



**INCLUSION IRELAND**

National Association for People with an Intellectual Disability

# **Social Protection Pre-Budget 2017 Forum**

**July 2016**

**This document is in font 12 Verdana in line with Inclusion  
Ireland's plain English guidelines.**

## **About Inclusion Ireland**

Established in 1961, Inclusion Ireland is the national organisation working for the rights of persons with an intellectual disability.

Our membership is drawn from persons with an intellectual disability; parents and family members; and providers of services to persons with a disability, academics, policy-makers and others.

Inclusion Ireland uses a human rights-based approach to its work. This recognises persons with an intellectual disability as rights holders with entitlements, and corresponding duty bearers and their obligations.

Inclusion Ireland seeks to strengthen the capacities of persons with an intellectual disability to make their claims and of duty bearers to meet their obligations.

## **Key priorities for Minister for Social Protection Leo Varadkar TD in Budget 2017:**

- 1.** Make employment possible for people with an intellectual disability
- 2.** Introduce measures to address the cost of disability
- 3.** Introduce a statutory advocacy service
- 4.** Improve the accessibility of social welfare services
- 5.** Reform of the social welfare application system
- 6.** Reduce application waiting times

## **PRIORITY 1**

### **Make employment possible for people with disabilities**

Having a job is accepted as essential in order for persons with intellectual disabilities to participate in mainstream society and take an active part of the community.

However, the labour participation rates for people with disabilities are extremely low with only three out of 10 adults with a disability of a working age having a job.

In addition to this, people with disabilities are twice as likely to live below the poverty line compared to the rest of the population.

People in receipt of disability payments are not classified as unemployed and are often restricted from participating in various labour activation programmes.

The loss of secondary benefits (e.g. travel pass) makes the transition from welfare to employment extremely difficult, if not impossible, for people with disabilities. Many persons with disabilities feel that they are caught in a welfare trap.

However, as well as financial barriers, there are many other barriers that prevent persons with disabilities taking up employment including negative attitudes, environmental barriers and lack of opportunity.

'A Programme for a Partnership Government' includes a commitment that implementation of the Comprehensive Employment Strategy for People with Disabilities is compatible with mainstream activation policies and that it will address concerns surrounding the loss of secondary benefits.

#### **Recommended actions:**

- The Minister must introduce measures to allow persons in receipt of disability allowance to keep their secondary benefits when taking up employment.
- The Minister must introduce measures to ensure that persons in receipt of disability allowance are eligible for all current and future labour activation programmes.

## **PRIORITY 2**

### **Introduce measures to address the cost of disability**

The economic costs of having a disability are real and substantial and have been estimated to represent 35% of disposable household income.<sup>1</sup>

The cost of having a disability is substantial and addressing these costs would help to reduce the risk of poverty and social exclusion that people with disabilities face.

The Government's own advisory body has acknowledged that addressing the costs of living with a disability is a logical step towards reducing the social exclusion for people with a disability.<sup>1</sup>

Inclusion Ireland is disappointed that 'A Programme for a Partnership Government' makes no commitment to addressing the cost of disability.

There is a commitment to increase some welfare payments (although no amount is specified) and to introduce a new mobility scheme. But these modest increases, while welcome, do not address the concept of the cost of disability.

Inclusion Ireland want a Cost of Disability Commission to be established to evaluate the additional, essential and recurring costs of having a disability – such as emotional costs, financial costs, speech and language costs, paying privately for services, loss of power and control and the barriers to securing meaningful employment.

#### **Recommended action:**

- The Minister must establish a Cost of Disability Commission to identify the extra costs of having a disability and to make recommendations around necessary reform of social welfare and taxation.

---

<sup>1</sup> John Cullinan, 2011, 'Estimating the extra cost of living for people with disabilities', Health Economics.

## **PRIORITY 3**

### **Introduce a statutory advocacy service**

Advocacy is crucial for enabling people with disabilities to enjoy their rights and entitlements. Having statutory powers gives advocates the authority to enter residential services and to make enquires about the situation of vulnerable persons.

The Minister has responsibility for advocacy for people with disabilities, which is funded through the Citizens Information Board (CIB). However, only one type of advocacy is supported and the lack of a coordinated approach to advocacy, coupled with significant cuts to voluntary groups, has left a sector fragmented and under-resourced.

The Citizens Information Act 2007 provides for a Personal Advocacy Service for people with disabilities. The Minister has the power to sign the commencement order for this service. The commencement order should be signed without any further delay.

'A Programme for a Partnership Government' makes a commitment to establish an independent patient advocacy service. However, despite the stated desire to empower people with disabilities to live independent lives, there is no commitment given to placing advocacy on a statutory footing.

Inclusion Ireland believes that a National Advocacy Authority should be established that has responsibility for coordination and oversight of all advocacy services to persons in receipt of public services.

#### **Recommended actions:**

- The Minister must sign the commencement order to introduce the Personal Advocacy Service provided for in the Citizens Information Act 2007.
- The Minister must establish a National Advocacy Authority.
- The Minister must provide funding for a broad spectrum of advocacy, including self-advocacy.

## **PRIORITY 4**

### **Improve the accessibility of social welfare services**

Persons with intellectual disabilities and their family members have a right to access public services in a manner that is understandable and accessible to them.

Public bodies and Government departments have obligations under the Disability Act 2005 to ensure that their services are accessible to people with disabilities. The Citizens Information Board (CIB) and the National Disability Authority (NDA) have published guidance for public bodies on how to make information and services accessible.

Plain English is a way of presenting information that helps people to understand it the first time they read or hear it. The National Adult Literacy Agency (NALA) has produced plain English guidelines, which Inclusion Ireland has adopted.

The Department should also ensure that its website is fully accessible and incorporates a number of accessibility functions.

These functions could include the website being responsive to the width of a person's screen (mobile phone, laptop, tablet or desktop etc); use of icons so people can easily navigate around website; and installing Texthelp's BrowseAloud App that offers digital accessibility features.

The Department should also consider including a 'How to fill out this form' information guide with each of its application forms for social welfare payments. This measure will make applications easier to complete will cut down on the number of appeals and delays.

#### **Recommended actions:**

- The Minister must ensure that 'How to fill out this form' information guides are designed to accompany application forms.
- The Minister must incorporate plain English guidelines.
- The Minister must review accessibility features of websites under the Department's control.

## **PRIORITY 5**

### **Reform of the social welfare application system**

The Social Welfare Appeals Office Annual Report 2015 showed that almost 60% of social welfare appeals that were made by people who were unhappy with decisions about their entitlements were upheld last year.<sup>2</sup>

The report also indicated that a high proportion of people who were initially denied their social welfare payments were left waiting almost six months to have the initial decision rectified.

For example, there were 3,188 appeals about carer's allowance decisions alone.

A representative from the Free Legal Advice Centres (Flac) has previously stated that there is a potential problem with decision-making by welfare officers and that better first-instance decision-making could reduce delay, bureaucracy and spending within the Department.

#### **Recommended actions:**

- The Minister must introduce urgent reform of social welfare appeals system.
- The Minister must implement improvements in first-instance decision-making by welfare officers.

---

<sup>2</sup> Kitty Holland, 2016, 'Nearly six out of 10 welfare appeals upheld in 2016', The Irish Times.

## **PRIORITY 6**

### **Reduce application waiting times**

Figures from the Department show that people looking for welfare payments can wait up to a year to have their application cleared.

The average processing time for payments in 2016 is currently 17.3 weeks for a decision by officials and 24.3 weeks for an appeal which required an oral hearing. This equates to almost 10 months.<sup>3</sup>

The figures show that some categories of welfare payments can take well over a year in cases where an appeal is involved.

For example, figures show that applications for the domiciliary carers allowance averages 23 weeks for a decision and another 28 weeks for an appeal to be decided.

#### **Recommended actions:**

- The Minister must recruit or internally deploy additional staff as deciding officers in the various schemes to reduce waiting times to eight weeks.

---

<sup>3</sup> John Downing, 2016, 'Waiting up to one year for welfare approval is unacceptable' - O'Dea, The Herald.



## **INCLUSION IRELAND CONTACT DETAILS**

Cormac Cahill  
Communications & Information Officer  
cormac@inclusionireland.ie  
(01) 8559891  
086 8373 394