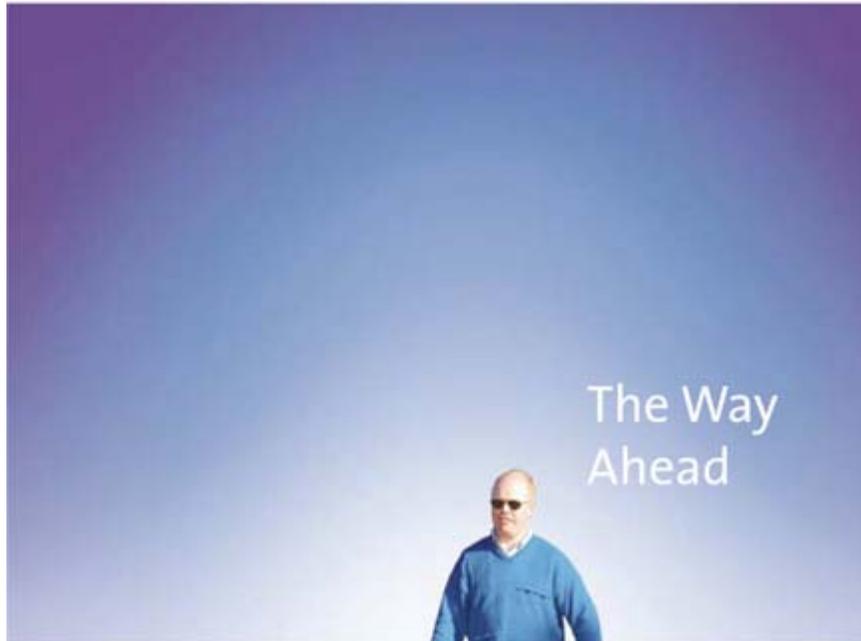




Workway

A joint ICTU/IBEC initiative to promote employment of people with disabilities



The Way Ahead



Workway Policy Paper

Workway

A joint ICTU/IBEC initiative to promote employment of people with disabilities

The Way Ahead

Workway Policy Paper

Table of Contents

Background	4	2 Pre-employment template	17
Employment among people with disabilities	4	3 Enhancing Training Provision	17
Purpose of this paper	5	4 National Employment Guidelines	17
Policy and service provision development – Mainstreaming and implementation	6	5 Development of Advocacy Services	18
Mainstreaming	6	6 Achieving greater cross-departmental and agency links	18
Local policy development and service delivery mechanisms	7	7 Resolution of the benefits trap	19
Inter-departmental and interagency co-operation	7	8 Enhancing service provision – Information service	20
Workway Experience	9	9 Achieving attitudinal change in relation to the workplace	21
Inclusivity – Addressing all needs	9	10 Achieving greater accessibility	21
Person’s capacity to work (pre-employment)	10	11 Built environment	21
Employability	10		
Attitudinal barriers accessing or in employment	11		
Attitudes of people who have long-standing health problem or disability towards working	11		
Attitudes of family members or carers	11		
Attitudes of co-workers	11		
Accessibility	12		
Financial Disincentive	12		
Range of Suitable Jobs	12		
Employers Concerns	13		
Recommendations	16		
1 Further development of the mainstream model	16		

Appendices

APPENDIX I

Provision of further education, employment and training services for people with disabilities	22
--	----

APPENDIX II

Employment Figures among persons with long- standing health problems and people with disabilities	23
--	----

APPENDIX III

Overview of workplace-related support programmes for people with disabilities	23
--	----

APPENDIX IV

Summary of schemes and levels of participation in further education, training and employment service provision to people with disabilities	24
--	----

APPENDIX V

Key consultation mechanisms between representative organisations and governance structures	25
--	----

APPENDIX VI

Paper prepared by Department of Social and Family Affairs for Workway	26
Barriers to employment/Benefits trap	26
Role of DSFA in supporting employment	26
Barriers to employment	27
Benefits traps	
What is meant by benefits traps?	28
Benefits traps for people with disabilities	28
1. Barriers to employment arising from the operation of the income maintenance payments	29
2. Barriers/benefit traps arising as a consequence of the loss of the secondary benefits available to social welfare recipients generally	31
3. Barriers/benefit traps arising as a consequence of the loss of the specific secondary benefits available to people with disabilities	32
Problems with the DSFA system of employment supports	33
Retention of "Free" Schemes	33
Possible Future Directions	34

APPENDIX VIa

Number on illness/disability payments availing of different employment supports	35
---	----

APPENDIX VIb

Results of sample surveys of DSFA employment support measures in terms of progression to employment	37
---	----

BACKGROUND

The background to this Policy Paper is to set down in the Workway Work Programme i.e. to critically document the project experience in the context of the existing policy framework and its implementation at local level. These reflections are intended as a contribution towards explaining and addressing (i) the persistent and unacceptably high level of unemployment among people with disabilities (estimated to be between 60% and 70%) and (ii) the significant and often interrelated barriers which are inhibiting progress towards increasing employment levels.

Employment among People with Disabilities

The most recent employment and training figures are set down in Appendices 2-6 attached. Table 3 reflects recent CSO data, which indicates the overall number of people with disabilities in employment at 101,000. These numbers represent approximately 6% of all people in employment and 40% of all disabled people over 15 and under 64.

Table 2 reflects the recent work of the NDA in tracking around 26,000 people with disabilities in some form of State supported Education, Training or Employment provision or State sponsored workplace-related support. These provisions have evolved from various aspects of policy development:

Further Education: Vocational Training Opportunity scheme supported by the Department of Education and Science.

Vocational Training and Employment: Community Employment Scheme, Supported Employment, Sheltered Employment, Vocational Training, sponsored by the Department of Enterprise, Trade and Employment and administered by FÁS.

Facilitating return to work: Back to Work Enterprise Allowance Scheme, Back to Education Allowance scheme, Back to Work Allowance scheme sponsored by the Department of Social & Family Affairs.

Incentives and grant schemes: The PRSI Exemption Scheme/Revenue Job Assist, Workplace Equipment Adaptation Grant, Job Interview Interpreter Grant, Personal Reader Grant, Employment Support Scheme, Disability Awareness Training Support Scheme and Employee Retention Grant Scheme, sponsored by the Department of Finance and Department of Enterprise, Trade and Employment and Department of Social and Family Affairs.

Rehabilitative training, Sheltered work and Supported work sponsored by the Department of Health and Children, administered by that department and specialist agencies.

The range of programmes and supports indicates the adoption by policy makers and service providers of varying approaches in the attempts to tackle unemployment. Different policies have resulted in education and training based solutions as well as active labour market provisions and workplace and employer supports. Many of these provisions are successful; some targeting has been achieved and the demand for further provision is robust across many of the programmes. Others have experienced limited success and failed to overcome barriers for many people with disabilities.

A low level of overall participation of people with disabilities in the workforce prevails and some comment on the nature of the successes and failures of the existing policies and supports, as experienced by the Workway Networks, in overcoming the barriers experienced by people with disabilities and employers, is appropriate.

The Workway Networks have confirmed the followings issues and perspectives can translate into negative influences and create barriers affecting many people with disabilities accessing employment.

- Issues relating to a person's capacity for work;
- Issues relating an individual's employability;
- Attitudes of people who are sick or disabled towards working, carers and co-workers;
- Accessibility issues;
- Financial disincentive;
- Range of suitable jobs and;
- Employer's perceptions of people with disabilities.

A range of personal responses within individuals with disabilities, and interaction between these individuals and other individuals, bodies, organisation, family/carers, service providers and others, contribute to and/or assist in creating and breaking down such barriers.

These barriers present different levels of challenge to people with disabilities seeking or in employment. Dismantling or minimising the wide range of barriers involves a range of stakeholders (including people with disabilities) i.e., employers, employees, families/carers, representatives and support organisations, Government Departments and Agencies, in relation to their respective roles as policy makers, contributors to policy, service providers or service users.

It is not the purpose or role of Workway to address each of these barriers but the work of the Networks has drawn attention to the complexity of the impact of these barriers *depending on the nature, severity and impact of an individual's disability and the supports which they can access in their environment*. A number of these barriers originate and are experienced in broader societal environment, while others are pre-dominantly workplace related.

The emerging challenge is to develop a more strategic approach and integrate efforts, on an inclusive and sustained basis, to tackle the negative influences which create these barriers.

Purpose of this Paper

This Paper will therefore assess aspects of current policy and implementation in the light of the experience of the Workway Networks, with reference to the workplace related barriers.

Given the extent of policy change and development in this area in recent years there is a significant need for local experience, critical analysis and feedback. The Paper aims to contribute to such analysis.

This experience is drawn from Workway field research which documents the local perceptions and experiences of employers, trade unions and people with disabilities. The Workway Networks

- designed specific strategies to encourage the participation and buy-in of employers, and people with disabilities;
- organized focus groups exploring issues including barriers related to disability and employment;
- planned and implemented local communication / promotion strategies and;
- designed and published Employment Guidelines on particular relevant aspects of employment practice.

Having undertaken this work a number of policy issues of particular significance, which appear to require further consideration or actions are identified.

The approach to the paper is

- (1) to comment on some overarching policy issues,
- (2) to identify the plethora of organisations with responsibility or influence, the demand in terms of the Programme or Service required and the issues arising based on how Workway experienced the roll-out of existing policy and coherence/availability of service locally and
- (3) Reflecting on questions such as :
 - Do we have the right policy response(s), and, if so, are the response(s) adequate to meet the challenge(s)?
 - Are policy response(s) being implemented in an appropriate manner to achieve maximum effectiveness?
 - Do we have robust monitoring and evaluation mechanisms?
 - Are all relevant stakeholders involved in developing or implementing policy responses, through what mechanisms?
 - Do we have adequate, dynamic, strategic planning structures/mechanisms,

to set down a limited number of key recommendations to contribute to the dismantling or minimizing of the barriers experienced by people with disabilities accessing employment.

POLICY AND SERVICE PROVISION DEVELOPMENT – MAINSTREAMING AND IMPLEMENTATION

The barriers outlined require a differentiated set of responses which will impact differently on people, depending on the nature and impact of the disability concerned. Such responses have included *anti-discrimination legislation*, *positive action measures* designed to encourage change in attitude and *targeted employment and training support measures*. These responses, developed by Government in consultation with a range of stakeholders and implemented by Government Departments and agencies, have been influenced by International and EU commitments (e.g. UN Standard Rules and Lisbon Strategy) as well as by Government programmes, Social Partner agreements (PPF and Sustaining Progress) and innovative programmes (e.g. Supported Employment programme), developed through pilot initiatives over time etc.

Mainstreaming

The Government decision to mainstream policy and service provision for people with disabilities is of particular importance and represents significant structural progress. According to the Department of Justice, Equality and Law Reform, which was the lead department in establishing the mainstreaming approach, Mainstreaming meant *“the delivery of services for people with disabilities by the public bodies that provide the service for everyone else. The infrastructural arrangements to underpin the new mainstreaming approach involved the establishment of dedicated institutional support (the National Disability Authority (NDA), and Comhairle). The existing mainstream service providers centrally involved in the new arrangements for provision of services to people with disabilities are FAS, the Health Boards and the National Educational Psychological Service (NEPS).”*

The approach is innovative and ambitious and brings particular policy making and public service challenges. It is about providing equality of opportunity for people with disabilities within the overall system and how the rights, entitlements and opportunities of the individual are treated. In respect of all policy makers, the expectation is that implementing such an approach requires the adaptation of existing policies and/or the creation of new policy to meet the needs of people with disabilities by Government departments within their remits, which could in practice also benefit others. For Service Providers it is a move away from delivery through a separate specialist service exclusively, and requires the acquisition of specialist input to the mainstream service, when and as necessary. In practice, its about actively and openly taking into account, at the planning and development stage, how labour market services and programmes impact on people with disabilities at implementation, monitoring and evaluation, while taking account of the diversity within the range of people with disabilities.

While this approach can result, given time and investment, in a transfer of knowledge from mainstream policy making and service provision which is beneficial, there is also considerable learning to be acquired by policy makers and service providers alike, relative to the target group of people with disabilities.

Consultation

The effective use of consultation, developing knowledge and facilitating information flow is a key underlying theme of this Paper, which is focused on the minimisation of barriers. Policy makers and service providers need to take account of local experience, objectively analyse this experience and develop solutions to barriers in consultation with representative local bodies or organisations. The

development of policy is distinct from that of implementing policy. Effective consultation mechanisms, as well as the capacity to analyse, (i.e. applying knowledge and/or experience to the facts) are needed at relevant and timely stages of each of these processes. The presence of effective local implementation structures which embrace a mainstream approach, but accommodate specialist needs as necessary, are critically important.

Local Policy Development and Service Delivery Mechanisms

The model of translating of central policy to service provision at local level through agencies and Regional offices is becoming increasingly interwoven with the development of policy and service provision at local level.

The extent to which the developments have taken place at both National and Local levels through the Government Departments and agencies operating at national and regional levels as appropriate (e.g. FÁS, Health Boards, VECs, CICs) in co-operation with specialist agencies, are reflected in emerging Local Governance structures is unclear.

The establishment and operation of locally-based Strategic Policy Committees, City and County Development Boards, County Enterprise Boards and local Partnership Companies provide a complex governance structure; some structures are State established structures while others emerged through the Social Partnership Agreements (e.g. local Partnerships governed by ADM). While policy guidelines have been developed by ADM for some time now and work is on-going (through the NDA) to influence the development of County Development Plans, the extent of the adoption of the policy and mainstream approaches overall picture is unclear. The links between

local Governance structures and the Government Departments, Agencies and Local officers are evolving. This area warrants further research. The challenge amidst these complexities, only briefly referred to in this paper, is to achieve real understanding, coherence and real local relevance and value in respect of the measures developed and investment made.

Inter Departmental and Interagency Co-operation

Broad employment and training objectives and policies to promote the employment of people with disabilities including Schemes, Programmes and Services are reflected through the Statements of Strategy and Business Plans of the Department of Enterprise, Trade and Employment and FÁS. FÁS programmes and the various employment support measures are grounded in the policies of the Department of Enterprise, Trade and Employment, which are developed through a three-dimensional approach involving:

- facilitating the progression of people with disabilities into sustainable employment through the development of their skills;
- stimulating awareness amongst employers of the contribution, which people with disabilities can make to their businesses and encouraging companies to more actively consider recruiting people with disabilities to fill their vacancies;
- providing specific employment supports for people with disabilities and employers.

The adoption and implementation of these policies and related, generally supportive policy instruments implicate various Government Departments and agencies in terms of their respective roles. Policy development in a number of key Government Departments and consequent service provision in departments and agencies has been

responding for some time to the need to integrate the needs of people with disabilities. Various employment programmes and support mechanisms have been developed for some time in the Department of Enterprise, Trade and Employment, implemented through FÁS. Employment and vocational training policies are now formulated as part of the general labour market policy which underscores the move away from the medical model of disability to a model of economic and social inclusion. People with disabilities have greater access to mainline FÁS services and programmes, including CE and the Social Economy. Additionally, the Department of Social and Family Affairs took over the payment of Disability Allowance and the Department of Health and Children have engaged in significant consultation in relation to training and sheltered and supported work models, the most recent being the development of Code of Practice on Sheltered Occupational Services (though this has not been implemented). While each of these initiatives represent progress much remains to be done. Many key policies in a number of Departments and Agencies have been determined acknowledging relatively limited responsibility in respect of people with disabilities. The purpose of a particular policy or design of its implementation may or may not have taken account of the needs of people with disabilities. The adoption of the mainstreaming model in respect of people with disabilities has highlighted the challenge of integration of relevant policy and services emanating from different Government Departments and Agencies to achieve a seamless and well targeted service.

This is a major task to which Workway can only contribute, based on its experience of inclusivity and service delivery, at the local level. This experience is mainly associated with the contribution of Workway to local employment policy adaptation and enhancing local service delivery structures, where feasible.

WORKWAY EXPERIENCE

The following section outlines the experiences of Workway in respect of some of the barriers identified.

INCLUSIVITY - ADDRESSING ALL NEEDS

From the outset of the Workway Initiative there were clear problems in incorporating the experiences of people with differing degrees of severity of physical and sensory, intellectual, mental illness or a combination of these. While various representative bodies participated in the Initiative, achieving the participation of a range of people with disabilities in the Networks and Workshops was difficult. The major issues associated with these difficulties were the degree of active participation and the capacity to participate (experience deficits, communication or comprehension difficulties, consultation fatigue). This problem lies at the heart of achieving genuine inclusivity and consequently, targeted policies and services. In practical terms, Workway was unable to get a true picture of the profile including educational background, skills and abilities of the local population of people with disabilities. Obviously such information was collected by relevant agencies seeking to provide a service. However, in the absence of knowing the extent or nature of the local unemployment problem, designing policy and service responses is likely to be difficult and the outcome, inadequate. If the mainstreaming model is to be successful improved levels of inclusivity need to be achieved.

In an attempt to tackle this issue Workway undertook research to identify the extent and nature of the problem in association with PwDI.

Specifically, the research set out to collate, document and analyse the information available with a view to establishing a profile of people with disabilities, in selected areas. Through it's local networks in co-

operation with Head Office PwDI agreed to co-operate with this research, through opening it's databases and permitting interviews with key personnel involved.

The research uncovered extensive attempts by PwDI to build contact with people with disabilities, but varying levels of success in achieving communication and participation across a wide range of disability. While much of this problem was attributable to how the organization was formed i.e. it's structure, the need for focused capacity building among a representative group of people with disabilities, exploration of alternative communications systems and involvement mechanisms were evident. Some of the Networks had greater internal capacity to participate and influence the local environment than others. While capacity building was a significant part of the work of PwDI it represents a challenging and ambitious objective.

The researched documentation pointed to *(i)* many marginalised people about whom very little is known, *(ii)* people with disabilities who have limited contact with any system or organization, *(iii)* a lack of contact with employers, employees, co-workers or union representatives, i.e. people in employment. This deficit in knowledge has repercussions in policy making and service provision in that, depending on the nature and severity of the disability, some needs are unlikely to be met and those people with disabilities are likely to be excluded from preparation for and participation in employment.

The key instrument which could be employed to secure and properly utilize information in relation to education, skills, work experience etc was identified as the PwDI membership form, which is renewed annually. The research initiative included the development of a questionnaire for piloting by that organisation in the context of their process of renewing their membership.

There are two challenges in this work, (i) securing the confidence and participation of the PwDI membership to give this information and (ii) the maximum good use of the information. The idea of undertaking this work within the Workway Initiative was to feed the information, when analysed, back to national and/or local policy makers, service providers, employers, unions, etc to permit a broad assessment of the profile of people and inform future strategy and service provision where the most significant inputs can be made. This work is on-going.

PERSON'S CAPACITY TO WORK (PRE-EMPLOYMENT)

Based on the outcome of workshops run by Workway in 2002 the most significant issues for people with disabilities and employers are reflected as follows:

In relation to their capacity for work, people with disabilities expressed:

- the lack of confidence and self esteem to access employment and
- the need for training in relation to informing the prospective employer about their disability in such a way as to allow their abilities to perform the job to take precedence.

For employers the most significant issues discussed were:

- the lack of awareness of disability made it difficult for them to identify the person's capacity to work;
- there was widespread confusion regarding available supports and services;
- the need for people with disabilities to participate in the recruitment process and to develop soft skills as opposed to solely job related skills.

Employability:

In relation to employability, people with disabilities were concerned about:

- how relevant their training options were to current demand for skills in the labour market;
- the difficulty in accessing employment due to their lack of relevant work experience;
- success in getting work experience but no progression into employment (for some), lack of access to work experience (for others).

For people who acquired a disability while in work, their main difficulty was in assessing their future career options and how to translate the skills they now had into either a new career or an altered emphasis in their existing career.

For employers the main emphasis lay in:

- lack of training in pre-employment preparation including training applicants in preparing CVs, validating gaps in CVs and presenting a positive 'can-do' attitude to ensure that they advance through the recruitment process;
- the response of training agencies to the needs of employers and the market;
- the lack of awareness of employers about where they could access expertise regarding disability and related services;
- the need for assistance in interpreting the skills and training of people with disabilities that can be outside of mainstream and their relation to the minimum job requirement.

ATTITUDINAL BARRIERS ACCESSING OR IN EMPLOYMENT

Attitudes of people who have a long standing health problem or disability towards working.

People with disabilities, like non-disabled persons, have varying work-related abilities and needs. For many their disability may have little impact on their ability to work, for others it may have a major impact, requiring considerable support and assistance, with many variations in between. The attitudes to employment and overcoming barriers among people with disabilities are usually rooted in their everyday experiences and depending on those experiences can be positive or negative.

The most significant feedback from many of the people with disabilities consulted is that the focus is on getting a job – any job - as opposed to developing a career path was predominant. They sometimes find themselves in employment that is not relevant or inappropriate to their interests and expectations. This attitude is often reinforced by people with disabilities themselves as they see the need to have a job, any job, will provide them with a degree of independence. The benefits of employment in terms of providing greater degrees of independence are clear for the general population and even more so for people with disabilities. Being exposed to positive role models, getting appropriate work experience engaging with career planning or employment placement services and, accessing accurate and relevant information is obviously critical to positively influencing these attitudes.

Attitudes of family members or Carers

The attitude of family members and carers can have a significant impact on the possibility of getting and keeping a job for people with

disabilities. Family support can be vital as often they provide the necessary day-to-day backup such as transport to and from work. While many families will be supportive of their disabled relatives looking for and getting employment, and training opportunities, a number of concerns can arise and difficulties can be realised if families or carers view the individuals employment as threatening their long term security, for example, the loss of Disability Allowance and associated secondary benefits such as the medical card, rent allowance, etc..

Again, the attitudes of family members or carers can be influenced by positive role models, accurate and relevant information and the availability of work experience or part-time work options.

Attitudes of co-workers

Co-workers as with employers attitudes to people with disabilities are often influenced by their level of interaction with people with disabilities within their community. While many co-workers can be supportive and essential links in ensuring the integration of people with disabilities in the workplace, a number of the people with disabilities consulted found that co-workers can isolate them in the workforce. This is often due to their lack of awareness of disability and taking a view that it is better not to get "involved" or fear that they may inadvertently say something "wrong" to their disabled co-worker.

Here again, the attitudes of the co-worker may be influenced by positive role models, accurate and relevant information and support.

ACCESSIBILITY

The key issues identified through consultation workshops in relation to accessibility by people with disabilities were:

- access to information i.e. no central information office for people with disabilities re employment, entitlements etc.;
- Confusion as to who does what (agencies);
- Accessibility of the built environment.

Employers identified the need for:

- Outside expertise on call;
- Information on best practice, legal issues, and supports available. The general view was that staying abreast of employment law is a full time job, guidelines re employing people with disabilities and up-to-date information is needed.
- Support/advice in the preparation of the workplace to accommodate people with disabilities;
- Advice and support on a need to have basis.

FINANCIAL DISINCENTIVE

The primary fears expressed by people with disabilities consulted were:

- losing income support (especially medical and transport allowance) if an individual takes up a job;
- the risk of losing benefit payments in the event that their attempts to get work subsequently does not work out;
- they were locked into an income maintenance system, which offers them little opportunity to return to the sphere of work.

Some of these issues stem from a lack of clear understanding by people with disabilities of their entitlements in relation to earnings and

fear of finding out in case it jeopardised their current situation.

RANGE OF SUITABLE JOBS

The participants in the workshops communicated a general perception of a structural mismatch between the skills that people with disabilities have and the skills demanded by the labour market. The current shift in economic activity from the manufacturing to the service sector, the demand for more highly skilled workers, the introduction of flexible working patterns to accommodate family friendly employment opportunities and the arrival of new technologies has both positive and negative implications and present opportunities as well as barriers.

Relatively little is known among employers about the segregated education systems or, more specifically, the products of these systems i.e. how, if any alternative qualifications and certification achieved outside mainstream relate to or equate to mainstream qualifications.

Consideration of targeted training to ensure skill availability, part-time and atypical work options which are likely to suit many people with disabilities requiring flexibility and shorter working time, and, greater research into and provision of assistive technologies were highlighted.

EMPLOYERS' PERCEPTION OF PEOPLE WITH DISABILITIES

The eleven most frequently articulated concerns of employers listed in the table below reflect the discussions of the employer participants.

Employers' Concerns³

How will it affect my business?
Who else employs people with disabilities?
How could I provide a suitable job?
Will it be possible to find someone who fills the requirements?
How can I get an idea of the potential of the candidate?
How will co-workers react?
Won't practical and personal problems interfere?
Can I discuss performance and behaviour if necessary?
And what if it goes wrong?
Is there financial or other assistance available?

³The Adapt and Employment Community Initiatives Innovations No 3 Employment Horizon. The Ability to Work Employers, Employment and People with Disabilities EU 2000

Table 1 on the following page gives an overview of the key barriers, Departmental and/or Agency responsibility, Programme and/or Service Initiatives required and Issues arising.

The extent of these barriers, policy tools and issues arising is further informed, by:

- (i) participation in the various further education, employment and training provisions supported by various Departments and agencies (See Appendix I);
- (ii) the employment of people among the population in employment who "have a long-standing health problem or disability", according to the latest CSO figures (Appendix II);
- (iii) the take-up of employment support measures (Appendix III);
- (iv) evaluation of the level of participation in further education, training and employment provision to people with disabilities (Appendix IV);
- (v) an overview of existing consultation mechanisms and governance structures (Appendix V).

An appraisal of and possible responses to Financial Disincentive – the Benefits Trap is outlined in a separate paper.

TABLE 1 Summary Outline of Barriers, Agents with responsibility / Influences, Initiatives Required and issues arising.

<u>Barrier identified</u>	<u>Departments, Agencies and others with responsibility and / or influence to address barriers</u>	<u>Services Initiatives or Programmes required</u>	<u>Issues arising – Policy / Service Delivery Challenges</u>
<p><u>PRE-EMPLOYMENT</u> Issues relating to a person’s capacity for work</p> <p>Issues relating an individual’s employability</p>	<p>Person with a disability,</p> <p>Advocates</p> <p>Family</p> <p>Carer</p>	<p>Comprehensive Information Service (<i>on guidance and assessment, job seeking, advocacy and representation and entitlements</i>)</p> <p>Guidance Service</p> <p>Assessment Service</p>	<p>Greater ‘societal’ encouragement to work promoted by various stakeholders</p> <p>Enhanced and integrated information services</p> <p>Enhanced and integrated assessment services</p> <p>Development of Advocacy Service</p>
<p><u>ATTITUDINAL - ACCESSING OR IN EMPLOYMENT</u> Attitudes of people with long term ill health or with a disability towards working</p> <p>Attitudes of family members or Carers</p> <p>Employer’s perceptions of people with disabilities</p> <p>Attitudes of co-workers</p>	<p>Organisations of people with disabilities,</p> <p>Employment Services Providers(FAS, LES, Specialist Agencies),</p> <p>Supported Employment Consortia</p> <p>National Recruitment agencies</p> <p>Department of Enterprise, Trade and Employment</p> <p>Comhairle,</p> <p>Department of Social & Family Affairs</p>	<p>Advocacy Services <i>(each of these existing mainstream services informed by specialist expertise on aspects in relation to people with disabilities)</i></p> <p>Awareness measures to influence prevailing negative environment</p> <p>Training and Placement Service (supports as necessary)</p> <p>Employment Supports and Incentives</p> <p>Equality of access : System of Pursuit of positive environment ‘level playing field’ including exposure of discrimination experiences,</p> <p>Local Negotiations - Collective Agreements</p> <p>Availability of <i>Access</i> audit capacity</p> <p>Provision of <i>Access</i> advice and Support</p>	<p>Pre-employment development work to ensure disability perspectives are embraced in existing system and to encourage greater engagement of people with disabilities in preparation for and undertaking job search.</p> <p>Dissemination of information on positive case studies to challenge attitudinal prejudice.</p> <p>Recognition of importance and support of part-time and flexible work and training.</p> <p>Clarification of entitlements and achievement of seamless and effective services,</p> <p>Enhanced provision and Integrated delivery of supports and services at local level</p> <p>Elimination of / minimization of benefits trap to achieve supportive environment and more certitude.</p> <p>Provision of expert information service on accurate entitlements in various employment circumstances</p>
<p><u>EMPLOYMENT OPPORTUNITY</u> Range of suitable jobs</p>	<p>Education and training providers, (incl. VECs)</p> <p>Department of Education and Science</p>		
<p><u>ACCESSIBILITY</u> Accessibility issues</p>	<p>Employers, Individual Companies,</p> <p>IBEC</p>		
<p><u>FINANCIAL DISINCENTIVE</u></p>	<p>Employees</p>		

	<p>Unions,</p> <p>ICTU</p> <p>Department of Health and Children</p> <p>Dept Justice Equality and Law Reform</p> <p>Equality Authority</p> <p>National Disability Authority</p> <p>ODEI</p> <p>Department of Transport and Communications</p> <p>Department of Environment and Local Government.</p>	<p>Knowledge repository of Reasonable accommodations.</p>	<p>Development of supports to offset costs of disability not solely based on income.</p> <p>Greater access to work experience.</p> <p>Dissemination of (accurate) information where no costs low costs or significant costs are incurred providing reasonable accommodation.</p>
--	---	---	--

RECOMMENDATIONS

The details of Table 1 are discussed in the following section which sets down recommendations on a number of selected aspects of the issues arising. It is noted that a number of policy reviews are currently underway which may be influenced by the recommendations made. The key recommendations are:

1. FURTHER DEVELOPMENT OF THE MAINSTREAM MODEL.

Adopting this model was a significant step forward. However, there is a clear need to (i) establish an understanding and build the knowledge basis of what it actually means in reality and (ii) build the capacity of a range of bodies, organisations and individuals as well as at the level of the workplace to embrace the concept and ensure it delivers real change.

Workway has identified aspects of policy and service delivery across the various stages of the pathway to employment and in employment which do not currently encourage the participation of people with disabilities.

Relative to their experience the Workway Networks propose that further progress is only achievable through wider acceptance and understanding of the mainstreaming model (by all concerned including policy makers and service providers and others).

In respect of people with disabilities this means:

- (a) significant capacity building among people with disabilities to enhance their participation in all aspects of employment policy, service provision and in the workplace,
- (b) better, more informed engagement with people with disabilities,

- (c) better informed and focused research and analysis to formulate policy and service provision using 'expertise', as necessary
- (d) more effective responses at the most local level possible.

The practicalities of pursuing such acceptance, understanding and involvement requires significant buy-in and investment by all of the key stakeholders in:

- exploring and developing alternative (as necessary) and targeted forms and methods of communication,
- developing a Comprehensive Advocacy service,
- establishing a structured system of trained and resourced 'experts', including representatives of different categories of disabilities to identify specific concerns and contribute to innovations and adaptations, as necessary, (perhaps a Technical Assistance Team),
- developing more, targeted information - better availability through targeted systems of dissemination,
- developing deeper levels of involvement in planning, design and decision-making by people with disabilities
- More, structured, meaningful engagement and relationship building between employers, co-workers, unions and people with disabilities, in relation to employment, supported by policy makers and service providers.

The following series of recommendations are suggested to address a number of the barriers affecting key stages of the preparation for and participation in recruitment and employment:

2. *Pre-Employment Template*

Pre-employment or preparation for employment development work would address many of the concerns outlined in respect of a person's capacity for work and employability.

In order to inform what adaptations the existing mainstream provision requires to better meet the needs of people with disabilities and increase their engagement with the existing services, a Pre-Employment Template developed by employers, unions, people with disabilities, recruitment and training specialists working together, as appropriate to:

- examine issues of inclusivity which prohibit the engagement of people with disabilities;
- identify changes which reflect disability perspectives that could achieve increased levels and more effective participation by people with disabilities in the recruitment process;
- improve job seeking skills including the preparation of a positive CV or application form;
- achieve a focus on the expectations of the recruiting company;
- learn to handle gaps or difficulties arising from disability in previous employment situations;
- ensure progression past screening stage would be a significant contribution.

Dedicated training is also required in relation to informing employers about a disability during the job application process and in constructively seeking reasonable accommodations. Such work needs to be developed in a real situation with equal input by employers and people with disabilities and reflect the standards required in the current labour market. There are also key roles for the person with the disability, their families and carers to become aware of the

systems that operate and engage with service providers to provide expertise and give feedback on the development of those services.

3. *Enhancing Training Provision*

Responding to the fears of people with disabilities it is apparent that there is a mismatch between the perceived skill pool among people with disabilities (where it is known) and job opportunities available locally. Employers have also expressed concerns in this regard. There must be greater encouragement by peers, family members, carers or advocates to participate in training and/or work experience. This can only be achieved by:

- (1) addressing the 'perceived' need to enhance relevance to current labour market and effectiveness in training systems, and
- (2) facilitating easier participation, accommodation of need, adaptation of courses to achieve enhanced level of participation.

Specific attention needs to be given to how to achieve adequate links to job placement experience and the provision of adequate supports to participate in training. Depending on the nature of the disability the approach to and manner of training, including materials may need adaptation.

4. *National Employment Guidelines*

Existing company practices require adaptation and change informed by local needs of potential employees with disabilities. Workway believes the adoption and embedding of National Employment Guidelines would also contribute to the objective of developing the mainstream model, at the level of the workplace.

Such National Employment Guidelines, would serve as a practical tool to be used by employers, people with disabilities and co-workers to encourage the greater participation of people with disabilities in the

Workplace. Training in the use of the tool vis-a vis different target users would be required.

Policy considerations in this regard also need to encourage the examination of company practices by employers and unions, the promotion and use of positive action provisions to encourage the participation of people with disabilities by employers, including the development of flexible working practices, particularly part-time work and investment in increased State support measures, as necessary.

The development of workplace practical assessment and development tools targeted towards specific disability categories, which facilitate and encourage the development of skills and abilities in the workplace and explore the role and support possible in the provision of reasonable accommodation would also be a significant contribution. While tools such as these might be developed through pilot / project work in a number of locally based companies, their need is widespread and their provision should probably be via a national structure such as a Technical Assistance Unit (such a Unit might link the administration of the various Schemes or workplace supports). Access to an integrated system of information for both employers and people with disabilities is critical.

5. *Development of an Advocacy Services*

The genuine inclusivity of people across the spectrum of disability is unlikely to be achieved in the absence of a comprehensive advocacy service. The concept is difficult and policy objectives have been slow to reflect this need. The outcome of mainstreaming will not be inclusive of the needs of all people with disabilities in the absence of such services. It is apparent that the development of the service is currently the focus of the Comhairle Bill, 2004.

6. *Achieving greater Cross-departmental and Agency Links*

A more strategic approach to policy and service planning could be achieved through greater levels of cross departmental and agency work. This involves new ways of governance which are challenging to achieve. The range of departments and agencies involved are listed in Appendix V.

A Framework within which there is a structured system of co-operation in relation to particular goals and targets appears to be one of the more effective ways of achieving integrated working systems. The barriers cited in this paper are, for the most part, interrelated. Those responsible for minimising the impact of any of the barriers, if not eliminating them, need to see their actions (or inaction) in the wider context and understand the impact or otherwise of compounding or dismantling the barriers.

Workway has attempted through our work on the Steering Committee to bring to the attention of Government Departments and Agencies the on-the ground experience of the Networks i.e. what works well, the gaps and deficiencies, local and structural barriers and the nature of those barriers. Workway did not seek to go further than this, defining its role in terms of bringing information and recommendations to the relevant Government Department and Agencies in a structured manner. It is clear from the gaps and deficiencies that increased levels of co-operation are necessary and that the mainstreaming model requires engagements with new local governance and economic development structures to reflect disability perspectives. As a local-based project Workway is recommending further research to:-

(a) map out the local structures with responsibility for policy development and service provision and synergies and

(b) establish how effective interactions can be achieved to increase the participation of people with disabilities.

7. Resolution of the Benefits Trap

Reconciling the need to provide support for those who are unemployed as well as providing supports in such a manner as to encourage employment, particularly part-time or flexible forms of work organization are among the most serious challenges to be met in respect of the needs of people with disabilities.

The current circumstances (in respect of financial disincentives) could be improved by the provision of clear and concise information at local level regarding individuals' entitlements to benefits, the process of accessing these benefits, and the direct impact this has on current and expected earning power.

Delving further into the Benefits trap issue the key policy considerations are set down in the Paper on Benefits Trap prepared by the Department of Social and Family Affairs to inform the work of the Workway Steering Group.

The paper identifies the role of the Department of Social and Family Affairs, sets down a definition of the Benefits Trap in supporting and encouraging people with disabilities to take up employment opportunities and continues to outline the three key areas where benefit traps occur –

- Difficulties arising from the operation of the income maintenance payments, e.g. means tests, operation of income disregards, etc.
- Difficulties associated with loss of general secondary benefits, e.g. fuel allowance, rent and mortgage supplement etc.

- Difficulties associated with loss of secondary benefits specific to people with disabilities, e.g. mobility allowance, blind welfare allowance, aids and appliances under the medical card, free travel pass etc.

The paper notes that a number of Departments/Agencies have responsibility for resolving different elements of these barriers.

The extent of the difficulties are assessed in respect of the

- Operation of Income Maintenance Payments: The social welfare system provides financial incentives to move from illness and disability payments into employment and training. But, once in employment or training, disincentives can occur where a person wishes to move from one type of employment/training option to another or in the case of means-tested payments, where a person wishes to increase their employment or earnings potential.
- General Set of Secondary Benefits: In general, it is considered that the mitigating measures that have been introduced over recent years mean that the loss of these secondary benefits on taking up employment should not pose a significant barrier to employment.
- Specific Secondary Benefits for People with Disabilities: It is considered that the loss of these secondary benefits causes considerable difficulties for people with disabilities and is considered to be a major barrier to employment for people with disabilities.

Workway concurs with the views expressed by the Department that

- The resolution of the difficulties posed by the loss of such benefits is tied into the question of how best to address the additional costs of disability, and
- that the additional costs of disability should be dealt with separately to income maintenance needs and in ways that are less dependent on the labour force status of the claimant (this is in line with approach proposed by CSPD).

The Paper identifies that a Review of the Illness and Disability Payments currently being undertaken by DSFA is examining, inter alia, how the social welfare system supports people with disabilities into employment and that a number of problems with the current system have been identified, e.g. –

- There are difficulties in reconciling the underlying qualifying criteria for illness/disability payments, which in general require claimants to be incapable of work, with the employment support options which recognise that the same people have some employment potential;
- There is no provision for partial (in)capacity for work – the system generally operates on an “all or nothing” basis;
- There is no meaningful assessment of employment potential;
- There is little active engagement with those who have such potential and there is no follow-up on completion or cessation of the employment support measure;
- There is a lack of early intervention measures.

In conclusion, Workway endorses the recommendations of the Policy Paper which suggests four key policy directions which have the potential to change and improve the approach to providing supports for those people with disabilities who could undertake work. These are to:

- Recognise the fact that some people's medical and other circumstances may mean that they have some capacity for work, but may never achieve full-time employment;
- Ensure that whatever employment support measures are adopted do not act as a barrier for people with disabilities and long-term illness in maximising their employment and earnings potential;
- Retain a range of employment supports for different client groups, and ensure that clients are referred to the most suitable option, having regard to the nature of their illness or disability, age and social circumstances;
- Introduce early intervention measures, which are aimed at re-integrating people who sustain serious illnesses, injuries and disabilities back into the workforce, before they become long-term dependent on social welfare payments.

Full details of this Paper, setting down the range of provisions and problems associated with aspects of the provisions as they affect various people with disabilities are in Appendix 7.

8. Enhancing Service Provision - Information service

The serious challenge of providing adequate, relevant and accurate information for a range of target users has been identified. What is clearly needed is a comprehensive information strategy, delivered on by FÁS and Comhairle, along with other relevant organizations which will offer a package of interlinked support measures, identify the ‘who’s who’ of service provision, and the level of service available and how to access same. This should be appropriate to employers and people with disabilities, co-workers, unions, families, carers.

This strategy, in line with mainstreaming policy, should utilize FÁS services and information services such as Citizen Information

Centres. These should be linked to existing information processes that people with disabilities and employers engage in, and should be regularly updated.

The duplication of aspects of information provision which already exists must be avoided. The challenge appears to be one of identifying gaps and achieving a coherent system of access, links and dissemination, utilising integrated and interchangeable resources. The possibilities of using the Web, particularly OASIS, BASIS and ASSIST Ireland to develop such a tool appears feasible.

9. Achieving Attitudinal Change in relation to the Workplace

Achieving attitudinal change is complex, influenced by sympathetic, expert and accurate information provision, positive example e.g. case study dissemination, challenging circumstances of discrimination and social dialogue involving all relevant stakeholders.

Workway views this can most effectively be achieved by significant levels of information dissemination, targeted training and further investment in development work to encourage positive environment by a range of bodies and organisations at the most local levels achievable.

Specifically, further promotional work is needed to develop a greater awareness and understanding of disability among employers. Employers' awareness of disability and employment issues is primarily associated with case law - material which overall communicates a negative image of employing people with a disability. The positive

aspects of employing people with a disability must continue to be strategically promoted. This could be achieved through disseminating clear, concise accessible information to employers, union officials and people with disabilities regarding the supports and incentives available to facilitate the employment of people with disabilities and featuring case studies of best practice. Promotional activity should focus on specific target audience, for example, information on service provision to employers should be focused on the employer' needs and expectations.

10. Achieving greater Accessibility

The establishment of such an Information Repository which would be almost essential. Such a Repository would provide:

- General information on disability issues;
- Information on financial incentives available to employers;
- Advice on workplace adaptation for people with disabilities;
- Information on best practice models;
- Information on conducting an access audit within the workplace;
- Information on retention and retraining strategies for staff members who acquire a disability;
- a practical guidelines on implementing requests for reasonable accommodation.

This provision would be a significant step forward.

11. Built Environment

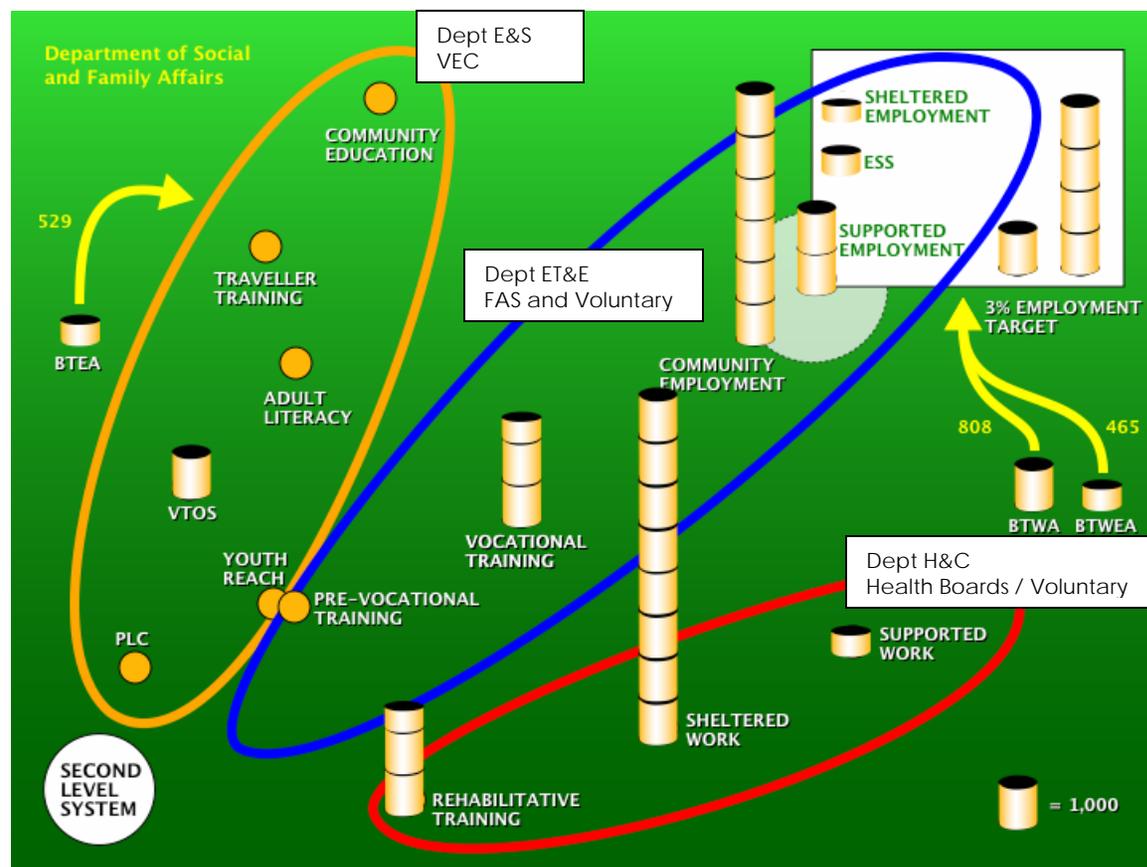
In view of the significant disregard to the Building Regulations policy responses by the Department of Environment and Local Government are needed to ensure the stronger enforcement of the Regulations to provide greater levels of accessibility.

APPENDIX I

PROVISION OF FURTHER EDUCATION, EMPLOYMENT AND TRAINING SERVICES FOR PEOPLE WITH DISABILITIES

Recent work by the National Disability Authority provides, in broad terms, a basis for mapping current provision and identifying responsibilities in relation to employment, further education and training services for people with disabilities.

The columns represent the number of people with disabilities engaged in identified activities.



Source National Disability Authority: Towards Best practice in the provision of Further Education, Employment and Training Services for People with Disabilities in Ireland

The picture above shows the complicated pathways of some 26,000 people in some form of State supported / sponsored Education, Training or Employment provision. It is to be noted that many people with disabilities do not require services or assistance and have successfully got work in

both Public and Private sectors. The picture also illustrates that only some of the range of employment and training options available to people with disabilities operate in the Open Labour Market.

APPENDIX II

EMPLOYMENT FIGURES AMONG PERSONS WITH LONG STANDING HEALTH PROBLEMS AND PEOPLE WITH DISABILITIES

The latest CSO figures indicate that employment among “persons.... have a long-standing health problem or disability” as follows:

Sector	Number
Agriculture, forestry, fishing	9,300
Production	16,200
Construction	9,400
Wholesale & Retail	13,400
Hotels & Restaurants	6,400
Transport, Storage & Communication	6,800
Financial and other services	13,500
Public administration and Defence	6,500
Education	7,800
Health	12,200
Total	101,500

Source: CSO
DisabilityModule
QNHS, 2003

*Among this overall number employed approximately 4,500 are employed under the 3% Civil and Public Service Quota scheme and approximately 1,200 others are availing of the Employment Support Scheme and Supported Employment Programme in the Public and Voluntary/Community Sector as well as in the Private sector.

APPENDIX III

OVERVIEW OF WORKPLACE-RELATED SUPPORT PROGRAMMES FOR PEOPLE WITH DISABILITIES

Programme	Total Participants	Total Participants with a disability
Workplace	122	10
PRSI Exemption Scheme/Revenue Job Assist	20,000 (estimated)	Not available
Workplace Equipment Adaptation Grant	100	100
Job Interview Interpreter Grant	70	70
Personal Reader Grant	14	14

Source: compiled by authors from Active Labour Market Programmes for People with Disabilities. Country Profile: Ireland, Work Research Ltd. 2003

APPENDIX IV
SUMMARY OF SCHEMES AND LEVELS OF PARTICIPATION IN FURTHER EDUCATION, TRAINING AND EMPLOYMENT SERVICE
PROVISION TO PEOPLE WITH DISABILITIES

Provision	Outcomes – Placements / Throughputs
Further Education	
Vocational Training Opportunity scheme	829 VTOS trainees as at January 2002
Vocational Training and Employment	
Community Employment Scheme	4,115 people with disabilities (current numbers)
Employment Support Scheme	291 people with disabilities (current numbers)
Supported employment	1,900 participants (programme throughput)
Sheltered employment	173 people with disabilities (programme throughput)
Vocational Training	Approximately 2,500 trainees <i>of which there are 2,112 annual placements with Specialist Training Providers</i>
Rehabilitative Training	2,557 trainees (annual placements)
Sheltered Work	7,900 people with disabilities (NACTE estimate)
Supported Work	360 people with disabilities (NACTE estimate)
Department of Social & Family Affairs	
Back to Work Allowance scheme	808 beneficiaries with a disability (2002)
Back to Work Enterprise Allowance scheme	465 beneficiaries with a disability (2002)
Back to Education Allowance scheme	529 beneficiaries with a disability (2002 - 2003 academic year)

*Source ; National Disability Authority, towards Best Practice in the Provision of Further Education, Employment and Training services for People with Disabilities.
Note: NACTE (National Advisory Committee on Training and Employment (NRB))*

APPENDIX V
KEY CONSULTATION MECHANISMS BETWEEN REPRESENTATIVE ORGANISATIONS AND GOVERNANCE STRUCTURES

Department of Enterprise Trade and Employment FAS	National Advisory Committee on Disability Standing Committee on Labour Market Issues National Accreditation Committee Review Processes seeking input e.g. Bearing Point Review
Department of Social and Family Affairs	Social Inclusion Consultative Group Fully Inclusive Social Insurance Model (PPF / SP Working Group) Disability Consultative Committee Review Processes which seek submission e.g. Illness/Disability Payment Schemes
Department of Education & Science	New Special Education Council
Department of Health and Children	Review Process on (1) Pre- Vocational Training (2) InterDepartmental Committee on cost of Disability
Local Health Boards	Health Boards Physical and Sensory Coordinating Committee Consultative Committee on Intellectual Disability
Department of Justice Equality and Law Reform National Disability Authority Equality Authority	3% Employment Quota Monitoring Committee (Public Service) Review Processes e.g. Employment Equality Act, 1998 Equal status Act, 2000
Department of the Taoiseach	National Steering Committee on Sustaining Progress
Department of Transport	National Committee on accessible Transport

APPENDIX VI
Paper Prepared by Department of Social and Family Affairs for Workway

BARRIERS TO EMPLOYMENT/BENEFIT TRAPS

Having a job and an earned income is an essential part of full participation in society. However, for many people with disabilities their participation in society is undermined by their inability to fully access the labour market. Despite the major expansion in the Irish labour market and the introduction of employment equality legislation in recent years, it is nevertheless recognised that the employment prospects of many people with disabilities have not improved to any significant extent. Providing the necessary conditions and opportunities for employment is a challenge for a number of Government Departments and Agencies, including the Department of Social and Family Affairs (DSFA).

A range of improvements have been made in area of the State employment and training supports for people with disabilities in recent years, including –

- The transfer of responsibility for vocational employment and training measures from the health boards to the Department of Enterprise, Trade and Employment and FÁS;
- The streamlining of the provision of FÁS training allowances for people with disabilities as between those in specialist training and those in mainstream training;
- The introduction of a pilot Supported Employment Programme by FÁS; and
- The development of a code of practice for those in sheltered occupational services by the Department of Health and Children.

While these improvements have had some success in progressing some people with disabilities into employment, it is recognised that more needs to be done in this area.

Role of DSFA in Supporting Employment

Through its range of employment supports, DSFA aims to encourage and assist people on social welfare disability and illness payments to identify and take up available employment, training and other self-development opportunities, where appropriate. This is achieved through a range of measures such as –

- the **Back to Work Scheme**, which provides people on long-term illness and disability payments with assistance on a sliding scale for 3 years (or 4 years where they are engaged in self-employment) when they move into full-time employment;
- **income disregards** in the case of means-tested payments (e.g. Disability Allowance and Blind Person's Pension), for those engaging in rehabilitative employment/self-employment and training;
- **special rules applying to the contributory illness and disability payments** (e.g. Disability Benefit and Invalidity Pension), which encourage recipients to return to work by engaging in employment which is

considered to be rehabilitative or therapeutic in nature and occupational retraining;

- the Department's **Jobs Facilitator Network**, which assists people to return to work, training and education by advising them of the options available, encouraging them to take up these options and providing supports, where necessary;
- the **Family Income Supplement** scheme, which provides financial support to low income families; and
- **exemptions from liability for employer and employee PRSI contributions**, in certain instances.

These supports, which have been enhanced in recent years, allow people with disabilities to access training or attempt to integrate into the labour market while retaining social welfare payments in full or in part. In addition, the associated secondary benefits, such as medical cards, can be retained in many instances. There are about 16,600 people who are ill or disabled availing of the various employment support measures provided by DSFA. This represents 10% of all of the people on the social welfare illness and disability payments (see Appendix I).

A number of sample surveys undertaken by the Department recently to assess the effectiveness of these supports indicate that these measures have had some success in getting certain social welfare clients back into the workforce (see Appendix II). For instance, the Back-to-Work Allowance scheme (BTWA) has had the most success as regards progression to employment. Of those people with disabilities who had completed or exited this scheme, 65% had remained in employment, while just 10% had returned to illness or disability related payments. But this scheme may not be suited to the needs of all people with disabilities. Currently relatively small numbers are availing of it

(only 1% of the eligible client group – about 1,300 people), and these are concentrated amongst people with physical disabilities, as distinct from those with mental health or intellectual disabilities. Overall however, it is considered that there are a number of significant problems with the operation of these supports and these are outlined in the following paragraphs.

Barriers to Employment

It is important to recognise that economic factors, including financial disincentives to employment, is just one of a range of factors which can influence the decision by people who are long-term ill and disabled to take up employment opportunities.

Other factors include –

- Issues relating to the person's capability for work,
- Issues relating to employability,
- Attitudes of people who are sick or disabled to work ,
- Attitudes of family members and carers,
- Employers' perceptions of people with disabilities,
- Attitudes of co-workers,
- The range of suitable jobs on offer,
- Accessibility issues, including, in particular, accessible public transport.

Benefit Traps

What is meant by Benefit Traps?

A benefit trap is taken to refer to the position whereby a person's financial circumstances, if unemployed, compares favourably with their net take home pay from employment, to the extent that there is a disincentive –

- for them to take up employment, or
- for people in low-paid employment to remain at work.

Some of the main factors that can create or contribute to disincentives in the case of unemployed people generally include the level of tax thresholds, the marginal tax rates. In the case of families, other issues such as the payment of social welfare increases in respect of qualified adults and children can also contribute to disincentives. The potential loss of secondary benefits, such as the medical card, rent and mortgage supplements etc., can create significant disincentives.

Benefit Traps for People with Disabilities

In addition to the disincentives outlined above, it is recognised that the operation of the current social protection system poses a number of further barriers for people on illness and disability payments who wish to take up employment. In examining the issues involved, the Department has identified 3 different levels where such barriers can occur for people with disabilities –

1. Barriers/benefit traps arising as a consequence of the operation of the income maintenance payments themselves, e.g. the means tests and other qualifying conditions applying to Disability Allowance, Invalidity Pension, Disability Benefit etc., including the operation of income disregards.

2. Barriers/benefit traps arising as a consequence of the loss of the secondary benefits available to social welfare recipients generally, including also people with disabilities, e.g. fuel allowance, rent and mortgage supplement, Christmas Bonus and the medical card (for general medical/GP costs).
3. Barriers/benefit traps arising as a consequence of the loss of the specific secondary benefits available solely to people with disabilities, e.g. the mobility allowance, motorised transport grant and blind welfare allowance schemes operated by the Health Boards. The loss of the medical card, which covers a range of disability specific benefits, including aids and appliances, is also of major significance here. Also included in this category are the "Free" schemes operated by DSFA, although these schemes are not confined to people with disabilities alone.

Different issues arise under each of the three sets of barriers and a number of Government Departments/Agencies are responsible for resolving different elements of these barriers.

1. Barriers to employment arising from the operation of the income maintenance payments themselves

People with disabilities are not a homogeneous group. They include people who have widely differing needs and experiences, ranging from those with mild disabilities to people with profound multiple disabilities and from people with little or no previous work experience to those with a significant history of employment. Given the diverse population encompassed under the classification of people with disabilities, it is not surprising therefore, that the operation of the various social welfare income maintenance payments can have different incentive/disincentive effects for different groups.

In addition, as many people with disabilities availing of the social welfare employment support measures are engaged in State employment and training programmes, such as FÁS training, CE etc., some of the disincentives that occur can be as much to do with the different levels of allowances paid by or on behalf of FÁS as they are the outcome of the operation of the social welfare supports.

For those in Full-Time Employment (i.e. 20 hours or more a week):

Recipients of Contributory Payments

In general, people with disabilities on contributory social welfare payments (e.g. Disability Benefit and Invalidity Pension) who take up full-time employment options have a financial incentive to do so. For example, there is a financial incentive for people on Disability Benefit and Invalidity Pension to participate in FÁS training, CE programmes¹, the Back to Work

¹ Community Employment is not a full-time employment option, as it only lasts for 19.5 hours a week. However, it is included here, given its high level of take up among people with disabilities.

Allowance and to engage in rehabilitative/therapeutic work. For those who wish to move directly from social welfare dependency into the open labour market, the incentive/disincentives will be determined by reference to the level of earnings from employment. For example, assuming a normal replacement ratio of 80%², single Disability Benefit recipients and Invalidity Pensioners would need to earn at least in the region of E170 to E185 a week to maintain an incentive to work (i.e. 24 to 26 hours at the current minimum wage level).

However, there can be a financial disincentive to move between the different State employment and training programmes. For instance, there is a disincentive for Disability Benefit recipients and Invalidity Pensioners to move from CE to FÁS training and in some cases to move from CE to employment in the open labour market.

Recipients of Means-Tested Payments

As in the case of the contributory payments, in general people with disabilities on means-tested payments (e.g. Disability Allowance and Blind Person's Pension) who take up full-time employment options have a financial incentive to do so. For example, there is a financial incentive for recipients of Disability Allowance and Blind Person's Pension to participate in FÁS training, CE programmes, the Back to Work Allowance and to work in the open labour market. In addition, there is a financial incentive to move from FÁS training to employment (whether CE or employment in the open labour market).

² The figure of 80% of net pay has generally been held as the maximum acceptable replacement ratio, i.e. the point at which it is considered that the ratio between income when sick or unemployed and net income if employed results in little or no incentive to work.

However, there can be a financial disincentive to move from CE to FÁS training. Similarly, there can be a disincentive to move from CE to the Back to Work Allowance or to employment in the open labour market. This arises, in part, from the operation of the weekly earnings disregard (E120) in the case of the Disability Allowance and Blind Person's Pension scheme.

While the E120 earning disregard was originally introduced to allow people in sheltered occupational services to receive small "top-up" payments without it affecting their Disability Allowance, this same support creates difficulties for those with a greater employment potential. The operation of the E120 earning disregard provides an initial incentive for recipients of Disability Allowance and Blind Person's Pension to take up employment opportunities. Once in employment however, there can be little or no incentive to increase existing earnings or employment potential. This arises because all earnings above the E120 threshold are assessed on a euro for euro basis. Therefore, a person earning E120 a week would need to see their earnings increase to E255 a week before there would be any increase in their overall weekly income. (See Possible Future Directions below).

For those in Part-Time Employment (i.e. less than 20 hours a week):

Recipients of Contributory Payments

In general, people with disabilities on contributory social welfare payments would have a financial incentive to participate in FÁS training, CE programmes and to engage in part-time rehabilitative/therapeutic work. However, earnings from part-time employment are unlikely to attract recipients of Disability Benefit and Invalidity Pension back into the open labour market where they can only secure low income jobs. For example, part-time work up to 19.5 hours at the minimum wage would amount to

E136.50 a week, i.e. slightly above the rate of Disability Benefit but lower than the rate of Invalidity Pension.

In addition, there would be a financial disincentive to move from CE into FÁS training. Similarly there would be a financial disincentive to move from CE or FÁS training into low paid part-time employment.

Recipients of Means-Tested Payments

People with disabilities on means tested Disability Allowance and Blind Person's Pension would have a financial incentive to participate in FÁS training, CE programmes and to work part-time in the open labour market. In addition, there is a financial incentive to move from FÁS training to employment (whether CE or part-time employment in the open labour market).

However, there can be a financial disincentive to move from CE to FÁS training or to part-time employment in the open labour market.

The difficulties outlined above in relation to the operation of the E120 weekly earnings disregard apply also in the case of part-time employment, although, most people working part-time at the minimum wage would be below the E120 threshold.

In summary, there are financial incentives to move from social welfare illness and disability payments into employment and training. However, once in employment or training, disincentives can occur where a person wishes to move from one type of employment/training to another or in the case of means-tested payments, where a person wishes to increase their employment or earnings potential.

2. Barriers/benefit traps arising as a consequence of the loss of the secondary benefits available to social welfare recipients generally

Different Types of Secondary Benefits

There are a number of secondary benefits available to people with disabilities. Some of these secondary benefits are also available to other categories of long-term social welfare recipients, e.g. old age pensioners, widows, lone parents, the long-term unemployed. Other secondary benefits, which provide assistance in respect of specific costs associated with disability, are only available to people with disabilities. Different issues arise in relation to each of these different sets of secondary benefits, as is highlighted below.

General Set of Secondary Benefits Available to Long-Term Social Recipients

The range of secondary benefits available to long-term social welfare recipients generally, including recipients of long-term illness and disability payments, includes the fuel allowance, rent and mortgage supplement, back to school clothing and footwear allowance, Christmas Bonus and the medical card (for general medical/GP costs). The loss of these secondary benefits by social welfare recipients upon going back to work is seen as a particular barrier to employment. However, over recent years a range of measures have been taken to mitigate the effects of the withdrawal of these benefits. For example, the medical card may be retained for up to 3 years if an unemployed person takes up employment and arrangements have been introduced for the tapered withdrawal of the rent and mortgage supplement etc.

It would be expected that social welfare recipients who return to work would be able to meet the types of costs covered by this set of secondary benefits, e.g. general G.P. costs, fuel costs, housing costs etc., out of their income from employment, on the same basis as those who are already in employment. The measures that have been adopted for mitigating the loss of these secondary benefits are designed to ease the transition from welfare dependency back into the workforce. Accordingly, where special measures are in force to allow for the retention of these secondary benefits, these measures are time limited (as in the case of the 3 year retention of the medical card) and in some cases they are withdrawn on a phased basis over a specific period of time (e.g. rent and mortgage supplement).

Arising from the implementation of these mitigating measures, it is now considered that for the unemployed, lone parents etc who return to work, the loss of secondary benefits is not as significant an issue as it once was. In the case of people with disabilities, it is considered that the loss of this range of secondary benefits (other than the medical card) would have much the same effects as for other categories of long-term social welfare recipients. Therefore, the mitigating measures that have been introduced would mean that the loss of these benefits on taking up employment should not pose a significant barrier.

3. Barriers/benefit traps arising as a consequence of the loss of the specific secondary benefits available to people with disabilities

In addition to the set of secondary benefits which are generally available to long-term social welfare recipients, there is a further range of secondary benefits which are available to people with disabilities, some of which go towards meeting the additional costs associated with disability. These include the mobility allowance, motorised transport grant and blind welfare allowance schemes, which are administered by the Health Boards. The medical card is also of particular importance to people with disabilities. In addition to covering the costs of the ordinary G.P. and hospital services, which would be provided to the population generally, the medical card also provides a range of disability specific supports, including aids and appliances and the cost of long-term medicines and medical supplies. Also included in this category of secondary benefits are the "Free" schemes administered by the Department of Social and Family Affairs, e.g. the free travel pass, free electricity allowance, free telephone rental allowance and free TV license. However, these schemes are not confined to people with disabilities alone.

Arising from the various consultations which DSFA has conducted with organisations representing people with disabilities, their carers and families and service providers, it has been made clear that the loss of this range of secondary benefits creates a significant barrier for people with disabilities in accessing employment. It has also been indicated that the most important of these benefits are the medical card, the mobility allowance, the blind welfare allowance and the free travel pass.

The health board benefits under this heading are all means tested, while the benefits provided by the Department of Social and Family Affairs all require that the claimant be in receipt of an illness or disability payment, in the first

instance. This means that where a person with a disability moves from welfare dependency into employment, the range of health board disability supports will generally be withdrawn as there are fairly low means thresholds applying under the means tests for these payments. In addition, the primary social welfare payments will generally be withdrawn either on means grounds (e.g. Disability Allowance) or because the person is no longer regarded as being incapable of work (e.g. Disability Benefit and Invalidity Pension). As a consequence of the loss of the primary social welfare payment, the range of "Free" schemes will also be withdrawn (but see below under Retention of the "Free" Schemes)

The additional costs associated with having a disability, e.g. additional transport and mobility costs for those with mobility impairments, the cost of aids and appliances for people with physical and sensory disabilities etc., arise irrespective of whether a person with a disability is working or in receipt of a social welfare payment. Indeed, these costs can, in some instances, be even higher when a person is in employment.

In view of the difficulties associated with the current operation of this range of secondary benefits, the Department of Social and Family Affairs is of the view that the additional costs of disability should be dealt with separately from income maintenance needs and in ways that are less dependent on the labour force status of the claimant. This approach is in line with that recommended by the Commission on the Status of People with Disabilities in its 1996 Report.

The question of how best to meet the additional costs of disability raises many complex issues. These issues are currently being examined by the PPF Group on the Feasibility of a Cost of Disability Payment, which is being chaired by the Dept of Health and Children, and on which DSFA and the Department of Enterprise, Trade and Employment are represented.

Problems with the DSFA System of Employment Supports

DSFA is currently finalising a review of the various income maintenance schemes for people who are ill and people with disabilities. One of the key elements of this review is an examination of the extent to which the current social welfare system supports self-sufficiency, in particular as regards incentives and disincentives to taking up available employment and training opportunities.

In progressing this review, consultations have been held with the main organisations representing people with disabilities, with service providers, social partners and also with relevant Statutory agencies. In addition, the proceedings of a seminar organised by DSFA in 2001 on Employment Supports for People with Disabilities have also informed the deliberations of this review.

The consultation process has highlighted a number of potential problems with the social welfare system of employment supports. For instance, a clear tension arises between the underlying qualifying criteria for the various illness and disability payment schemes which, on the one hand, require claimants to be incapable of work, and the employment support measures which acknowledge that claimants have at least some capacity for work. A second area of concern is that there is no systematic referral of clients to the employment supports that exist and there is little active promotion of the various employment support measures available among the relevant claimants.

Another problem arises from the fact that people with disabilities are not a homogeneous group. For instance, a person's disability may be physical, sensory, intellectual or mental health in nature and the degree of that disability may vary greatly. Disability can arise at different stages in a person's life. People with disabilities therefore, have varying degrees of experience of and capacity for work. The limited evidence available suggests that certain

measures are more beneficial to particular groups. For instance, the E120 weekly rehabilitative earnings disregard under the Disability Allowance scheme is of particular benefit to people with intellectual disabilities who are in sheltered occupational services and analogous situations, while the Back to Work Allowance scheme would appear to be of particular benefit to people with physical disabilities. Therefore, it is considered that the current "one size fits all" approach, whereby the same range of supports are available to all people with disabilities, regardless of their circumstances, may not be the most suitable approach to adopt.

Retention of "Free" Schemes

The loss of the Free Travel Pass on taking up work has also been identified as a disincentive to employment. The Free Travel Pass is one of a range of "Free" schemes which are available from DSFA to people on disability payments. The extension of the "Free" schemes to this category appears to have originally arisen from a view that people on disability payments are no longer part of the active workforce, i.e. that they are in the same position as old age pensioners, for whom the "Free" schemes were initially devised.

It is sometimes recommended that the potential disincentives arising from the loss of the "Free" schemes on taking up employment could be mitigated if provision was made for such benefits to be retained, even on a sliding scale, where the primary social welfare payment has been withdrawn. However, such a proposal raises the question of the purpose of the continued payment of the "Free" schemes in these circumstances. For example, it has been suggested that the continued provision of the Free Travel pass would make a contribution towards the additional costs of disability, which arise regardless of the labour force status of the person with a disability. Due to continued problems with the accessibility of the public transport system, it has also been highlighted that the Free Travel pass can be of little benefit to those people

with disabilities who have significant mobility impairments, i.e. those who are likely to incur additional transport costs arising from their disabilities. Instead, people with disabilities who do not have mobility impairments are best placed to benefit from the Free Travel pass. Therefore, if a person with a disability, other than a mobility impairment, gets employment, then it is difficult to justify the continued need for the Free Travel pass in these circumstances, as that person will not have any extra transport needs over and above the population generally. Similar arguments arise in the case of the continuation of other "Free" schemes.

These issues highlight the particular difficulties involved in attempting to cater for the additional costs arising from disability and in providing for such costs in ways that do not create barriers to employment.

Possible Future Directions

There does not appear to be any single solution available which is capable of addressing all of the problems identified above. Rather, the way forward would appear to be through a combination of measures, which would -

- Recognise the fact that some people's medical and other circumstances may mean that they have some capacity for work, but may never achieve full-time employment;
- Ensure that whatever employment support measures are adopted do not act as a barrier for people with disabilities and long-term illness in maximising their employment and earnings potential;
- Retain a range of employment supports for different client groups, and ensure that clients are referred to the most suitable option, having regard to the nature of their illness or disability, age and social circumstances;

- Introduce early intervention measures, which are aimed at re-integrating people who sustain serious illnesses, injuries and disabilities back into the workforce, before they become long-term dependent on social welfare payments.

In addition, following the introduction of the structural changes in the provision of the employment and training supports for people with disabilities in 2000, the general policy that has been enunciated since then is that people with disabilities should be able to move in either direction between the various health board work and training supports and the FÁS employment and training supports, depending on their needs and circumstances. For its own part, the Department of Social and Family Affairs has been attempting to adapt its supports so that they are capable of dealing with the various types of State employment and training measures on offer in an equitable and consistent manner. In this way, DSFA is seeking to ensure that the social welfare system does not act as an obstacle to people with disabilities in moving from one type of employment or training support to a more suitable one, when their circumstances warrant this.

APPENDIX VIa

Numbers on Illness/Disability Payments Availing of Different Employment Supports

Measure	Potential Numbers Availing	Numbers Eligible	Availing as % of those Eligible
Back To Work Allowance			
• Disability Benefit	116	13,871	0.8%
• Invalidity Pension	470	52,147	0.9%
• Unemployability Supplement	19	905	2.1%
• Disability Allowance	645	62,783	1%
• Blind Person's Pension	<u>13</u>	<u>2,095</u>	<u>0.6%</u>
Overall	(1,263)	(131,801)	(1 %)
Rehabilitative Earnings Disregard for DA and BPP purposes -			
• For CE	1,489	64,878	2.3%
• For mainstream employment	156	64,878	0.2%
• For sheltered occupational services	<u>8,000*</u>	64,878	<u>12.3%</u>
Overall	(9,645)		(14.9%)
Disregard for DA and BPP purposes-			
• For FAS training	1,072	64,878	1.7%
• For Specialist training	<u>171</u>	64,878	<u>0.3%</u>

Overall	(1,243)		(1.9%)
Exemption from Rules of Behaviour³			
• Disability and Injury Benefits	1,500*	55,822	2.7%
• Unemployability Supplement	21	905	2.3%
• Invalidity Pension	<u>2,909</u>	<u>52,147</u>	<u>5.6%</u>
Overall	(4,430)	(108,874)	(4.1%)

*Estimated

³ The exemptions from the Rules of Behaviour cover work of a rehabilitative or therapeutic nature, including participation on CE programmes, as well as participation in FÁS training programmes.

APPENDIX VIb

Results of Sample Surveys of DSFA Employment Support Measures in terms of Progression to Employment

- The Back to Work Allowance (BTWA) scheme has the most positive outcomes in terms of progression to employment.⁴ However, only limited numbers of people with disabilities are currently availing of this scheme.

Of those surveyed who had completed or exited the BTWA scheme:

- 65% had remained in employment;
- 10% had returned to illness/disability payments;
- 18% had moved onto unemployment payments;

Of all of those surveyed (including those who were still participating on the BTWA scheme):

- 80% had either remained in employment or were still participating on the BTWA scheme;
- People with physical disabilities/injuries represent the biggest group of participants, at 50%, with the next biggest grouping being people with mental health disabilities, including depression/anxiety, at 16%;

People with intellectual disabilities only accounted for 7% of participants; this may suggest that this scheme was not particularly suited to the needs of this group.

⁴ The operation of the BTWA scheme for people with disabilities is still in its early stages. As the initial take up of the scheme was low, very many of those sampled (during the period 1997 to 1999) were still participating on the scheme (over 40%). In addition, it has been suggested that the loss of secondary benefits can have a significant impact on people with disabilities. If this is the case, then the loss of such benefits would only now begin to be a feature for the initial group of BTWA participants and the outcomes outlined above will not reflect this aspect.

➤ **Availing of the exemptions from the Rules of Behaviour for Disability Benefit had the next most positive employment progression outcomes.**

Of those surveyed:

- Over 24% had progressed to employment, while a further 12% had been in employment since availing of the exemption but were now back on DB;⁵
- Some 52% had returned to illness/disability payments (26% moving onto Invalidity Pension);
- The average duration on DB before the exemption started was 12 months, but the majority of cases surveyed had been on DB for less than 1 year;
- Relatively high numbers had availed of the exemptions at a very early stage of the DB claim, e.g. 22% had availed of the exemptions within the first 3 months of the claim commencing.⁶

➤ Availing of the exemptions from the Rules of Behaviour for Invalidation Pension purposes has little positive effect in terms of progression to employment.

Of those surveyed:

- A little over 5% had either moved into employment or were availing of the BTWA scheme. A further 1% were either found capable of working or had submitted final medical certificates;
- 36% were still claiming Invalidation Pension;
- Significantly, over 55% were still availing of the exemptions, indicating that there are substantial numbers of Invalidation Pensioners who move from one exemption to another, without any progression to employment in the open labour market.

⁵ When compared with a control sample who had not availed of any exemptions, a net figure of 12% had progressed to employment with a further 6.5% having been in employment since availing of the exemption but were now back on DB.

⁶ Following changes in the procedures for DB claimants availing of exemptions and also in the conditions for access to Community Employment programmes for this group, lower numbers of DB claimants would now be availing of the exemptions at such an early stage, as compared with the period of the sample survey – 1997 to 1998.

Workway

West/North-West Regions

Mairéad Conroy,
Project Co-ordinator,
Workway,
21, Shantalla Place, Galway
Tel: 091-587470
Mobile: 086-3816334
E-mail: maireadworkway@eircom.net

South/South-West Region

Elaine MacGrath
Project Co-ordinator,
Workway,
3, The Woodlands,
Midleton, Cork
Tel: 021-4621755
Mobile: 086-3816067
E-mail: elaineworkway@eircom.net

West/North-West Regions

Martha Nic Giolla Bhríde
Project Administrator,
Workway,
Machaire Chlochair, Na Doire Beaga,
Leitir Ceanainn, Co. Dhún na nGall
Tel: 087-2497626
E-mail: marthaworkway@eircom.net

South/South-West Region

Siobhan MacSweeney
Project Administrator,
Workway,
Ballinacurra, Innishannon, Co. Cork
Tel: 087-2544289
E-mail: siobhanworkway@eircom.net
www.workway.ie



This initiative has been developed in accordance with the terms of the Programme for Prosperity and Fairness, supported by the Department of Enterprise, Trade and Employment and funded by the Irish Government under the National Development Plan, 2000-2006



Your Plan – Your Future

Funded by the Irish Government under the National Development Plan, 2000-2006