling that is modified to suit the needs of the user." Originally Part M only applied to non-domestic buildings however, since January 2001 there is a requirement that new dwellings are accessible to people with disabilities. Under this requirement new dwellings must be 'visitable' by people with disabilities. The definition of 'visitable housing' is "Housing in which a person with a physical disability can independently enter the house, go to the main habitable rooms, and use a toilet." The Building Regulations apply to both private and social housing.

The Employment and Equality Acts and Equal Status Acts also impose some requirements regarding building accessibility. In addition to these laws and regulations the National Disability Authority has put out guidelines on conducting a built environment access audit

and using universal design.

Links

Sectoral Plan of the Department of the Environment, Community and Local Government

<http://www.environ.ie/en/LocalGovernment/LocalGovernmentAdministration/SectoralPlan/>

Part M of the Building Regulations 2010 (Technical Guidance Document)

<http://www.housing.gov.ie/sites/default/files/migrated->

[files/en/Publications/DevelopmentandHousing/BuildingStandards/FileDownload%2C24773%2Cen.pdf](http://www.housing.gov.ie/sites/default/files/migrated-files/en/Publications/DevelopmentandHousing/BuildingStandards/FileDownload%2C24773%2Cen.pdf)

National Disability Authority Building for Everyone: A Universal Design Approach

<http://universaldesign.ie/Built-Environment/Building-for-Everyone>

National Housing Strategy for People with Disabilities

<https://www.housing.gov.ie/sites/default/files/migrated->

[files/en/Publications/DevelopmentandHousing/Housing/FileDownload%2C30737%2Cen.pdf](https://www.housing.gov.ie/sites/default/files/migrated-files/en/Publications/DevelopmentandHousing/Housing/FileDownload%2C30737%2Cen.pdf)

C3. ICT and Web accessibility

The Disability Act 2005 requires all information and communications between public bodies and people with disabilities to be accessible. The Commission for Communication Regulations or ComReg is the commission responsible for regulating the electronic communications and postal sector in Ireland. In 2010 they surveyed ICT users with disabilities in Ireland and found that there was a need to increase awareness disability specific programs and equipment.

The Broadcasting Authority of Ireland is responsible under the Broadcasting Act 2009 to create Access Rules that promote the understanding of programming by people with visual and hearing impairments. The Access Rules, which set percentage targets for subtitling, audio descriptions and Irish sign language, were updated in January 2019 and are due for statutory review in 2021 and 2023.

The Centre for Excellence in Universal Design (hosted by the National Disability Authority) has published IT Accessibility Guidelines, an IT Procurement Toolkit and Web Accessibility Techniques. These guidelines are addressed to a range of actors in IT and web development sectors. The Emergency Call Answering Service falls under the remit of the Department of Communications, Climate Action and Environment. The Emergency Call Answering Service can receive calls from fixed land lines, mobiles as well as a Minicom service that sends texts through a fixed telephone terminal. The Emergency Call Answering Service also allows for emergency text messages to be sent from preregistered users.

Ireland signed the Marrakesh Treaty in June 2014 but has not ratified it.

Links

Irish National IT Accessibility Guidelines

<http://www.universaldesign.ie/useandapply/ict/irishnationalitaccessibilityguidelines>

Sectoral Plan under the Disability Act 2005

<https://www.dccae.gov.ie/en-ie/communications/Pages/default.aspx>

Report on the Progress of the Sectoral Plan

<http://www.justice.ie/en/JELR/dept%20communications%20review%20of%20sectoral%20plan.pdf/Files/dept%20communications%20review%20of%20sectoral%20plan.pdf>

Emergency Call Answering Service

<https://www.dccae.gov.ie/en-ie/communications/topics/emergency-call-answering-service/Pages/default.aspx>

Consumers with Disabilities Telecommunications Research

http://www.comreg.ie/_fileupload/Consumers%20with%20Disabilities_FINAL.pdf

Broadcast Authority of Ireland, Access Rules

https://www.bai.ie/en/media/sites/2/dlm_uploads/2019/01/AccessRules_2019_vFinal.pdf

D. Independent living

D1. Choice of living arrangements

There is no mandatory obligation for a person with a disability to live in a particular living arrangement. There is no absolute right to live in the community although a number of policies have made commitments to ensure persons with disabilities can live a full and independent life in the community. For example, Towards 2016- Ten-Year Framework Social Partnership Agreement 2006-2015 states, 'The parties to the agreement share a vision of an Ireland where people with disabilities have, to the greatest extent possible, the opportunity to live a full life with their families as part of the local community free from discrimination'. There is also the National Housing Strategy which aims to promote living in the community through targeted plans that address the specific needs of different groups of people with disabilities. In 2011 the HSE produced a Strategy on Community Inclusion which set out how best to move people with disabilities from congregated settings to the community using person centred approaches.

A person could legally be made live in an institution if they have become a Ward of Court, and where the committee formed to make decisions for them has decided this to be the best course of action for the individual in question. Additionally, a person could legally be detained to live in an institution if they have a mental disorder and meet the criteria for detention according to the Mental Health Act 2001.

Links

Towards 2016- Ten-Year Framework Social Partnership Agreement 2006-2015

http://www.taoiseach.gov.ie/attached_files/Pdf%20files/Towards2016PartnershipAgreement.pdf

Strategy on Community Inclusion

<https://www.hse.ie/eng/services/list/4/disability/congregatedsettings/time-to-move-on-from-congregated-settings-%E2%80%93-a-strategy-for-community-inclusion.pdf>

National Housing Strategy for People with Disabilities 2011-2016

<https://www.housing.gov.ie/sites/default/files/migrated-files/en/Publications/DevelopmentandHousing/Housing/FileDownload%2C30737%2Cen.pdf>

Mental Health Act 2001

<http://www.irishstatutebook.ie/eli/2001/act/25/enacted/en/html>

D2. De-institutionalisation

The process of deinstitutionalisation of people from long-stay hospitals and large scale

congregated settings has been underway since the 1970s.

There are three main strategies that inform deinstitutionalisation policies in Ireland, A Vision for Change which focuses on people who receive mental health services, Time to Move on from Congregated Settings which pertains primarily to people with intellectual disabilities and The National Housing Strategy for People with Disabilities in Ireland 2011-2016. The National Housing Strategy is designed to promote inclusion in the community and independent living for all people with disabilities in Ireland. The National Housing Strategy looks at the specific housing needs of different groups of people with disabilities in Ireland including people with mental health needs or psycho social disabilities. Through this needs assessment the National Housing Strategy sets out nine aims that are underpinned by a set list of actions.

Despite these strategies there are still people in Ireland who live in institutions or quasi-institutions. According to the Progress Report on the Time to Move on Strategy, in 2018 at least 2,370 people with disabilities are still living in congregated settings. The majority of people living in these congregated settings would be people with intellectual disability. It is important to note that the figures do not capture some people with disabilities living in residential centres for people with Autism and mental health facilities, as well as people with disabilities placed in nursing homes. The Independent Monitoring Group for A Vision for Change has consistently noted the progress towards independent living for mental health service users as being slow and inconsistent.

Links

National Housing Strategy for People with Disabilities 2011-2016

<https://www.housing.gov.ie/sites/default/files/migrated-files/en/Publications/DevelopmentandHousing/Housing/FileDownload%2C30737%2Cen.pdf>

Time to Move on from Congregated Settings: A Strategy for Community Inclusion

<https://www.hse.ie/eng/services/list/4/disability/congregatedsettings/time-to-move-on-from-congregated-settings-%E2%80%93-a-strategy-for-community-inclusion.pdf>

Review of a Vision for Change

<https://health.gov.ie/blog/publications/evidence-review-to-inform-the-parameters-for-a-refresh-of-a-vision-for-change/>

Time to Move on from Congregated Settings, Annual Progress Report

<https://www.hse.ie/eng/services/list/4/disability/congregatedsettings/time-to-move-on-annual-progress-report-2017.pdf>

D3. Quality of social services

The Health Information and Quality Authority (HIQA) is an independent authority responsible for setting standards and monitoring residential services for children, older people and people with disabilities in Ireland under the Health Act 2007. HIQA is responsible for the Social Services Inspectorate which registers and inspects residential settings. In 2013 HIQA published the National Standards for Residential Services for Children and Adults with Disabilities. The standards apply to all public, private and voluntary residential services and residential respite services including supported community living services. In December 2014 the national broadcaster aired an expose on an evening news program about extensive abuse of older people with intellectual disabilities in a residential service. This resulted in

some discussion over the effectiveness of the HIQA inspections and subsequently HIQA in 2015 have found improved standard in the service. In February 2016 HIQA published a guidance document for services and health and social care professionals on supporting people's autonomy.

Links

Health Information and Quality Authority

<http://www.hiqa.ie/>

Health Act 2007

<http://www.irishstatutebook.ie/2007/en/act/pub/0023/index.html>

National Standards for Residential Services for Children and Adults with Disabilities

<http://www.hiqa.ie/standards/social/people-with-disabilities>

'Casual nature of Aras Attracta abuse most disturbing', Irish Times

<http://www.irishtimes.com/news/health/casual-nature-of-%C3%A1ras-attracta-abuse-most-disturbing-1.2031919>

Supporting people's autonomy: a guidance document

<https://www.hiqa.ie/sites/default/files/2017-01/Supporting-Peoples-Autonomy.pdf>

D4. Provision of assistive devices at home

Holders of a medical card or long-term illness card may be entitled to get certain assistive devices free of charge through the health system. A housing adaptation grant for people with a disability is available on a means tested basis where changes need to be made to a home to make it suitable for a person with a physical, sensory or intellectual disability, or a mental health difficulty, to live in. The Mobility Aids Grant Scheme is also available to people with disabilities needed to make mobility related adaptations in their home. A person cannot apply for both the Mobility Aids Grant Scheme and the Housing Adaptation Grant. The Central Remedial Clinic, the National Association for Deaf People, Irish Wheelchair Association, the National Council for the Blind of Ireland and Enable Ireland are non-governmental organizations that also provide free assistive technology. Enable Ireland also provides courses on assistive technology. The IWA also operates an initiative that assists and supports people with disabilities to get social housing. The Citizen's Information Board runs a website that provides information about assistive technology, daily living aids and mobility aids.

Links

Housing Adaptation Grant

http://www.citizensinformation.ie/en/housing/housing_grants_and_schemes/housing_adaptation_grant_for_people_with_disability.html

IWA Assistive Technology

<http://www.wheelchairsolutions.ie/>

CRC Assistive Technology

<http://www.crc.ie/what-we-do/for-teenagers-and-adults/assistive-technology-and-specialised-seating/>

DeafHear

<https://www.deafhear.ie/DeafHear/servicesAssistiveTechnology.html>

Medical Card information

https://www.citizensinformation.ie/en/health/medical_cards_and_gp_visit_cards/medical_card.html

Long-Term Illness Card information

https://www.citizensinformation.ie/en/health/drugs_and_medicines/long_term_illness_scheme.html

Mobility Aids Grant Scheme

http://www.citizensinformation.ie/en/housing/housing_grants_and_schemes/mobility_aids_grant_scheme.html

Enable Ireland Assistive Technology Courses

<http://www.enableireland.ie/products-technology/at-training/courses-seminars>

NCBI Assistive Technology

<https://www.ncbi.ie/types-of-assistive-technology/>

Assist Ireland

<http://www.assistireland.ie/eng/>

D5. Availability of personal assistance schemes

Personal assistance (PA) services are mainly funded through the Health Service. Non-Governmental organisations such as the Irish Wheelchair Association (IWA) also provide personal assistance programmes through county level offices. The IWA provides two different types of assisted living services, self-directed or supported. Under the self-directed package the person with the disability is in charge of the provision of services rather than a service manager. The Centres for Independent Living in Ireland (CILs) also provide person centred PA services. There are 22 CILs throughout Ireland which are run by persons with disabilities and promote person centred service approaches. In 2014 the Disability Federation of Ireland published a report on PA services in Ireland. The report highlighted the importance of PA services to fully enable people with disabilities to live in the community and recommended recognising the PA service on a statutory basis as well as providing a dedicated funding stream.

In 2018 the Department of Health published a report which makes recommendations on a personalised budgets model, this model will give people with disabilities more control in accessing health funded personal social services such as personal assistance. The vision behind personalised budgets is to enable a person with disabilities to have choice and control over individualised supports in all aspects of their lives, to live an independent life and to be an active participant in their community. Legislative changes will have to be considered by the Department of Health before implementation of this model.

Links

Personal Assistance through the HSE

<http://www.hse.ie/eng/services/list/4/disability/>

IWA Personal Assistance

<http://www.iwa.ie/services/assisted-living-services>

CIL Personal Assistance Services

<https://dublincil.org/>

DFI PA Services Report

http://www.disability-federation.ie/userfiles/file/DFI001_Access_to_life_report_.pdf

Information on PA services for students

<http://hea.ie/funding-governance-performance/funding/student-finance/fund-for-students-with-disabilities/>

Task Force on Personalised Budgets

<http://health.gov.ie/disabilities/task-force-on-personalised-budgets/>

Task Force Consultation Document

<http://health.gov.ie/wp-content/uploads/2017/09/Introducing-Personalised-Budgets-for-People-with-a-Disability-in-Ireland-Consultation-Paper.pdf>

D6. Income maintenance

Payments for persons with disabilities are paid by the Department of Social Protection. Depending on a person's situation, they may qualify either for the Pay Related Social Insurance (PRSI) based Illness Benefit or Invalidity Pension which require fulfilment of PRSI contribution conditions or payments and a medical assessment or means-tested benefits such as the Disability Allowance or Blind Pension. Recipients of the Disability Allowance and Blind Pension, in addition to the means-test, must also satisfy the habitual residence condition. From March 2018 on, the maximum rate for the Blind Pension and Disability Allowance was EUR 198 weekly. The independent agency, the Social Welfare Appeals Office, can hear appeals of social welfare decisions.

In 2017 the Department of Social Protection published the 'Make Work Pay' report which sets out the government's plans to ensure that people with disabilities are incentivised to work and will not lose out on certain benefits or services immediately if they take up employment.

Links

General Information on Social Welfare Benefits regarding disability

<http://www.welfare.ie/EN/Pages/DisabilityIllness.aspx>

Disability Allowance

http://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/disability_and_illness/disability_allowance.html

Blind Pension

http://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/disability_and_illness/blind_persons_pension.html

Social Welfare Appeals Office

http://www.citizensinformation.ie/en/social_welfare/irish_social_welfare_system/social_welfare_appeals.html

'Make Work Pay' Report

<http://www.welfare.ie/en/Pages/Make-Work-Pay-Report-2017.aspx>

D7. Additional costs

There is no specific cost of disability payment in Ireland, instead, a number of additional cash benefits are available to off-set the additional living costs of people with disabilities. The Free travel pass entitles the holder (and sometimes a companion) to freely travel on all state transport. This pass is slowly transitioning to the Public Services Card Free Travel. Carers Allowance is a means tested benefit paid to people who provide full-time care to someone over 16 years of age who requires 'full time care and attention'. The Domiciliary Care Allowance is available to a person caring for a child under the age of 16 who has 'severe disability, who requires ongoing care and attention' and they may also be entitled to an annual payment known as the Carers Support Grant. Disabled Persons Parking Cards can be

used in public parking areas.

The Motorized Transport Grant, which was a means-tested Health Service Executive (HSE) payment for people in Ireland with disabilities who need to buy or adapt a car in order to earn or gain employment and the Mobility Allowance, a means tested monthly payment available to people who are unable to walk, were both closed to new applicants in 2013. The Motorised Transport Grant and Mobility Allowance have not been replaced since the cuts in 2013. Replacement of these supports would have a significant impact on the ability of many people with disabilities to travel to work or school. The Minister for Health is now tasked with producing a new transport support scheme and drafting the associated legislation for the scheme to assist those with a disability to meet their mobility costs. The Health (Transport Support) Bill is on the list of priority legislation for publication in the Spring/Summer session 2018. The Minister in response to a parliamentary question confirmed that work on the policy proposals for the new Scheme is at an advanced stage.

Links

Information on disability entitlements

http://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/disability_and_illness/benefits_to_people_who_are_sick_or_have_a_disability.html

Treatment Benefit Scheme

http://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/disability_and_illness/treatment_benefit_scheme.html

Free Travel Pass/ Public Services Card Free Travel

<http://www.welfare.ie/en/Pages/How-do-I-qualify-for-free-travel.aspx>

Domiciliary Care Allowance

http://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/disability_and_illness/domiciliary_care_allowance.html

Carers Allowance

http://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/carers/carers_allowance.html

Disabled Persons Parking Card

http://www.citizensinformation.ie/en/travel_and_recreation/traffic_and_parking/disabled_persons_parking_card.html

Government decision on Motorized Transport Grant and Mobility Allowance

<http://health.gov.ie/blog/press-release/government-decision-in-relation-to-a-travel-subsidy-for-people-with-a-disability/>

Dail debate, New Transport Support Scheme

<https://www.oireachtas.ie/en/debates/question/2018-04-19/262/>

D8. Retirement income

People in receipt of the Disability Allowance and other disability related payments such as the Blind Pension move to a State Pension (Non-Contributory) at the age of 66. The State Pension (Non-Contributory) falls under the remit of the Department of Social Protection. Ireland also has a State Pension (Contributory) for those over the age of 66 who have enough social insurance contributions accrued. The Social Welfare's Appeal Office hears appeals related to the State Pension schemes.

The Pensions Authority is provided for under the Social Welfare and Pensions (Miscellaneous Provisions) Act 2013 and regulates and supervises compliance with the requirements of the Pensions Act by trustees of occupational pension schemes, Personal Retirement Savings Accounts (PRSA) providers, Registered Administrators (RAs) and employers in Ireland. The Pensions Authority has appointed Access Officers in accordance with section 26(2) of the Disability Act 2005, who are responsible for ensuring that the Pensions Authority's services are accessible to people with disabilities. A complaint can be made against the Pensions Authority if it does not comply with the provisions of Sections 25, 26, 27 and 28 of the Disability Act, 2005.

Links

State Pension (Non-Contributory)

http://www.welfare.ie/en/Pages/248_State-Pension-Non-Contributory.aspx

The Pensions Authority

<https://www.pensionsauthority.ie/en/>

The Pensions Authority - Access Officers

http://www.pensionsauthority.ie/en/About_Us/Access_Officers_under_the_Disability_Act_2005/

State Pension (Contributory)

http://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/older_and_retired_people/state_pension_contributory.html

E. Education

E1. Special schools

The Education for Persons with Special Educational Needs Act (EPSEN) 2004 states that: "A child with special educational needs shall be educated in an inclusive environment with children who do not have such needs unless the nature or degree of those needs of the child is such that to do so would be inconsistent with - (a) the best interests of the child as determined in accordance with any assessment carried out under this Act, or (b) the effective provision of education for children with whom the child is to be educated." Under the EPSEN Act children with disabilities are to be largely included in mainstream schools. The EPSEN Act also established the National Council for Special Education which works with schools and other actors to provide education and support services to children with special needs education. 'SchoolDays.ie' lists 541 primary schools in Ireland with special needs capabilities some of which are entirely 'special schools'. The National Council for Special Education publishes a list of mainstream primary and post-primary schools every year which have special classes.

Links

Education for Persons with Special Educational Needs Act 2004

<http://www.oireachtas.ie/documents/bills28/acts/2004/A3004.pdf>

Primary schools in Ireland that have Special Needs capabilities

[https://www.schooldays.ie/schooldays.nsf/docs2/Primary-Schools-in-Ireland-Special-Schools!OpenDocument&Start=1&Count=990&Expand=3](https://www schooldays.ie/schooldays.nsf/docs2/Primary-Schools-in-Ireland-Special-Schools!OpenDocument&Start=1&Count=990&Expand=3)

NCSE List of Special Classes Mainstream Schools for September 2017

http://ncse.ie/wp-content/uploads/2017/07/NCSE-17_18-List-of-Special-Classes-Mainstream-Schools-for-September-2017.pdf

E2. Mainstream schools

Section 7 of the Equal Status Act 2000 prohibits discrimination on the basis of disability at an 'educational establishment'. This term is broadly defined to ensure that all educational establishments, private and public, from pre-school facilities through to third level institutions, fall within the definition of an 'educational establishment'. Current government policy in Ireland is to encourage the maximum possible inclusion for children with special educational needs in mainstream schools as per the Education for Persons with Special Educational Needs Act 2004. There are several ways support may be provided to a child with a disability in a mainstream school. Learning support or resource teachers are available through a general allocation which the school then determines how to disperse. This is commonly used for high incidence needs and low support requirements. For children with hearing impairments, visual impairments, autism and general learning disabilities individual applications to the National Council for Special Education (NCSE) for resource teaching hours is required. There are also Special Needs Assistants who provide non-teaching care support. Special classes catering for students from a particular category of need (for example autism) within a mainstream setting are also on the increase in recent years.

Links

Education for Persons with Special Educational Needs Act 2004

<http://www.oireachtas.ie/documents/bills28/acts/2004/A3004.pdf>

Equal Status Act 2000

<http://www.irishstatutebook.ie/2000/en/act/pub/0008/sec0007.html#sec7>

Citizens Information on Special Needs Education

http://www.citizensinformation.ie/en/education/primary_and_post_primary_education/going_to_primary_school/special_needs_education_primary_schools.html

Resource Teaching and SNA Allocations to Schools

<http://ncse.ie/statistics>

NCSE Report - Special Classes in Irish Schools

<https://www.esri.ie/pubs/BKMNEXT308.pdf>

E3. Sign language and Braille in school

The key focus of the Education of Persons with Special Educational Needs Act (EPSEN) is the right to an appropriate education in an inclusive setting wherever possible but there is no specific obligation to provide Braille and sign language services. Special Needs Assistants, however, may be used to provide sign language support. The National Braille Production

Centre provides Braille transcription services for textbooks to all children with a registered visual impairment in Ireland.

The State has a constitutional obligation to provide for free primary education, which must be appropriate for the child's needs. However, this has been interpreted restrictively in 'O'Carolan v The Minister for Education', and the subsequent test is not as to whether the child is receiving 'the best possible' education but merely whether the current educational provision for the child is appropriate. To date, there has been no case-law regarding the right to learn Braille or sign-language in mainstream schools in Ireland.

Links

Education of Persons with Special Educational Needs Act

<http://www.irishstatutebook.ie/2004/en/act/pub/0030/index.html>

Debate on Irish Sign Language provision in the houses of the Oireachtas

<http://debates.oireachtas.ie/seanad/2011/07/05/00011.asp>

Education Circular Special Needs Assistant

http://www.education.ie/en/Circulars-and-Forms/Active-Circulars/ci0030_2014.pdf

National Braille Production Center

<http://www.braille.ie/aboutus.html>

O'Carolan v The Minister for Education

<https://www.bailii.org/ie/cases/IEHC/2005/H296.html>

E4. Vocational training

Section 12 of the Employment Equality Act 1998 expressly forbids discrimination by any bodies offering vocational training. One of the high-level goals of the Updated National Action Plan for Social Inclusion 2015-2017 is to support labour market activation and this includes providing enhanced vocational and educational training opportunities for people with disabilities. Consultations for a 2018-2021 plan are ongoing. Solas is the organisation that oversees the government's further education and training programmes. The Vocational Training Opportunities Scheme is open to people with disabilities who have been unemployed or are on Disability Allowance or the Blind Pension for six months or more. Since 2013, the Education and Training Boards are responsible for education and training centres in their localities. Solas's 2018 Further Education and Training Plan highlighted the fact that people with disabilities are one of the most at-risk groups for falling into long-term employment, and Plan sets out how the sector supports the active inclusion of learners with disabilities. The Comprehensive Employment Strategy for People with Disabilities 2015 - 2024 includes ensuring that school leavers with disabilities are offered planned vocational education to suit their needs for work as part of its strategic goals. In 2016 the National Disability Authority published a report on International Good Practice in Vocational Rehabilitation: Lessons for Ireland as part of their obligations under the strategy.

Links

Education and Training Boards Act 2013

<http://www.irishstatutebook.ie/eli/2013/act/11/enacted/en/html>

Solas Further Education and Training Plan 2018

http://www.solas.ie/SolasPdfLibrary/14691_SOLAF_FET_services_plan_R9.pdf

Equality Employment Act 1998

<http://www.irishstatutebook.ie/1998/en/act/pub/0021/sec0012.html#sec12>

Updated National Action Plan for Social Inclusion 2015-2017

<http://www.welfare.ie/en/downloads/Updated%20National%20Action%20Plan%20For%20Social%20Inclusion%202015-2017.pdf>

Vocational Training Opportunities Scheme

http://www.citizensinformation.ie/en/education/returning_to_education/vocational_training_opportunities_scheme.html

Consultation for National Action Plan for Social Inclusion 2018 -2021

<https://www.welfare.ie/en/Pages/PublicConsultation-for-newNationalActionPlan-forSocialInclusion2018-2021.aspx>

Comprehensive Employment Strategy for People with Disabilities

<http://www.justice.ie/en/JELR/Comprehensive%20Employment%20Strategy%20for%20People%20with%20Disabilities%20-%20FINAL.pdf/Files/Comprehensive%20Employment%20Strategy%20for%20People%20with%20Disabilities%20-%20FINAL.pdf>

International Good Practice in Vocational Rehabilitation: Lessons for Ireland

<http://nda.ie/File-upload/International-Good-Practice-in-Vocational-Rehabilitation-Lessons-for-Ireland.pdf>

E5. Higher education

A number of access programmes provide assistance to people with disabilities in accessing higher education. One example is the Disability Access Route to Education (DARE) programme. DARE initiatives include: a third level admission scheme for students with disabilities under the age of 23; places allocated on a reduced points scheme to school leavers whose disability has affected their education performance significantly; a website with information on those units involved in DARE; and assistance in applying through the Central Admissions Office. The Association for Higher Education Access and Disability (AHEAD) is a non-profit organisation that promotes full access and participation of students with disabilities in higher education. In the 2016/2017 academic year there were 12,630 students with disabilities in higher education in Ireland which equates to 5.7% of the total student population. The National Plan for Equity of Access to Higher Education 2015-2019 sets a target of 8% for students with disabilities as a percentage of all new entrants to higher education. In 2017 the Higher Education Authority (HEA) published a review of their Fund for Students with Disabilities which indicated that the number of students supported by the fund each year had increased from 3,500 to over 10,000 since 2008.

Links

National Access Plan

<http://hea.ie/assets/uploads/2017/06/National-Plan-for-Equity-of-Access-to-Higher-Education-2015-2019.pdf>

Universities Act 1997

<http://www.irishstatutebook.ie/1997/en/act/pub/0024/index.html>

AHEAD website

<http://ahead.ie/>

Equal Status Acts

http://www.lawreform.ie/fileupload/Restatement/First%20Programme%20of%20Restatement/EN_ACT_2000_0008.PDF

Numbers of Students with Disabilities in Higher Education

<https://www.ahead.ie/userfiles/files/shop/free/Rates%202016-17%20-%20ONLINE.pdf>

HEA Review of the Fund for Students with Disabilities

<http://hea.ie/assets/uploads/2017/10/HEA-Review-of-the-Fund-for-Students-with-Disabilities.pdf>

F. Employment

F1. Non-discrimination in employment

The primary pieces of Irish legislation concerned with disability and employment are the Employment Equality Acts 1998-2015, the Equal Status Acts 2000-2015, and the Disability Act 2005. The Employment Equality Acts 1998-2015 prohibits discrimination on nine grounds, including disability, and covers employees in both the public and private sectors including people employed through employment agencies and applicants for employment and training. The Acts require the provision of reasonable accommodation. However, the provision of reasonable accommodation must not amount to more than a nominal cost on the service provider. The Disability (Miscellaneous Provisions) Bill 2016, which is currently going through the Dáil, seeks to address the issue of nominal cost by requiring public bodies to provide reasonable accommodation unless it amounts to a 'disproportionate burden' on the service provider. Part 5 of the Disability Act 2005 covers the obligations on public service bodies to have 3% of people with disabilities amongst their employees. There is a government commitment to gradually increase this from 3% to 6%, and The Pathways to Work Strategy 2016-2020 indicates that the public service employment target for people with disabilities for 2016 was 4%. The government has also published a Comprehensive Employment Strategy for People with Disabilities 2015-2024 which aims for a coordinated approach across government departments to support people with disabilities with employment including policies to positively discriminate towards people with a disability in the public sector and to tackle perceptions of disability by employers.

Links

Employment Equality Act 1998

<http://www.irishstatutebook.ie/1998/en/act/pub/0021/index.html>

Disability Act 2005

<http://www.irishstatutebook.ie/2005/en/act/pub/0014/index.html>

Equal Status Act 2000

<http://www.irishstatutebook.ie/eli/2000/act/8/enacted/en/html>

The Employment Equality Acts 1998-2015 - A Summary

<https://www.ihrec.ie/guides-and-tools/human-rights-and-equality-for-employers/what-does-the-law-say/eea-summary/>

Disability (Miscellaneous Provisions) Bill 2016

<https://www.oireachtas.ie/viewdoc.asp?DocID=34322&&CatID=59>

Pathways to Work

<https://www.welfare.ie/en/downloads/PathwaysToWork2016-2020.pdf>

Comprehensive Employment Strategy for People with Disabilities

<http://www.justice.ie/en/ELR/Comprehensive%20Employment%20Strategy%20for%20People%20with%20Disabilities%20-%20FINAL.pdf/Files/Comprehensive%20Employment%20Strategy%20for%20People%20with%20Disabilities%20-%20FINAL.pdf>

F2. Public employment services

The Department of Social Protection runs 'Intreo' - a single point of contact for all employment and income supports - which provides employment services and supports for jobseekers. There have been critiques of Intreo, however, by DPOs because of the way the system prioritises those on the live register which would often not include people with disabilities who are unemployed. The Department of Social Protection also provides the EmployAbility service which provides employment and recruitment services to people with disabilities and operates a reasonable accommodation fund which includes a Job Interview Interpreter Grant, Personal Reader Grant and Workplace Equipment Adaption Grant to support people with disabilities to gain and retain employment.

Links

EmployAbility

http://www.welfare.ie/en/Pages/Work-Supports-for-People-with-a-Disability_holder.aspx

Intreo

http://www.welfare.ie/en/Pages/Intreo_home.aspx

DFI Submission to the Department of Social Protection 2013

<https://www.disability-federation.ie/about/publications/category/budgetsubmission/>

Reasonable Accommodation Fund

http://www.welfare.ie/en/Pages/Reasonable-Accommodation-Fund_holder.aspx

F3. Workplace adaptations

The Workplace Equipment Adaptation grant (WEAG) is available to people with disabilities who have been offered or are already in employment in the private sector. The grant can be used for equipment, or building and safety adaptations. The maximum grant available is EUR 6,350. Public Sector employers must adapt their workplace at their own cost. Under Section 49 of the Disability Act, public sector employers may be required to make adaptations or provide accessible supports in order to better facilitate the employment of people with disabilities.

Links

Workplace Equipment Adaptation grant

<http://www.welfare.ie/en/Pages/Workplace-Equipment-Adaptation-Grant.aspx>

Disability Act 2005

<http://www.irishstatutebook.ie/eli/2005/act/14/enacted/en/print>

Grants for adapting or equipping workplaces for people with disabilities

http://www.citizensinformation.ie/en/employment/employment_and_disability/grants_for_adapting_or_equipping_the_workplace_for_disabled_staff.html

F4. Financial incentives

The Department of Social Protection provides the Wage Subsidy Scheme which is available to private sector employers who employ people with disabilities more than 20 hours per week. The Employee Retention Grant Scheme aims to support employers in the retention of employees who acquire an illness, condition or impairment which impacts on their ability to carry out their job. The Disability Awareness Training Support Scheme is available to all companies in the private sector and aims to promote the employment of people with disabilities by raising awareness and understanding amongst staff.

Links

Employee Retention Grant Scheme:

http://www.citizensinformation.ie/en/employment/employment_and_disability/grants_for_employers_to_retain_employees_with_disabilities.html

Wage Subsidy Scheme

<http://www.welfare.ie/en/Pages/Supports-for-People-with-Disabilities-and-for-Employers---SW.aspx>

Disability Awareness Training Support Scheme

http://www.welfare.ie/en/Pages/Disability-Awareness-Training_holder.aspx

G. Statistics and data collection

G1. Official research

The National Disability Authority (NDA) is the independent state body that provides expert advice on disability policies to the government. The NDA assists the Department for Justice and Equality with disability policy. The Central Statistics Office (CSO) is the national statutory body with responsibility for the collection, compilation, extraction and dissemination for statistical purposes of information relating to economic, social and general activities and conditions in the State. There are two national service-planning databases in Ireland for persons with disabilities, and these are managed by the Health Research Board, the National Intellectual Disability Database and the National Physical and Sensory Disability Database.

Links

Disability data from the Central Statistics Office

<http://cso.ie/en/search/index.html?q=disab>

Health Research Board

<http://www.hrb.ie/>

National Intellectual Disability Database

<https://www.hrb.ie/data-collections-evidence/disability-service-use-and-need/latest-data/>

National Physical and Sensory Disability Database

<https://www.hrb.ie/data-collections-evidence/disability-service-use-and-need/latest-data/>

G2. Census data

The Central Statistics Office (CSO) is the national statutory body with responsibility for the collection, compilation, extraction and dissemination for statistical purposes of information relating to economic, social and general activities and conditions in the State. CSO surveys with particular relevance in providing statistics on people with disabilities include; the Census of Population; the National Disability Survey; the Quarterly National Household Survey; and

the annual Survey on Income and Living Conditions (SILC). People with disabilities are identified in both the National Census and the Quarterly National Household Survey (QNHS), and in both cases disability status is self-identified. The most recent National Disability Survey was completed in 2006 following the census in that year and has not been repeated following the census in 2011 or 2016. In the 2016 Census people with disabilities equated to 13.5% of the population.

Links

Census Data 2016

<http://www.cso.ie/en/csolatestnews/presspages/2017/census2016profile9-healthdisabilityandcarers/>

National Disability Survey 2006 Volume 1

http://www.cso.ie/en/media/csoie/releasespublications/documents/otherreleases/nationaldisability/National_Disability_Survey_2006_First_Results_full_report.pdf

National Disability Survey 2006 Volume 2

<http://www.cso.ie/en/media/csoie/releasespublications/documents/otherreleases/nationaldisabilityvol2/NDS2006Publication.pdf>

Equality Module (Quarterly National Household Survey 2010 Quarter 4)

http://www.cso.ie/en/media/csoie/releasespublications/documents/labourmarket/2010/qnhs_equalityq42010.pdf

G3. Labour Force Survey

The Quarterly National Household Survey (QNHS) is a large-scale, nationwide survey of households in Ireland. It is designed to produce quarterly labour force estimates that include the official measure of employment and unemployment in the state (ILO basis). The QNHS also conducts special modules on different social topics each quarter. In the QNHS (as in the National Census) disability is measured through self-identification. The most recent QNHS does not give data for persons with disabilities therefore the most recent data on disability and labour force participation is from the National Census in 2016 which showed that there were 176,445 persons with a disability in the labour force, giving a labour force participation rate of 30.2% compared with 61.4% for the population overall.

Links

Quarterly National Household Survey

<http://www.cso.ie/en/qnhs/abouttheqnhs/whatistheqnhs/>

CSO labour market statistics

<http://www.cso.ie/en/statistics/labourmarket/>

Census Data 2016

<http://www.cso.ie/en/csolatestnews/pressreleases/2017pressreleases/presstatementcensus2016resultsprofile9-healthdisabilityandcarers/>

G4. Disability equality indicators

The National Disability Authority (NDA), the independent statutory body charged with providing expert advice on disability policy, developed a suggested set of indicators designed to measure progress on the five high-level goals of the National Disability Strategy in terms of outcomes for individuals. Among the indicators identified was the Quarterly National

Household Survey (QNHS). The QNHS most recent module on Equality is from Q3 2014 and details that 16% of people with a disability compared with 11% of those without a disability said that they felt discriminated against in the two years prior to the survey. The most recent National Disability Survey was completed in 2006 following the census in that year and has not been repeated following the census in 2011 or 2016.

Links

National Disability Strategy outcome indicators

<http://nda.ie/Policy-and-research/Research/Research-Publications/Survey-on-National-Disability-Strategy-Indicators-2011.html>

QNHS Equality Quarter 3 2014

<http://www.cso.ie/en/releasesandpublications/er/q-eg/qnhsequalitymodulequarter32014/>

National Disability Survey 1

http://www.cso.ie/en/media/csoie/releasespublications/documents/otherreleases/nationaldisability/National_Disability_Survey_2006_First_Results_full_report.pdf

National Disability Survey 2

<http://www.cso.ie/en/media/csoie/releasespublications/documents/otherreleases/nationaldisabilityvol2/NDS2006Publication.pdf>

H. Awareness and external action

H1. Awareness raising programs

The Department of Social Protection provides grants to employers to conduct disability awareness trainings. NCBI, DeafHear and the IWA all provide disability awareness training services. In recent years there has been an increased focus on awareness of mental health in Ireland through the efforts of organisations like Jigsaw, Mental Health Ireland, and See Change. The Training and Employment Agency offers disability awareness training for employers in order to assist with the employment and retention of people with disabilities in the workplace. A grant is available to employers of up to 90% of the cost in the first year and 80% in subsequent years up to a maximum of EUR 20,000 per year.

Links

Disability Awareness Support Scheme

http://www.welfare.ie/en/Pages/Disability-Awareness-Training_holder.aspx

National Mental Health Stigma Reduction Partnership Campaign

<http://www.seechange.ie/>

'Your Mental Health'

<http://www.yourmentalhealth.ie/>

NCBI Disability Awareness

<http://www.ncbi.ie/built-environment-accessibility/benefits-of-disability-awareness-training/>

DeafHear Disability Awareness Training

<https://www.chime.ie/services/awareness-training-for-employers-and-organisations>

IWA Disability Awareness Training

<https://www.iwa.ie/services/corporate-training/courses-old>

H2. Training for teachers

All teacher education programmes in Ireland must have professional accreditation for graduates to be eligible for registration with the Teaching Council. The Teaching Council published the new criteria which must be met by Higher Education Institutions (HEIs) providing programmes of teacher education in Ireland in 2011. The criteria list Inclusive Education (Special Education, Multiculturalism, Disadvantage, etc.) as mandatory elements of a teacher training programme. The Department of Education and Skills' Statement of Strategy 2015-2017 includes supporting inclusion and diversity as one of its goals. The Special Education Support Service (SESS) works to provide professional development opportunities and supports to teachers in mainstream schools who have children with special education needs.

Links

Initial Teacher Education: Criteria and Guidelines for Programme Providers (2011)

<http://www.teachingcouncil.ie/en/Publications/Teacher-Education/Initial-Teacher-Education-Criteria-and-Guidelines-for-Programme-Providers.pdf>

Department of Education and Skills' Statement of Strategy 2015-2017

<https://www.education.ie/en/Publications/Corporate-Reports/Strategy-Statement/Department-of-Education-and-Skills-Statement-of-Strategy-2015-2017.pdf>

The Teaching Council

<http://www.teachingcouncil.ie>

Policy Paper on the Continuum of Teacher Education

<http://www.teachingcouncil.ie/en/Teacher-Education/>

Special Education Support Service

<http://www.sess.ie/about-sess/about-sess>

H3. Training for lawyers

There is no formal requirement for disability awareness or equality issues to form part of initial training programmes for lawyers in Ireland. The Law Society of Ireland provides Professional Training courses and Continuous Professional Development modules (of which a certain number are mandatory). The Diploma programme has in the past included the option for a Certificate in Capacity, Mental Health and the law. However, attendance at disability or equality-based modules is not a mandatory requirement for the CPD Programme.

Links

Law Society Module Information

https://www.lawsociety.ie/Courses--Events/Public-Diplomas-CMS/?filters=q_capacity

H4. Training for doctors

In their submission to the Working Group on Undergraduate Medical Education and Training Disability, the National Disability Authority (NDA) advised the provision of disability awareness training for: medical students throughout their undergraduate training and education; academic staff; and practitioners supervising medical students on placement. The NDA also advised the development of a system of disability / equality proofing in undergraduate medical education and training, including recruitment and retention of people with disabilities and people covered by the other grounds under equality legislation. In 2007

the National Federation of Voluntary Bodies developed the evidence-based National Best Practice Guidelines for Informing Families of their Child's Disability. Over the course of 2017, the Informing Families Project is being supported by the HSE in rolling out an implementation strategy for the National Best Practice Guidelines for Informing Families of their Child's Disability including an e-module in this area for professionals.

Links

NDA submission to the Working Group on Undergraduate Medical Education and Training Disability

<http://nda.ie/Publications/Health/Submissions-on-Health/Submission-to-Working-Group-on-Undergraduate-Medical-Education-and-Training-Response-Form.html>

National Federation of Voluntary Bodies - Guidelines for Informing Families of their Child's Disability

http://www.fedvol.ie/Informing_Families_Project/Default.1642.html

Informing Families Project

<http://www.informingfamilies.ie/news/national-roll-out-of-the-informing-families-guidelines.553.html>

Informing Families Materials and Training

<http://www.informingfamilies.ie/support-for-professionals-through-best-practice-guidelines-on-informing-families/training-module-for-informing-families.227.html>

H5. Training for engineers

There is no mandatory disability awareness/equality issues component as part of initial engineer training in Ireland. Continuous Professional Development courses are offered by Engineers Ireland and include topics such as 'How to Make Buildings Accessible' and Access Auditor training to certify buildings under the Disability Access Certificate. Legislative reform in this area comes in the form of the Disability Act 2005. Part 6 of the Act establishes the Centre for Excellence in Universal Design. Part of the mandate of this facility is to ensure that, as far as it is practicable, courses of education and training in the principles of universal design are provided for persons engaged in such work, including architects, engineers, town planners, systems analysts, software designers, transport providers and designers of passenger transport vehicles and passenger vessels, and to ensure the development of appropriate curricula so that the concept of universal design forms an integral part of the relevant courses.

Links

Engineers Ireland training courses

<http://www.engineersireland.ie/CPD-Training/CPD-Training/Registered-Training-Provider/O%E2%80%99Herlihy-Access-Consultancy/Improving-Access-to-the-Built-Environment-Includin.aspx>

Part 6 of the Disability Act 2005 (19 C)

<http://www.irishstatutebook.ie/eli/2005/act/14/section/52/enacted/en/html#part6>

Centre for Excellence in Universal Design

<http://www.universaldesign.ie/>

H6. International development aid

Irish Aid is Ireland's Department of Foreign Affairs international development agency. The primary focus of the Irish Aid programme is poverty reduction and sustainable development amongst the world's poorest populations. In 2019 Irish Aid launched A Better World, which outlines Ireland's international development policy. The new policy states that they will strengthen governance to deliver transformative change, inclusive outcomes and the realisation of human rights, including people with disabilities. In 2014 CBM Ireland sent a submission to the Review of Ireland's Foreign Policy and External Relations which called on the Department of Foreign Affairs to become a member of the National Disability Stakeholders' Group and to ensure that commitments made to promoting human rights for people with disabilities are carried out.

Links

Irish Aid A Better World

<https://www.irishaid.ie/media/irishaid/aboutus/abetterworldirelandspolicyforinternationaldevelopment/A-Better-World-Irelands-Policy-for-International-Development.pdf>