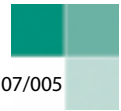


**ANED – Academic Network of European Disability Experts  
(VC/2007/0388)  
2009 Annual Activity Report**



**Human European Consultancy and  
Centre for Disability Studies – Leeds University**

**Reporting Period: 19 December 2008 – 19 December 2009**



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This publication is supported by the European Community Programme for Employment and Social Solidarity (2007-2013). This programme was established to financially support the implementation of the objectives of the European Union in the employment and social affairs area, as set out in the Social Agenda, and thereby contribute to the achievement of the Lisbon Strategy goals in these fields.

The seven-year Programme targets all stakeholders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA and EU candidate and pre-candidate countries.

For more information see:

<http://ec.europa.eu/social/main.jsp?catId=327&langId=en>

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## Introduction

The Academic Network of European Disability experts (ANED) was established by the European Commission in 2008 to provide scientific support and advice for its disability policy Unit. In particular, the activities of the Network will support the future development of the EU Disability Action Plan and practical implementation of the United Nations Convention on the Rights of Disabled People. The philosophy and aims of ANED focus on research and policy that support the objectives of full participation and equal opportunities for all disabled people. The Network is co-ordinated by [Human European Consultancy](#) (Netherlands) and the [Centre for Disability Studies at the University of Leeds](#) (UK), with national experts in 29 EU/EFTA countries and an additional pool of experts in specific fields.

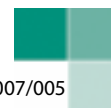
The European Commission has allocated funding for ANED for 4 years. In the first year, the objectives were both to establish the new research infrastructure and to achieve concrete research results.

The results, achieved during the first year have been described in the 2008 Activity Report, which is available in [English](#), [French](#) and [German](#).

The work programme identified the following tasks for 2009:

- Task 1: Network management
- Task 2: Developing Collaborative work environment and website
- Task 3: To provide advice on priorities for EU law and policy development in relation to the Disability Action Plan and UN Convention
- Task 4: To propose a preliminary list of implementation indicators in relation to the Disability Action Plan and the UN Convention
- Task 5: Produce a thematic report on a selected policy topic area
- Task 6: Updating the country reports on employment and social inclusion
- Task 7: Respond to additional information requests from the Commission
- Task 8: Annual academic meeting

The results of each of the tasks is described in this activity report.



## **Task 1 Network management**

The network tasks were managed by a management team consisting of a Project Director (Piet Leunis), a Scientific Director (Mark Priestley) and a Support Manager (Andrea Trotter).

A Scientific Advisory Board (Gerard Quin, Erzsébet Szöllósi (on behalf of EDF), Anna Lawson, Jean-Francois Ravaud, Lisa Waddington and Anne Waldschmidt) did guide and supervise the implementation of the tasks.

The list of ANED members and experts can be found in an Annex to this report

## **Task 2: The work environment and website**

A community style website 'ANED & Beyond' was introduced to the ANED members and interested external participants in April, including a weblog enabling all participants to post announcements or inquiries, a document library and wiki pages.

Practice showed that with rare exceptions the area's were only fed by the ANED management and no significant interaction took place between the participants. We conclude that the limited time involvement of members in ANED (8,5 working days in a year) cannot lead to a viable community medium like this and because of that does not provide added value to external persons interested in ANED work.

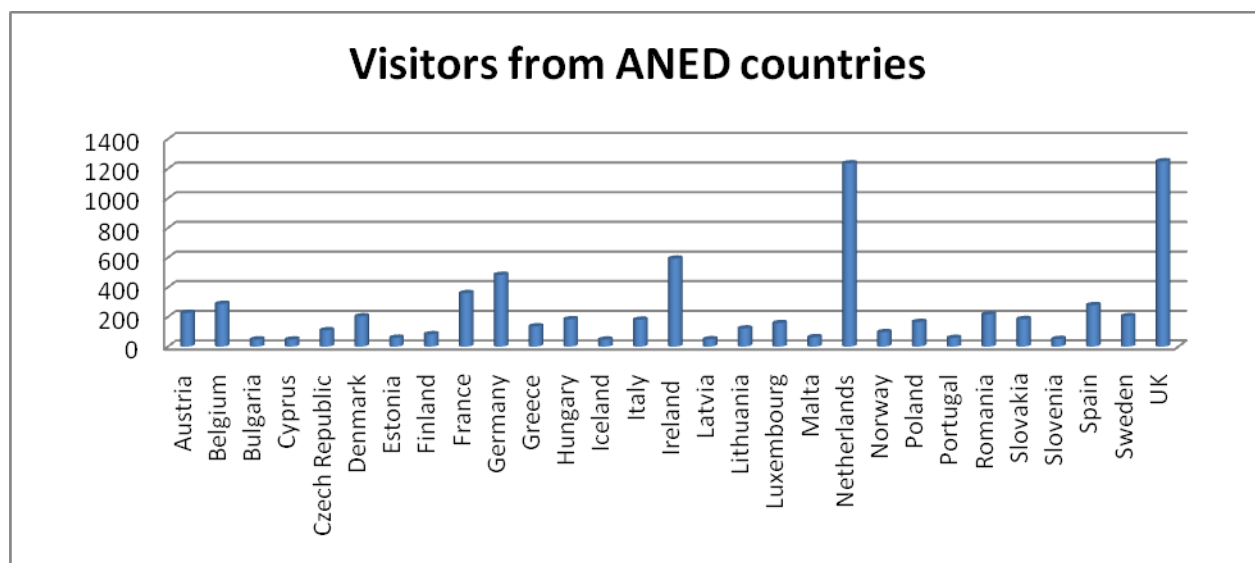
The ANED website [www.disability-europe.net](http://www.disability-europe.net), launched during 2008, was highly appreciated.

Reports from the tasks carried out in 2009 were published on the website and the links are presented under the description of the relevant tasks in this report.

During 2009 we also renewed the country pages, adding information under the following headings:

- Academic networks and resources
- Policy and enforcement bodies
- Organisations of disabled people
- National laws, policies and strategies concerning disabled people
- Facts and figures (data on population, employment, accessibility, attitudes and public spending)
- Social protection (key features of the national system)
- Additional information (useful sources of more detailed information about the policies and support available for disabled people)

During 2009 a number of 14.333 unique visitors visited the website or downloaded documents from the site. The number of visitors from ANED countries varied from 47 for Cyprus and Iceland to 7231 from the UK (for the purpose of presentation in the next graph the total number for the UK is presented with a lower number).

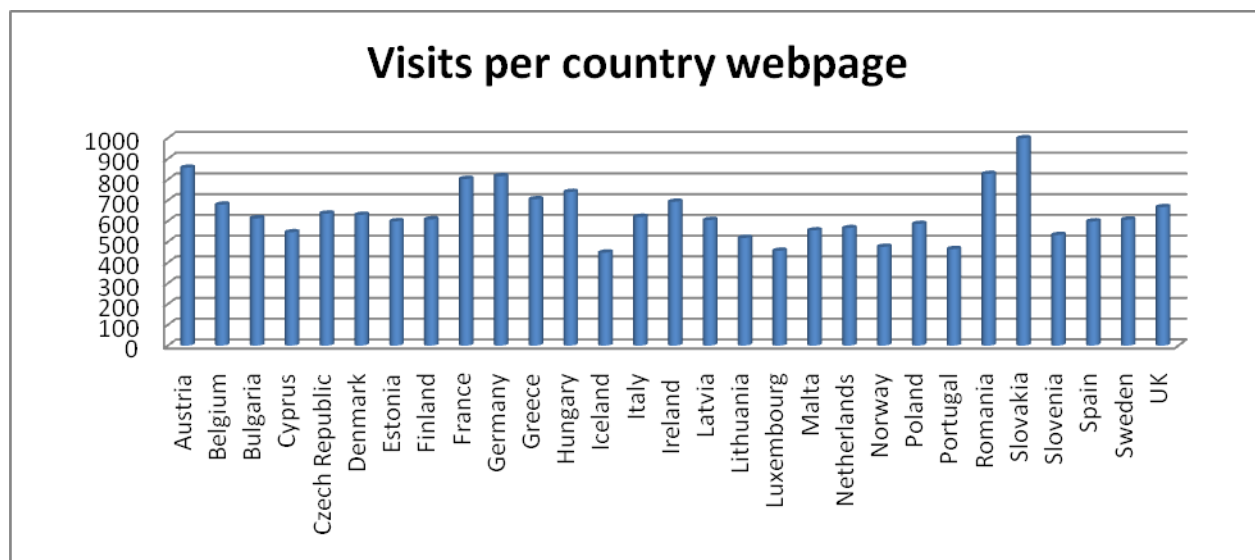


88% of the visits came from a direct address to the site, while 10% came via a search engine (mostly Google) and 2% via a link on another website.

The number of visits to the general website pages were:

PAGE	NUMBER OF VISITS
Home	100.143
Themes	2.216
About us	1.950
Contact	1.655
Links	1.239
Employment	1.233
Sitemap	1051
Social inclusion	1.048
Accessibility	955
Comparative data	924
Law and policy	858
Monitoring rights	789
Independent living	456
Search	432
Advanced search	394

The individual country web pages were visited 448 (Iceland) to 999 (Slovakia) times:



Visitors did download 594 different documents (pdf's) from the website.

Country reports on employment (report on Finland 600 x) and social inclusion( report on the Netherlands 543 x) were downloaded most.

Final reports from the various tasks were also downloaded frequently:

- The labour situation of disabled people in European countries and implementation of employment policies (373 x)
- The implementation of EU social inclusion and social protection strategies in European countries with reference to equality for disabled people (350 x)
- Annotated report on relevant European social surveys and statistical data sources (297 x)
- Monitoring the Implementation of the UN Convention on the Right of Persons with Disabilities in Europe (165)
- Annotated review of European legislation which makes a difference (160 x)
- Synthesis report on disability mainstreaming in the 2008-2010 National Strategy Reports on Social Protection and Social Inclusion (NSRs) (92 x)

Presentations from the 2008 ANED annual meeting were downloaded frequently as well.

### Task 3: EU law and policy priorities

**Task Leader:** Professor Lisa Waddington

**Rapporteur:** Janina Arsenjeva

**Working Group participants:** Prof. Theresia Degener, Stefan Trömel and Prof. Gerard Quinn

The main objectives of this task were to extend the mapping of EU law and policy to soft policy instruments in selected areas, and to provide advice to the Commission on priorities for law and policy development in relation to the EU Disability Strategy and UN Convention. The Task was therefore divided into two parts.

#### Task 3.1: Mapping EU law and policy

One of the functions of ANED provided for in the contract with the Commission is the establishing of a mechanism for monitoring and evaluating European laws and policies that affect disabled people. The resulting summaries and details on laws and policies are made available via the ANED website for the benefit of the wider research community, policy makers and other stakeholders. Positive feedback was received from external users of the website, including request to translate information on key legal instruments for national use.

##### *Work process*

During 2009, this task was divided in two parts, firstly to update and extend the descriptive review of EU law and policy to include significant soft policy instruments and, second, to reflect on selected priorities for law and policy development in relation to the next EU Disability Strategy.

The legislative mapping, conducted in 2008, was reviewed and updated by a rapporteur in consultation with ANED and EU Commission. The updated review covers both disability-specific and mainstream instruments, and provides evidence of the extent to which disability is being mainstreamed in different areas of EU law and policy. The summaries and examples include primary and secondary European legislation, as well as soft-law instruments that are currently in force. The review covers documents up to the end of 2009. It includes reference to Recommendations of the Council, Resolutions of the Parliament, and other policy documents, such as Objectives/Guidelines relating to the Open Methods of Coordination, Action Plans, Standardization Mandates, Strategies and so on. The guiding principle for selection was whether an instrument affects or informs the shaping of current European disability policy. If so, it was included in the review even if it could not, strictly speaking, be called 'soft law' (such as studies, conclusions, guidelines).

Almost two hundred legal instruments were annotated in this review, which follows the structure of the EurLex system classification headings, with individual instruments annotated and listed at the end of each section in chronological order. The largest number of instruments (legal acts and policy measures) which include a reference to disability were found in the fields of: Freedom of Movement for Workers and Social Policy (52 instruments); Industrial Policy and Internal Market (40 instruments); Transport Policy (21 instruments). Specific attention is drawn, in the report findings, to seven key areas.



Annotations of each individual instrument are presented in a structured annex to the report. The process of review is ongoing and data on the website will be updated again at the end of 2010 with reference to new instruments and details.

### *Overview of results*

Social Policy is thoroughly explored as a key area (including the scope to exploit instruments addressing other target groups, such as women or older people). In relation to Industrial Policy and Internal Market particular attention is drawn to examples on e-accessibility. With respect to Transport Policy, two current legislations (on maritime, and on coach passengers) will soon be adopted. Some areas, notably, Science, Information, Education and Culture, only have a handful of legal acts with a disability dimension but a long list of policy instruments where the legislators' commitment to disability equality is affirmed. In other fields, such as Environment, Consumers and Health Protection attention to disability remains, surprisingly, lacking. It is suggested that reinforcing the disability dimension of consumer protection policy would be useful. In the field of Statistics new survey tools relating to disability have started to appear but most approach disability as a 'health' issue. This will have to change once the European Union concludes the UN Convention (see also ANED Task 4). In the field of External Relations, the European Union is the world's largest aid donor and recognizes the importance of mainstreaming 'social' issues in achieving the Millennium Development Goals. However, none of the main EU instruments on development mention disability explicitly nor provide for mainstreaming disability. This situation should also change in light of the UN Convention (which obliges Parties to take disability into account in all international cooperation work).

The annotation was also updated by including references to the Treaty on the Functioning of the European Union (TFEU), which came into force on 1 December 2009. Only three of the instruments included in the review were based on reference to disability in Article 19 (although there is also scope in Article 10 TFEU, and the inclusion of the Charter within Treaty law). All other instruments were based on Treaty articles that made no reference to disability (e.g. articles relating to transport, are commonly being used to provide the basis for legislation addressing disability in the field of transport). The nature of disability discrimination is such that it may be necessary, in the future, to invoke Article 114 (internal market) to address situations of discrimination (such as the inaccessible design of goods).

### *Examples of recommendations:*

- More EU policy areas should be made disability-proof; special attention should be paid to fields such as health, consumer protection and external affairs, where the recognition of the disability dimension in legislation and policy is currently largely non-existent.
- The disability dimension in the legislation adopted under Article 114 TFEU should be made more explicit, in accordance with Declaration 22 of the Amsterdam Treaty. The benefits of including a social aspect to the internal market legislation should be considered in the legislative process.
- The use of soft law instruments should occur in a more strategic and less random way. The newer instruments should mainly measure the progress made towards the goals set out in earlier instruments and build a continuous policy in relation to a specific area.

- All new instruments should, where relevant, take into account the UN Convention on the Rights of Persons with Disabilities and make appropriate references to disability and people with disabilities.
- The revision of the existing legislation must also take account of the new obligations imposed by the UN Convention.

### **Task 3.2: EU law and policy development**

The second part of the ANED Task in 2009 focused on a discussion of the scope for future development of EU disability law and policy. The goal of the Working Group was to produce recommendations for the Commission on the priorities and scope for the development of EU legislative action and/or policy initiatives, including in particular through the Disability Action Plan post-2010, following conclusion of the UN Convention by the EU.

#### *Work process*

ANED convened a Working Group to formulate expert opinions on the priorities for law and policy development by the EU. The members of the Working Group formulated their opinions based on findings from the mapping exercises outlined above, and their wider academic knowledge about international law and policy. Each member of the Working Group was asked to prepare a short written note before the meeting. Members of the Working Group were asked to identify their individual priorities for action. These were discussed, reviewed and elaborated, with a synthesis report prepared by the Task Leader. The report pays particular attention to those fields in which there is potential for the EU to exercise legislative competence or policy initiative (e.g. through Action Plans and strategies over the next 2-10 years after 2010). It includes specific policy recommendations for the implementation of the UN Convention and/or development of the new EU Disability Strategy.

#### *Overview of results*

The report contains 45 specific recommendations in relation to eight topic areas. These include: Implementing the UN CRPD at EC level; Consumer Protection / Internal Market; E-accessibility; EU Budget; Reasonable Accommodation; multiple discrimination and disabled women; Regional Policy and Structural Funds; Independent / Community Living; External Relations and International Cooperation. An assessment of feasibility is provided for each recommendation.

In relation to the UN Convention, many of the issues addressed lie within the competence of the Member States. However, even in these areas, the EU institutions should be a catalyst to mobilize and stimulate developments at national level. There is a need for a dynamic force at the EU level promoting change with regard to the UN CRPD, which is beyond the current scope of the High Level Group.

Consumer protection is an area where the disability dimension has thus far been neglected and the overarching policy instrument on consumer protection – EU Consumer Policy strategy 2007-2013 – makes no references to consumers with disabilities.

New technologies, such as digital television, continue to present challenges and problems in terms of e-accessibility. There is also a need for a greater understanding across the board of the notion of 'reasonable accommodation'. It is important that all relevant parties understand that reasonable accommodation is not the same as general accessibility.

The UN CRPD is the first human rights treaty to explicitly address multiple discrimination (and in the context of disabled women and children). Issues of multiple discrimination and disabled women are recognised in some European Parliament documents, but the EU non-discrimination directives are based on single ground discrimination, and multiple discrimination is rarely mentioned and inadequately addressed.

The impact of the EU Structural Funds on disabled people depends very much on the level of interest and commitment of national authorities, leading to great variations between Member States. There is evidence that, in some Member States, the Structural Funds are still being used to fund institutions housing disabled people (e.g. through pilot projects), which do not live up to the requirements of independent / community living (e.g. Art. 19 UN CRPD). Responsibility for independent community living falls largely within Member State competence but the EU does exercise some influence, and this should be used to support independent living outcomes.

At present EU policy on external relations and international development is not always consistent with the UN CRPD. Disability-specific projects have been funded under Regulation 1889/2006 but the budget remains small and it would be useful to examine how far the rights of disabled people have been mainstreamed in other projects.

*Examples from the recommendations:*

- The Open Methods of Co-ordination (OMC) should be used to promote implementation of the UN CRPD at Member State level (see also ANED Task 7).
- EU law and policy should contain more positive obligations requiring that goods and services are made accessible to people with disabilities.
- EU wide standards to promote e-accessibility need to allow for new technological developments and innovations.
- More efforts should be made to include disability-related funding in general EU budget lines, in line with existing examples of good practice.
- Measures should be taken to improve existing interpretation of the reasonable accommodation provision of the Employment Equality Directive (Art. 5), and to ensure that the concept as applied with regard to employment is adapted to other fields.
- Issues of multiple discrimination and intersectionality must be addressed in future non-discrimination legislation.
- Efforts should be directed towards ensuring the maximum possible use of the existing Structural Fund regulations.

- The new Commission should adopt a more developed strategy on targeting and mainstreaming disability in external relations and international development aid funding.

The interim findings were presented to the ANED Annual Meeting by the Task Leader and Rapporteur, with responses and discussion from Network members and the EU Commission. The presentation was published on the 'Law and Policy' section of the ANED website.

Link ANED website page on Law and policy:

<http://www.disability-europe.net/en/themes/Law%20and%20policy>

Link to published report:

*Annotated review of European disability law and policy*, prepared by Janina Arsenjeva

[http://www.disability-europe.net/content/pdf/ANED%202009%20Task%203%201%20Review%20of%20law%20and%20policy%20with%20annex%20-%20final\\_in%20layout.pdf](http://www.disability-europe.net/content/pdf/ANED%202009%20Task%203%201%20Review%20of%20law%20and%20policy%20with%20annex%20-%20final_in%20layout.pdf)

#### **Task 4: Developing indicator proposals**

**Task Leader:** Professor Mark Priestley

**Rapporteur:** Stefanos Grammenos (Centre For European Social And Economic Policy)

**Working Group participants:** Anna Lawson, Jean-Francois Ravaut, Gerard Quinn, Giampiero Griffo (DPI), Alan Officer (WHO), Jean-Marc-Pascal Schaefer (Eurostat), Wim van Oorschot

The main objective for this task was to propose a draft set of qualitative and quantitative indicators, consistent with the UN Convention and useful for the development of future EU Disability Strategy.

##### *Work process*

The key findings and recommendations from the 2008 work programme were reviewed. First, some key working principles and indicator types had been proposed in the 2008 review of international monitoring projects, with reference to the UN Convention. Second, the mapping of comparative data had identified a wide range of European sources, and methodological challenges. These were reviewed and summarized in an initial briefing note, which proposed the development of a new indicator set and invited contributions from ANED members and other stakeholders.

A small working group was established to consider the overall approach and to discuss proposals for specific indicators. This group included three members of the ANED Scientific Board, and three representatives of external stakeholders (Disabled People's International, the World Health Organisation and Eurostat). The group was chaired by the Scientific Director and an expert Rapportuer was appointed to advise on the feasibility of proposals for quantitative indicators.

Information was exchanged with the Council of Europe working group on disability indicators, European Disability Forum, European Forum of Sign Language Interpreters, as well as academics working in the development of comparative indicators. The Rapporteur from the 2008 task, and two members of the Commission's Disability Unit staff, also attended one of the meetings. Two members of the group (the Scientific Director and a nominated member of the Scientific Board) reported on the group discussions and developed more detailed proposals.

### *Overview of results*

The report proposed a new indicator set to facilitate monitoring of the new EU Disability Strategy, consistent with the requirements of implementing the UN Convention. The new proposals included both qualitative and quantitative indicators within a common framework, under the title 'Indicators of Disability Equality in Europe' (IDEE). Based on the reports from 2008, three types of indicators were considered: indicators of entitlements in law and policy, indicators of accessibility or environmental barriers, indicators of disabled people's participation and equality (which were summarized as indicators of Rights, Access and Participation). Each Article of the UN Convention is examined in this context. Existing indicator sets used in other fields of European policy were also reviewed. This suggested opportunities for developing new indicators but also identified some significant problems in using the Convention as a framework for a European comparative indicator set. A simplified typology was proposed, consisting of six domains: Personal and family life; Choice and control; Access to goods and services; Education and lifelong learning; Work and employment; Incomes and poverty. There is also scope for indicators of outcomes/participation, which could be suitable for the use of quantitative data and statistics. This would depend on the feasibility of the available data to meet the selected items (which is addressed in the report of the group's rapporteur). There will be some considerable challenges, and some gaps, but we believe there is scope for considerable progress.

Examples from the recommendations:

- A set of 'Indicators of Disability Equality in Europe' should be developed to support policy co-ordination in the future EU Disability Strategy.
- The indicator set should not be seen as a replacement for national reporting on each Article of the UN Convention. It should adopt a more simplified thematic typology.
- Proposals should be developed for a shortlist of headline quantitative indicators, across the range of domains, which could be piloted using existing data sources in 2010.
- Some demographic measurement of the population protected by the UN Convention will be needed (e.g. by age, gender, impairment, ethnicity). This will require some harmonization and agreement through the European Statistical System.
- All data needed to support comparative monitoring should be publicly available for independent analysis and should not rely on substantial new work by national statistical offices.
- Qualitative items will also be essential in monitoring legal rights and should be reported on(?), periodically, in a structured way.

- Independent monitoring of rights and outcomes should involve disabled people's organizations and peer review networks in qualitative reporting.

The interim findings of the feasibility report were presented to the ANED Annual Meeting by the Rapporteur, with responses from Jean-Marc Pascal Schaefer (Eurostat) and Thorsten Afflerbach (Council of Europe). The presentation was published on the 'Comparative Data' section of the ANED website.

Link for ANED website page on comparative data and indicators:

<http://www.disability-europe.net/en/themes/Comparative%20data>

Links to published reports:

Indicators of Disability Equality in Europe (IDEE): a preliminary list of indicator proposals for discussion, prepared by Mark Priestley and Anna Lawson on behalf of the ANED working group.

<http://www.disability-europe.net/content/pdf/ANED%202009%20Task%204%20Preliminary%20Indicator%20Proposals%20report.pdf>

IDEE - Indicators of Disability Equality in Europe Feasibility study: an evaluative report on the feasibility of using existing data sources, by Stefanos Grammenos/CESEP

<http://www.disability-europe.net/content/pdf/ANED%202009%20Task%204%20-%20Indicators%20feasibility%20study%20report%20%20220310.pdf>

## **Task 5: Support for Independent Living**

**Task Leader:** Professor Mark Priestley

**Rapporteur:** Professor Linda Ward and Dr Ruth Townsley (University of Bristol)

**Expert Advisor:** John Evans (European Network on Independent Living)

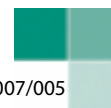
**Content editor:** Dr Sarah Woodin

The focus for thematic reporting in 2009 was on policies in support of independent living. This topic was felt to be particularly important as a pre-requisite for inclusion in employment and social inclusion more generally (addressed last year and in Task 5). The main objectives were to review the implementation of existing policies and strategies in support for independent living, at the national level, and to provide recommendations to the Commission on priorities for future development.

### *Work process*

The Scientific Board commissioned country reports from the ANED national experts according to a structured request template agreed with the EU Commission. An independent rapporteur was recruited to develop a synthesis report, with independent review and guidance from an external expert in the independent living movement.





### *Overview of results*

The majority of states have policies with clear statements supporting independent living (but not all do). Some groups however may be excluded from legal frameworks which promote/safeguard independence i.e. people with intellectual disabilities. In some member states, there is continued reliance on institutional care/family carers. There is no one single model of independent living and the involvement of disabled people and user led organizations varies considerably across countries.

In few countries was the stated strategic commitment matched to what was happening 'on the ground'. The main reasons for this seemed to be: limitations of local resources and/or regional interpretation of strategic frameworks; the lack of a policy lead; policy being under-developed; assessment procedures which focused on processes rather than meeting needs.

There were wide differences in defining and interpreting key terms such as independent living and institutions. That said, it seemed that there were only three member states with no evidence of large scale institutions (but a concern that there was some regression). In countries where community options were more in place and reliance on institutions diminishing, there were still questions about the extent to which the community options had *practices* which were institutional. In countries where there was little progress, there remained a heavy emphasis on the role of family carers.

Factors impeding progress towards independent living included: the perceived level of expense required to support independent living in the current economic climate; insufficient support/services in the community; concerns from carers (about e.g. isolation, bullying); lack of specific safeguards to prevent institutionalization; and a view that in some instances, public opinion did not support deinstitutionalization.

Progress is hugely varied with arguably too few countries offering good community options or effective support for independent living (with a small number of exceptions). In spite of progress, there is still a risk of excluding some specific groups. One key question is whether there is a clear, shared vision of independent living – above and beyond the detail of how to make it happen? More work remains to be done to put disabled people at the heart of decision making about independent living at every level.

Suggestions were made for actions to stimulate further progress across Europe: developing pilot strategies to increase the mobility of disabled people - within and between countries, and sharing good practice and reaching a common understanding of what constitutes independent living. A greater use should be made of European funding to support initiatives which foster independent living, including personal assistance schemes. Actions to maximise the involvement of disabled people's organisations in the planning, delivery and monitoring of independent living should be a priority.

The Expert Advisor welcomed the ANED findings, expressing concern about the continuation of institutionalized care. This is a particular problem in Central and Eastern Europe, where there is continuing investment in renovating institutions (in some cases using EU Structural Funds). The central importance of personal assistance provision was emphasized and, given the variety of approaches in different countries, collecting models of good practice is particularly valuable. The provision of equipment to aid independent living continues to be problematic in most countries, with a lack of choice and complex systems of delivery. The barriers to portability of support packages within and across national borders require urgent action.

*Examples from the recommendations:*

- There should be a greater use of European funding (e.g. European Structural Funds) to support the development of initiatives to foster independent living, including personal assistance schemes
- There is a need to develop pilot strategies to increase the mobility of individual support packages for independent living (such as personal assistance and equipment) both within and between countries
- It is important to monitor and limit any trends back towards institutional living in the Member States.
- Action is required to improve the collection of relevant data on institutional versus community provision, building on examples of good practice in independent living research..
- There is a need to exchange knowledge about good practice in transition from institutions to independent living, involving governments, service providers and disabled people's organizations (e.g. via Open Methods of Co-ordination)
- The involvement of disabled people's organizations in the planning, delivery and monitoring of independent living policies and practice should be supported and developed.

The interim findings were presented to the ANED Annual Meeting by Dr Sarah Woodin (ANED) on behalf of the Rapporteurs, with a response from the Expert Advisor on behalf of the European Network for Independent Living. The individual country reports and presentations were published on the 'Independent Living' section of the ANED website. The Expert Advisor and ANED Scientific Director also presented elements of the findings to the 2009 European Day of Persons with Disabilities.

Link for ANED website page on independent living:

<http://www.disability-europe.net/en/themes/Independent%20living>



Published report:

*The Implementation of Policies Supporting Independent Living for Disabled People in Europe: Synthesis Report*, prepared by Ruth Townsley with Linda Ward, David Abbott and Val Williams

<http://www.disability-europe.net/content/pdf/ANED-Task%205%20Independent%20Living%20Synthesis%20Report%2014.01.10.pdf>

## **Task 6: Employment and Social Inclusion**

**Task Leader:** Professor Mark Priestley

**Content editor:** Dr Sarah Woodin

During 2009, the existing ANED country reports on employment and social inclusion were reviewed and updated with reference to recent developments and new information. There were also updates to the flash synthesis reports in relation to the National Reform Programmes. These are summarised separately here.

### **Targeting and mainstreaming in the 2008-2010 National Reform Programmes for Growth and Jobs**

#### *Work process*

ANED country teams were invited to review their existing country reports on employment and to add information about new developments in data, research, policies and outcomes, including information about the early impact of the economic crisis. Summary information was collected in flash reports and summarised to inform the EU Commission's annual input to the Lisbon Strategy process. Country experts then updated the text of their thematic reports for publication on the ANED website. During 2009, the governments of the EU Member States also submitted new Implementation Plans on their current National Reform Programmes. These plans were reviewed in detail for the inclusion of disability issues and relevant policy commitments. The synthesis report on targeting and mainstreaming in employment was comprehensively updated, including commentary on each individual Member State.

#### *Overview of results*

There remains a lack of up-to-date or systematic reporting of national data on the employment situation of disabled people in European countries. In most countries, the most recent published data is for 2008 (rather than 2009). In some countries the national Labour Force Survey provides variables that can be usefully reported (although this usually requires ad hoc analysis in each case). For a small number of countries the most recent structured data remains the 2002 ad hoc module of the European Labour Force Survey. The publication of new findings, and development of proposals for, national research studies on disability and employment in some countries is welcome.

There is a continuing difficulty with the use of widely varying administrative definitions of disability in national employment data, making robust comparison impossible (e.g. by counting only disability pensioners or people officially registered with employment offices).

It would be of great value to incorporate harmonised disability variables in national Labour Force Surveys (and for MS to report on these). The decision to implement the LFS disability module in 2011 is therefore overdue and very welcome.

Where new evidence is now available, the positive employment trends of 2008 for the general population (rising employment and declining unemployment) have generally levelled or reversed due to the economic downturn. There is considerable concern about the high inactivity rates of disabled people (where such data can be reported or estimated) and it remains, therefore, important to ensure that labour market activity can be determined from future official data. There is some evidence of decline in disabled people's employment, and some increase in the number of disabled people seeking work (and there are limited examples that more disabled people, overall, are saying that they want paid work). In addition to lack of jobs this may also be due, in part, to a greater emphasis on activation/conditionality in some national disability benefits policies.

There is considerable concern in two areas. First, retrenchment and restraint on public spending is likely to impact on disabled people who benefit from publicly funded/subsidised employment initiatives. This includes freeze/cuts in rehabilitation budgets, preferential working benefits, funding for disability organisations. Some schemes/companies providing sheltered employment may be particularly vulnerable here (especially where strategic investment already prioritises the longer term shift to open market employment). Second, some of the employment sectors that have been badly affected are sectors in which many disabled people have previously found employment. For example, higher employment rates have been evident in public sector employment (including quota fulfilment rates) and in service sectors. In addition, the re-organisation and re-focusing of employment offices/services in response to recession may lower the priority given to assisting or targeting disabled people looking for work (and necessitate disability training amongst staff whose roles and responsibilities have changed).

However, the picture for disabled people is not always consistent with the general picture. As reported last year, there are some countries where employment of disabled people appeared to decline during the general upturn. Conversely, where 2009 data can be reported, there is some evidence, in some countries, that disabled people have fared better than the general population during the initial stages of recession.

Limited examples suggest that some pre-existing targeted policies (such as wage subsidies or employment quotas) may result in a 'cushioning' effect on disabled people's employment in the initial stages of downturn. It might be hypothesised, for example, that legal rights protection, financial incentives for employers, and/or EU funded activation programmes, may have some temporary effect on the job retention of some disabled people. It may also be hypothesised, however, that longer term unemployed disabled people are likely to face further discouragement from the labour market (there are examples of increase in longer term unemployment).

Although some disability programmes and initiatives have already seen cuts, there is progress on others. These include: progress on Convention ratification; development of national disability strategies/plans; changes to work capacity assessments; new targeted wage subsidies; workplace accessibility regulation. In addition, implementation of some unintentionally related activation schemes may benefit disabled people during recession. For example, greater attention to activation programmes for longer term unemployed people, extensions of flexible and home working targeting women, and grants for new-start self-employment may all additionally benefit some groups of disabled people.

The OECD High-level Forum, in May 2009, provided a bleak forecast of falling employment rates for disabled people, and increasing numbers on out-of-work disability benefit (a more detailed synthesis will be produced in 2010, covering all OECD countries). Particular attention has been drawn to the poor employment situation of people with mental health conditions (and also the connections between long term unemployment and poor mental health). As this forecast argues, it is vital now that states learn past lessons and do not repeat history by exploiting 'disability' benefit categories as means to manage labour supply (or simply obscure the unemployment statistics).

It is also a matter of concern that the UN Convention was not mentioned in any national government Implementation Report in 2009.

*Examples from the recommendations:*

- There is a continuing and urgent need for the reporting of more reliable and systematic comparative data indicators on the national employment situations of disabled people.
- It is important that National Reform Programmes should include reference to the implications of implementing relevant Articles of the UN Convention.
- There is scope to engage disabled people's organisations more actively in the process of preparing national government OMC reports, based on existing examples of good practice.
- During the next round of employment-related OMC process, national governments should be encouraged to set national targets for the employment and activity rates of disabled women and men.

## **Targeting and mainstreaming disability in the 2008-2010 National Strategy Reports for Social Protection and Social Inclusion**

*Work process*

There was less new information to consider in relation the Social OMC process, since there were no new reports from Member States governments during 2009. However, Member States did respond to an official questionnaire on homelessness and housing exclusion. These responses were reviewed by ANED in relation to disability issues. The ANED country teams were invited to review and update their existing country reports on social protection and social inclusion and to add information about new developments in data, research, policies and outcomes, including information about the early impact of the economic crisis.

*Overview of results*

Disabled people (or issues of accessibility) were mentioned in most, but not all, of the housing questionnaires. Where specific measures were noted, they mainly addressed the social housing sector – referring to the provision of priority housing for ‘vulnerable’ or ‘high risk’ groups (including, but not limited to, disabled people). There is a clear concern about the reciprocal connection between homelessness and ‘health’, particularly for people with mental health conditions (i.e. the higher incidence amongst homeless people and the higher likelihood of becoming mentally ill).

There is a lack of systematic knowledge about disabled people’s housing situation (although some countries do report on adequacy of housing, and sample data would be available from EU-SILC). A range of response examples were identified, including: targeted supported accommodation; improvement and accessibility; and (in one case) a national housing strategy for disabled people. De-institutionalisation also creates considerable housing needs and those leaving institutions may be at risk of homelessness if accessible housing provision and support is not readily available (this group is openly addressed in the housing policies of only very few states).

In terms of general disability strategy, there is evidence of engagement with the new UN Convention, including: new commitments to ratify; establishment of monitoring bodies; policy impact assessments and public debates (although in some cases NGOs are taking a more proactive role than the state). In some new member states generic EU processes (like the OMC SPSI) are regarded(?) as more central to strategic thinking but there has also been a welcome increase in the number of states developing national disability plans (including those formulated in the context of the Convention). The availability of data from new and future national disability surveys is also very welcome and provides potential for much improved monitoring of the social inclusion of disabled people in those countries. There is scope to transfer good practice on both national disability plans and national disability surveys.

There are few widespread trends or significant changes in the short period since the 2008 ANED reports (and change is stalled in some states pending Parliamentary elections). However, individual examples have national significance. For example: the extension of national equality laws to protect disabled people’s rights in a wider range of areas; mainstreaming disability in human rights enforcement bodies (along with other grounds); transfers of responsibility for disability services to regional/local level; separation of health and social services; awareness raising campaigns; simplified gate keeping assessments. There are specific examples of the introduction, widening or increased take-up of access to personal assistance and personal budgets (and evidence of user satisfaction with this option).

There is, so far, very little published evidence concerning the impact of the economic downturn on disabled people’s social protection and social inclusion. In countries confronting public spending restraint there are implications for public services and the funding of non-state sector service providers.

People receiving full disability pensions have their personal incomes protected from labour market changes (albeit in the context of a low income, being out of work, and being subject to loss of other household members' earnings).

Examples suggest small but positive increases in incomes, disability benefits, subsidies or income guarantees (e.g. at indexed rates or higher). There is one counter-example of a cut in disability allowance. As reported in 2008, there are examples of benefits 'simplification' towards a closer link with employment activation policies. However, national survey data also confirms evidence of relative poverty and low incomes for disabled people.

Many disability supports and services are devolved to regional and municipal governments, where budgets may be hardest hit by the economic crisis. At the same time municipalities may be taking a more proactive role in the disability area while central governments are preoccupied with macro-economic policies. For example, staff in some central agencies with responsibility for disability-related issues (e.g. employment support) are under considerable strain in managing increased numbers of job seekers. Central department budgets may be limited (e.g. there is at least one example of a significant cut in the state fund for rehabilitation).

There would be merit in understanding more about the implementation of relevant responsibilities at central and local levels in different countries. There is, as yet, no widespread evidence of cuts, but there are clear examples in some countries. For example: the delay of planned policy initiatives; cuts in healthcare; cuts in funding to voluntary organisations. Where central governments are investing in major public job protection/creation schemes there would be opportunities to focus investment in accessible infrastructure projects for sustainability (but this route has not been pursued).

*Examples from the recommendations:*

- Attention should be paid to the needs of disabled people in national policies on housing and homelessness, including action to address significant concerns about the housing situation of people with mental health conditions and people leaving long-stay institutions.
- There is a need for more reliable and systematic comparative data indicators on the national housing situations of disabled people, including perceived quality and accessibility of housing.
- National governments should be encouraged to develop and maintain national disability strategies and periodic action plans, supported by national disability surveys.
- There is scope for a more formalised sharing of such knowledge and good practice in the disability field, as part of an OMC process.
- Attention should be paid in the next round of the Social OMC to the impact of economic conditions on the social inclusion of disabled people, including impacts on policy development, investments and outcomes.

The combined findings on employment and social inclusion were presented to the ANED Annual Meeting by the Scientific Director for discussion. The individual country reports and presentations were published on the relevant sections of the ANED website. The Scientific Director also presented elements of the findings to a public hearing of the European Economic and Social Committee and at 2009 European Day of Persons with Disabilities. Key messages from the ANED research were echoed in the Council of Ministers 2009 Joint Employment Report.

Link for ANED website pages on employment and social inclusion:

<http://www.disability-europe.net/en/themes/Employment>

<http://www.disability-europe.net/en/themes/Social%20inclusion>

Published reports:

*Targeting and mainstreaming disability in the 2008-2010 National Reform Programmes for Growth and Jobs*, prepared by Mark Priestley and Alan Roulstone, with input from ANED country expert reports

<http://www.disability-europe.net/content/pdf/ANED%20Task%206%20-%20NRP%20synthesis%20report%20-%20070110%20-%20final.pdf>

*Targeting and mainstreaming disability in the 2008-2010 National Strategy Reports for Social Protection and Social Inclusion*, prepared by Mark Priestley, with input from ANED country expert reports

<http://www.disability-europe.net/content/pdf/ANED%20Task%206%20-%20%20NSR%20disability%20synthesis%20report%20-%200301109%20-%20final%2026-01-10%20%20-%20in-layout.pdf>

## **Task 7: Additional requests from the Commission**

**Task Leader:** Professor Mark Priestley

In light of findings from the 2008-2009 work programmes, and ongoing policy developments, ANED was invited by the Commission to consolidate its opinion and recommendations on the potential for using instruments of the Open Method of Co-ordination to implement the new European Disability Strategy after 2010.

### *Work process*

Existing ANED reports were considered and additional work carried out to review existing instruments in other fields, to analyze their strengths and weaknesses in the disability field, and to make proposals for combining instruments in a policy co-ordination model. A synthesis report was compiled and submitted to the Commission.

### *Overview of results*

The report found that it would be relevant and timely to exploit elements of the OMC process to support implementation of the new EU Disability Strategy. Four key principles should be observed in developing a policy co-ordination model.



First, clear political leadership is required to establish common goals. Second, the process must establish strong ownership by the Member States. Third, the active participation of civil society and the social partners is needed. Fourth, effective support and co-ordination from the Commission is essential to its success.

The EU2020 proposals suggest 'Key agreed priorities' within a 'Common vision' that is 'adapted to different starting points and different national specificities'. However, the disability field presents unique policy co-ordination challenges that must be addressed. A new OMC process in the disability field might involve a Presidency Declaration, Pact, Commission Communication, and a three-year cycle of periodic co-reporting - involving national governments, disabled people's organizations and independent peer review (supported by comparative data services and indicator development at the European level).

The new strategy should have, as a cross-cutting focus, effective implementation of the UN Convention on the Rights of Persons with Disabilities at the European level (but not only within the EU institutions). It should support Member States in their responsibilities to the UN (and add European value through the comparative dimension). There is a danger of duplication in reporting but there is also much benefit to be gained.

The 'co-ordination' dimension of OMCs relies on lesson learning and comparison to encourage convergence towards defined high-level objectives. If OMC methods are used in the Disability Strategy then the lessons learned from the Lisbon Strategy and the OMC SPSI should be considered (including funding for civil society involvement and strengthening of independent peer review). There is potential to use a periodic reporting cycle with involvement of governments, disabled people's organizations, independent peer review, and political endorsement of recommendations by Council and Parliament.

The existing OMCs reveal no evidence of a harmonized approach or methodology for national reporting on disability issues (and an almost complete absence in some cases). This is primarily because disability is not a central concern within these processes. However, specific guidance from the High Level Group did have some effect and there were examples of good practice.

Given the current lack of robust comparable data in the disability field it is unlikely that agreement would be reached on European benchmarking for some time. It would be advisable to propose a process of national target setting in the first period of the new Disability Strategy. For example, the Strategy could include an explicit intention to move to the use of EU benchmarks/targets from 2015, based on comparative indicator development, review of good practice in national target setting, and piloting during the first period.

The use of Pacts as a foundation for co-ordinating strategy is evident in several other areas and there are some useful examples. Such a Pact should focus on high level commitment to shared objectives. Endorsement should be sought not only from the Member States but from relevant European Committees, Parliament, civil society, social partners and other relevant stakeholders.

An indicative process model and timeline for a new OMC process are included in the report for illustration, with appended examples of relevant instruments used in some other OMC processes.

*Examples from the recommendations:*

- The aims of the new Disability Strategy should be identified with the Charter of Fundamental Rights, the UN Convention and with the improved efficiency and coherence of the policy process intended in the Treaty of Lisbon.
- The new strategy should be supported by a policy co-ordination model based on instruments of the Open Method of Co-ordination.
- There is a need for strong political leadership but the Member States must retain the key role in implementing national policies to meet common objectives, assisted by knowledge and guidance from the European Commission and Eurostat.
- There is potential to use a three-year reporting cycle similar to the revised Social OMC, involving national reporting, joint reporting and targeted work on issues of concern.
- Any new process will also need clearly specified reporting guidance, including indicative examples, and agreement on shared indicators.
- It would be useful to consider how Candidate and EEA countries could also be included in national reporting within the EU Disability Strategy.
- Agreement on process mechanisms should be developed through a Commission Communication, with high level agreement centered on Disability Pact.

## **Task 8: The Second Annual Meeting**

On 26<sup>th</sup> November 2009 ANED held its Second Annual General Meeting in Brussels, bringing together its academic members from all member states with representatives from the European Commission and key invited guests. Members were able to meet to share expertise and help shape the new EU Disability Strategy from 2010. The meeting focused on two key questions: What evidence is needed to measure progress on disability equality in Europe? What are the priorities for policy action at the European level and national levels?

Johan Ten Geuzendam (Head of Unit of the European Commission's Disability Unit) emphasized the value of ANED to the Commission. ANED's review of legislation proved very helpful in assisting the preparation of the European Council's decision on the conclusion of the UN Convention on the Rights of People with Disabilities, by helping to draw up the declaration of competences annexed to the decision to become a party to the UN Convention.

ANED's special Report on Independent Living, and country reports on this subject, were of great assistance to those preparing the Report of the Ad Hoc Expert Group on the Transition from Institutional to Community-based Care for Commissioner Spidla.

ANED has also been asked to carry out a critical analysis of the Open Method of Coordination in relation to employment, education and social policy, to enable consideration of the extent to which this approach can be incorporated into the forthcoming Disability Strategy.



ANED's consideration of the potential need for new legislation at the EU level will be extremely helpful in drawing up the strategy. This Conference should assist in drawing up priorities for the strategy.

Inmaculada Placencia Porrero, (Deputy Head of Unit of the European Commission's Disability Unit), presented an introduction to the new European Disability Strategy 2010-2020, currently in preparation. New factors shaping the strategy are: the enlarged EU; the UN Convention on the Rights of persons with disabilities, bringing with it an increased focus on rights; stronger NGOs and increased evidence of problems of persons with disabilities.

Presentation Inmaculada Placencia Porrero:

[Powerpoint \(PDF 41 kB\)](#)

[Handout \(pdf 22 kB\)](#)

In preparation for the new European disability strategy the Commission has analysed the UN Convention to clarify its obligations and identify potential actions and responsible services in EC. The Commission also considered the Action Plan of the Council of Europe and carried out an evaluation of the current EU Disability Action Plan.

The European Council has asked the Commission to consider assessing how national actions reflect the commitments made by the European Community and the Member States to fully implement the UN Convention at European level and considering setting consistent and comparable national targets to that end, and ANED's compilation of statistics framework and assessment of indicators that were presented at the annual meeting were considered to be a promising start of the work on the enormous challenge to define and quantify the most suitable indicators needed for the measurement of progress towards attaining such targets.

Information on other presentations during the annual meeting can be found on the ANED website:

- [Feasibility of measuring disability equality in relation to the UN Convention](#)
- [Frameworks, policies and practice around independent living in 26 European countries](#)
- [Priorities for future law and policy development by the EC](#)
- [Growth and Jobs](#)

**Annex: ANED Members and individual country experts****Table 1: ANED Members in EU Member States**

<b>Country</b>	<b>Member Institution</b>	<b>Name of coordinating expert</b>
Bulgaria	Centre for Independent Living (CIL) Sofia	Kapka Panayotova
Denmark	Danish National Institute of Social Research	Sten Bengtsson
Finland	Finnish Association on Intellectual and Developmental Disabilities	Antti Teittinen
France	Institut Fédératif de Recherche sur le Handicap	Jean-Francois Ravaud
Germany	International Research Unit Disability Studies, Universität zu Köln	Anne Waldschmidt
Greece	Disability Now	Georgia Fyka
Ireland	National University of Ireland, Galway	Gerard Quinn
Malta	Kummissjoni Nazzjonali Persuni b'Dizabilità	Jo Camilleri
Portugal	Portuguese national institute for the Rehabilitation	Alexandra.C.Pimenta
Romania	Faculty of Psychology and Educational Sciences, University "Alexandru Ioan Cuza"	Ion Dafinoiu
Slovakia	The Institute for Labour and Family Research	Kvetoslava Repkova
Spain	Instituto Universitario de Integración en la Comunidad, INICO, University of Salamanca	Miguel Ángel Verdugo
Sweden	The Swedish Institute for Disability Research, University of Örebro	Berth Danermark
UK	Centre for Disability Studies University of Leeds , University of Leeds	Simon Prideaux

**Table 2: ANED Members in EFTA Countries**

<b>Country</b>	<b>Member Institution</b>	<b>Name of coordinating expert</b>
Iceland	Center for Disability Studies, University of Iceland	Rannveig Traustadottir
Norway	Disability Law and Policy Research Unit, Department of Social Work and Health Science, Norwegian University of Science and Technology (NTNU)	Jan Tøssebro

**Table 3: List of individual national experts**

<b>Country</b>	<b>Name</b>	
Austria	Volker Schönwiese	Universität Innsbruck, Institut für Erziehungswissenschaften
Belgium	Patrick Devlieger	University of Leuven, Faculty of Social Sciences
Cyprus	Helen Phtiaka	University of Cyprus, Department of Education
Czech Republic	Jan Siska	Univerzita Karlova v Praze, Pedagogická Fakulta
Estonia	Luule Sakkeus	National Institute for Health Development
Hungary	Tamás Gyulavári	
Italy	Andrea Micangeli	Centro Interuniversitario di Ricerche per lo Sviluppo Sostenibile, University of Rome "La Sapienza"
Latvia	Daina Calite	APEIRON
Lithuania	Jonas Ruskus	Social Work Department, Kaunas Vytautas Magnus University
Luxemburg	Raymond Ceccotto	Foundation APEMH
Netherlands	Jose Smits	
Poland	Ewa Wapiennik	Division of Special Education for Persons with Intellectual Disabilities, Maria Grzegorzewska Academy of Special Education
Slovenia	Darja Zaviršek	School of Social Work, University of Ljubljana