



INCLUSION IRELAND

National Association for People with an Intellectual Disability

Submission to the Department of Business, Enterprise and Innovation

On the Action Plan for Jobs 2018

September 2017

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

1. About Inclusion Ireland

Established in 1961, Inclusion Ireland is a national, rights based advocacy organisation that works to promote the rights of people with an intellectual disability.

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.

The vision of Inclusion Ireland is that of people with an intellectual disability living and participating in the community with equal rights as citizens, to live the life of their choice to their fullest potential. Inclusion Ireland's work is underpinned by the values of dignity, inclusion, social justice, democracy and autonomy.

2. Introduction

The Action Plan for Jobs is a whole-of-Government initiative under which all Government Departments and Agencies work together to deliver on the agreed action points for each year.

Since its introduction in 2012, the Action Plan for Jobs has served as a focus for concerted, cross-Government action to strengthen the country's enterprise base and support job creation. While unemployment has fallen significantly and employment continues to grow strongly, the Government's goal is to have an additional 200,000 people at work by 2020, including 135,000 jobs outside of Dublin.

Employment rates for persons with disabilities are extremely low and while 2/3 people of the general population are working, almost 2/3 persons with disabilities are not. Persons with intellectual disabilities of working age fare worse with 83% not in employment. Targeted measures are required to ensure those who may have higher support needs to obtain and retain employment.

Inclusion Ireland welcomes the opportunity to contribute to the consultation process for the 2018 Action Plan for Jobs and hopes the plan will reflect the interests of those with disabilities.

Throughout this submission we have included quotes from self-advocates with lived experience of disability in order to ensure their voices are heard in the consultation process.

Recommendations:

Public Sector Duty:

The 2018 Action Plan for Jobs must be consistent and in line with the Public Sector Duty¹. Section 42 of the Irish Human Rights and Equality Commission Act 2014 places a positive duty on public sector bodies to have regard to the need to eliminate discrimination, promote equality, and protect human rights, in their daily work. The Public Sector Duty applies whether the service is provided directly by the State, or through a non-state actor.

As part of the Public Sector Duty the department should proactively examine potentially discriminatory policies and practices. Also – as an employer the department has a responsibility to promote equality & human rights for its disabled employees. The 2017 action plan mentions people with disabilities in terms of the Comprehensive Employment Strategy and its ten year plan. However, it is important that any action plan for jobs in Ireland doesn't segregate policy for different groups but instead includes them as part of the broader strategy.

Currently, the Comprehensive Employment Strategy is behind schedule and is failing to meet its goals. It is therefore of even more importance that upcoming strategic plans - such as the 2018 Action Plan for Jobs - include as part of the 2018 Action Plan actions and strategies that can improve employment opportunities for people with disabilities. People with disabilities occupy many parts of the workforce and that many disabilities are acquired during a person's working life. It is therefore essential that strategies for disabilities are interlinked with all other strategies.

The Department of Business, Enterprise and Innovation is also subject to Part 5 of the Disability Act requiring it to employ 3% persons with disabilities². As recently as the 2015 report, the Department was performing well but was below this target in InterTrade Ireland, Personal Injuries Assess Board and Enterprise Ireland. If the Department fulfilled its public sector duty, a strategy for meeting the quota across the board should be included.

¹ Irish Human Rights and Equality Commission (2016). *The Public Sector Duty*.

² Disability Act (2005)

The Comprehensive Employment Strategy:

The Department of Business, Enterprise and Innovation is a key player in the Comprehensive Employment Strategy for People with Disabilities. Progress is behind schedule and three actions are needed to take place in order for the strategy to work – More engagement with persons with a disability, fulfilling a commitment to a 6% quota for the employment of persons with a disability in the public service and a public awareness campaign aimed at breaking down barriers, and highlighting the real contribution persons with a disability can make.

The 2017 Action Plan for Jobs made very few references to people with disabilities in its actions. It would be beneficial for a new action plan to be more pro-active in supporting and moving people with disabilities into employment. While we acknowledge the Department establishing the Comprehensive Employment Strategy as a way of addressing the current barriers facing people with disabilities in finding employment, there is space for strategy to be threaded through the new action plan. This would avoid separating employment policies for people with disabilities from policies affecting the wider public.

Quote from Self Advocates

“The Department for Jobs must become more involved in supporting people with disabilities to get jobs. It should not be left to the Department of Social Protection or the Department of Health.”

Effective participation of people with disabilities:

It is vital that people with disabilities are included in decision making processes from the early stages. It is not just a matter of holding an open consultation, but of really including people with disabilities in all aspects of the policy planning, development and implementation processes.

Currently, participation in decision making for people with disabilities and their families is minimal at best. Working Group 3 of the Transforming

Lives programme (set up to implement the recommendations of the Value for Money and Policy Review of Disability Services in Ireland), will shortly present its plan, entitled 'Ordinary Lives in Ordinary Places' – a plan for effective participation in decision making for people with disabilities and families.

The plan will help support the emergence of decision making fora for people with disabilities and families and will support them to participate in decision making at local, regional and national levels. The recommendations of Transforming Lives, Working Group 3 on supporting effective participation should be taken into consideration by the Department of Business, Enterprise and Innovation in all its initiatives and plans.

Grant schemes:

The 'Reasonable Accommodation Fund for Persons with Disabilities' set up to provide grants for employers has been utilised poorly in recent years with the amount spent decreasing annually from €112,017 in 2013 to €77,822 in 2016 and just €30,044 so far in 2017. No Employee retention grants have been drawn down in 6 years. Greater public awareness of this fund and also the Employer Disability Information for Ireland resource is required in order to promote reasonable accommodation.

Make Work Pay:

The "Make Work Pay for People with Disabilities" report includes welcome moves to dispense with the requirement that work is of a 'rehabilitative nature'³. It includes allowing a fast-track return to Disability Allowance or Medical Card for individuals who leave work. It also allows for the retention of Free Travel Pass for a period and for raising the Medical Card earnings disregard. It is vital that employers are supportive of their employees with a disability, that they are respected and treated the same as others who work in an organisation. All work, even if it is for a few hours a week must be real work with real pay. People with disabilities must not work for free or remain on work experience programmes for years on end.

³ Make Work Pay for People With Disabilities (2017), *Report to Government 2017*.

Quotes from Self Advocates

“There are plenty of people with intellectual disabilities who want to work but will not be given the chance, or will not be supported to do it”.

“I would like to work and get paid like everyone else”.

Accessible information:

Inclusion Ireland welcomes the commitment in the Comprehensive Employment Strategy to ensure that communications from departments and agencies reach people with disabilities. The publication of the ‘Make Work Pay’ report in multiple accessible formats is a good example of this⁴. As required by the Public Sector Duty in the Irish Human Rights and Equality Commission Act 2014⁵, information must be available in a variety of formats including plain English, easy to read and audio. It is important that this becomes common practice for all departments and agencies if they are to properly engage people with disabilities.

People with intellectual disabilities often fall through the cracks because they do not have all the information they need to take the next step. This is also true of employment. There needs to be clear guides made of all the options available including any models and policies. All materials need to be available in a range of formats, plain English, easy to read and audio/video. Employers should also be encouraged to include accessible information for their employees who may have intellectual disabilities. This could include contracts, employee handbooks and guides and any updates on the Department website and publications.

School leavers and transitions:

One of the most crucial periods in a person’s life is their transition from school to further education or employment. Supporting people with disabilities at key transitions points, such as when they are leaving school is critical. Currently, there is no career guidance in special schools for people with disabilities, making it very difficult for those who may wish to

⁴ Make Work Pay for People With Disabilities (2017), *Report to Government 2017*.

⁵ Irish Human Rights and Equality Commission (2016). *The Public Sector Duty*

go on to 3rd level education or gain employment to know what to do or how to do it. Having a transitional programme for the two years leading up to school leaving, as well as having input from career guidance professionals would be a great support for people wishing to enter the mainstream route.

The scant amount of career preparation, work experience and vocational training courses for people with disabilities is a recurring issue for people contacting our organisation. This also ties in with the absence of transitional planning in schools resulting in people directly accessing disability services post-school, thereby not getting the opportunity to enter further education, training or employment.

Currently, only people leaving school can get funding to attend a HSE funded Day-Service. If a young person chooses to follow the mainstream route into employment and it doesn't work out there is no HSE option open to them as they are no longer a school leaver. This system actively discourages people who wish to enter mainstream employment because if they try and it does not work well for them, they will not get any place in a day service. This is frightening for people who want to try to find a job.

Any model should allow young people to defer taking a place in day services for a year or two and support them to access mainstream training, employment or employment activation supports after leaving school. This will give everyone a chance to try to get and keep a job. Students going to university and colleges can defer places to work. This option should be available to all people with disabilities too.

The recently announced 'Ability Programme', while a welcome pre-activation programme for young people with disabilities, represents another case of a lack of joined up thinking. The Department of Employment Affairs and Social Protection is launching this programme outside of the remit of this strategy.

Quotes from Self Advocates

'There should be more training programmes. No more 'circles of training' with no job at the end. People should be supported to get employment after they do some training.'

'There should be supports between finishing your education and then getting employment.'

Awareness campaign:

One of the main obstacles we regularly encounter from talking to people with disabilities and their family members is the low expectations that people with disabilities and in particular intellectual disabilities face in Ireland today. A recent study from Dublin City University (DCU) indicated that, of all kinds of disabilities, employers expressed the view that they would find it most difficult to have an employee with an intellectual disability. This finding is supported by previous research from the National Disability Authority (NDA) showing negative attitudes towards people with intellectual disabilities⁶.

Therefore it could be beneficial for an awareness campaign to be set up both for employers and for the general public. Any programme or model that aims to get more people with disabilities into work needs to go hand in hand with an awareness campaign as recommended in the Strategy for Equality. An awareness campaign would help everyone in Irish society understand the supports people with disabilities need to access work, but will also show what people with disabilities have to offer as employees. It will help to improve attitudes towards disability as noted by the National Disability Authority (NDA).

Transport Services:

People with disabilities frequently identify transport as being a major obstacle in obtaining and maintaining employment. There is a difference in public and private transport services between the main cities and more rural areas. We need to make sure that all transport services have very good accessibility for people with different types of disability. This means making more bus routes especially in rural areas. It also means making sure there are accessible ramps and spaces on busses and trains.

This recommendation is supported by a recent report by the National Platform of Self-Advocates⁷. They also highlighted how transport services need to work together to provide a service where people with disabilities can travel safely and in comfort. Therefore it is important for the Department to work closely with the Department of Transport to identify ways that transport services can be improved to support people appropriately.

Workplace Relations Commission:

The Workplace relations commission is the port of call for all employment disputes and for mediation. We have seen an increase in reports of

⁶ Public attitudes to disability in Ireland – NDA, 2011.

⁷ National Platform of Self Advocates and Centre for Disability law, Galway (2017). *'Our Lived Experience of Housing and Transport'*.

discrimination cases involving persons with disabilities. It is crucial that these cases are publicised widely in order to encourage other individuals experiencing discrimination to take action.

The process of applying to the WRC can be a difficult one with the information inaccessible to many people, there is no easy read or plain English version of the forms the lack of support in applications presents as a barrier and the cost of representation can be a barrier.

3. Conclusion

If people with disabilities are to be treated as equal persons and given opportunity to progress into meaningful employment in Irish society, it is important that the Department of Business, Enterprise and Innovation is involved with supporting people with disabilities to enter and maintain employment. The department can have a crucial role in identifying ways business can include people with disabilities in their workforces and can lead the way for other government departments to follow suit.

The action plan must ensure that the voices of those with lived experience are included at all stages of the process, from the planning to the implementation. For people with disabilities to progress to mainstream employment and have work that is meaningful to them, any model must have at its centre the voice of the person, their individual need and an opportunity to have choice.

Finally, as outlined above there are issues that are not directly addressed by the action plan that organisations such as Inclusion Ireland encounter from people on a daily basis. The challenges people with disabilities face in relation to transport and when leaving school are examples of this. If an action plan and a new approach to employment for people with disabilities is to be successful, issues such as these need to be identified, acknowledged and addressed.

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