



# Disability Federation of Ireland

Submission to

## **Joint Committee on Employment Affairs and Social Protection**

25 January 2018

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### *Introduction*

I would like to thank the Committee for the opportunity to speak and to share the experience of disabled jobseekers seeking supports to enter the labour market.

The Disability Federation of Ireland (DFI) represents over 120 member organisations, who support people with disabilities across the whole range of disabilities. We also work with a growing number of other organisations that have a significant interest in people with disabilities. We work to create an Ireland where everyone can thrive, where everyone is equally valued.

We are very actively involved in the area of employment and activation at a local, national and EU level and we support many of the positive measures initiated in the Make Work Pay report launched in April of 2017 as part of the Comprehensive Employment Strategy for People with Disabilities. This submission outlines both concerns and opportunities in the current labour market activation space as they relate to people with disabilities and disabling conditions and specifically in relation to the this strategy.

### **Context:**

Current activation measures are not impacting on the employment rates of people with disabilities in post-recession Ireland. At the height of the boom, when long-term unemployment was at an all-time low, the percentage of people with disabilities in employment was only half that for those without disabilities.<sup>1</sup> As far back as 2008 the OECD expressed concern that Ireland was parking people with disabilities on the side lines of Irish life, and that hiding unemployment in the “wrong” welfare system is a failed and costly strategy<sup>2</sup>. Today: little has changed. The numbers in work have not changed significantly, the numbers in receipt of Disability Allowance are increasing year on year.

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<sup>1</sup> DFI Newsletter May 2015.

<sup>2</sup> <http://www.oecd.org/els/sickness-disability-and-work-breaking-the-barriers-vol-3-9789264049826-en.htm>.

At the end of 2017 there were 133,929 adults of working age on Disability Allowance<sup>3</sup>. This is a means tested payment for which it is extremely difficult to qualify for. The most recent CSO Survey on Income and Living Conditions (2017)<sup>4</sup> indicated that consistent poverty was highest amongst those not at work due to illness or disability.

Long term unemployment almost halved between 2013 and 2016, and unemployment in general dropped by 5.3% in the same period: the rate of employment for people with disabilities saw just a .4% increase. 71% of adults of working age with a disability are not in work<sup>5</sup>. This figure does not equate to an unemployment rate for people with disabilities because the way in which we measure unemployment does not include people with disabilities.

**Table 1: CSO unemployment, long term unemployment figures and Employment rates for People with disabilities (2017)<sup>6</sup>**

CSO Figures	2013	2016
Unemployment Rate	13.9%	8.6%
Long term unemployment	8.1%	4.4%
Employment rate for people with disabilities	28.6%	29%

<sup>3</sup> <https://www.irishexaminer.com/ireland/increase-of-32k-people-on-disability-allowance-very-disturbing-466210.html>.

<sup>4</sup> <http://www.cso.ie/en/csolatestnews/pressreleases/2017pressreleases/prsilc2016/>.

<sup>5</sup> <http://www.cso.ie/en/releasesandpublications/ep/p-wbn/thewellbeingofthenation2017/>.

<sup>6</sup> **People with disabilities are underrepresented in unemployment statistics making a direct comparison with unemployment figures difficult: Unemployed:** is the term applied to those who were without work and available for work and had taken specific steps in the previous four weeks to find work. This is calculated on a quarterly basis via the Quarterly National Household Survey. Many people with disabilities are not currently seeking work: due to complex multifactorial reasons such as social exclusion, poor education input, ill health, other caring responsibilities, or becoming disengaged or despondent.

**Longterm Unemployed :** Long-term unemployment refers to the number of people with continuous periods of unemployment extending for a year or longer, expressed as a percentage of the total unemployed.

The cost of social exclusion of such a large cohort of our population is not only devastating on a personal level, it harms our nation's wellbeing, it harms our economic success and it harms our future sustainability.

This was explicitly stated in the CSO Wellbeing of the Nation report launched earlier this month:

“A situation whereby rates of employment among the disabled are much lower than rates of employment among the general population place disabled people more at risk of suffering the negative impacts that are commonly associated with unemployment; for example, reduced financial stability, stress, lower levels of mental and physical health<sup>7</sup>.”

DFI recognises that work is not for everyone: the United Nations Convention on the Rights of People with Disabilities affords people the right to Social Protection (Article 29) as well as the right to work (Article 27). Those who can and want to work should be supported and empowered to do so. Those for whom work is not a viable option should be supported to live the life they choose without having to repeatedly prove their eligibility for social protection via a minimum income and their incapacity to work.

The Department of Employment Affairs and Social Protection carried out a survey in 2014 and 2015 which gave great insight and encouragement on the diversity of our disabled population and their ambitions for their lives. 56% were interested in some kind of training or education, and

“56% stated they had previously worked (full-time or part-time), and 13% said they are currently working (part-time or full-time). These results are in line with administrative estimates which suggest that approximately 10% of all Disability Allowance recipients are availing of the earnings disregard in order to work while retaining their Disability Allowance claim<sup>8</sup>.”

An ESRI (2017)<sup>9</sup> report also indicates that many people on Disability Allowance had worked at some stage (82 per cent either currently at work or worked in the past), but it was often more than 4 years ago (35 per cent).

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<sup>7</sup> CSO (2018) The Wellbeing of the Nation <http://www.cso.ie/en/releasesandpublications/ep/p-wbn/thewellbeingofthenation2017>.

<sup>8</sup> (<https://www.welfare.ie/en/downloads/DSPReportonDisabilityAllowanceSurvey2015.pdf>).

<sup>9</sup> <http://www.esri.ie/pubs/RS58.pdf>

The ESRI report gives further clues as to why the employment rate for people with disabilities is not rising: people with disabilities are more likely to exit than enter employment. Four out of five people with disabilities acquire their disability during working age<sup>10</sup> The odds of employment exit are twice as high for people with disabilities as they are for others of working age and even higher amongst people with deafness, learning or psychological/emotional disabilities.<sup>11</sup> This raises concerns on two levels: how we are supporting people into work and about how we are retaining people in work as much as it raises issues about the effectiveness of “reasonable accommodation in the workforce”.

### **Current Activation Supports:**

This submission focuses on disability specific measures to support people with disabilities. This does not take away from the need for all activation measures to be inclusive. The current disjoin between both is indicative of a segregation model that “others” people with disabilities. We must avoid the thinking trap that assumes that all disabled people need specialist supports as many can progress through the mainstream activation process aided by nothing more than a positive attitude from Intreo staff for example.

### **Specialist Supports: Comprehensive Employment Strategy**

The Comprehensive Employment Strategy for People with Disabilities (2015-2024) is the document guiding activation supports for this cohort of the population. It aims to stem the flow into joblessness of both young people leaving the education system and those acquiring disability. It consists of 6 pillars:

1. Build skills, capacity and independence
2. Provide bridges and supports into work
3. Make Work pay
4. Promote Job retention and re-entry into work
5. Promote co-ordinated and seamless support
6. Engage employers

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<sup>10</sup> <http://www.cso.ie/en/census/census2011reports/census2011profile8ourbillofhealth-healthdisabilityandcarersinireland/>.

All six priorities have very extensive workplans attached. The strategy is coordinated by an implementation group under the Department of Justice and Equality with responsibility for various actions spread across the Department of Employment Affairs and Social Protection as well as Department of Education, the HSE and the Department of Business, Enterprise and Innovation. The current suite of individual interventions set out in the Strategy consist of many well-meaning activities and programmes and services that do not guarantee an increase in employment rates for people with disabilities. There are a number of reasons for this:

- It sits in a policy vacuum quite apart from the realities of the open labour market: the precarious nature of work, the reality of youth unemployment, under employment, in work poverty, jobless households. None of these issues are considered in how people with disabilities compete for jobs.
- It locates people with disabilities in a vacuum also: Disability is considered in isolation of all other identities we as humans have: it assumes that they do not have caring responsibilities, that they do not have children or other complexities in their lives or indeed that they are women. We see fixing the employment problem of disabled people outside of any context, rather than viewing it as a “wicked”<sup>12</sup> issue which would demand that we see it as a complex issue that needs a complex response.
- The strategy also focuses on the supply of people rather than putting an emphasis on creating incentives and obligations for employers. Such as strategy cannot work. Focus on supply without creating demand and places the onus on individuals to strive for success in a difficult labour market and individualises blame for non-progression. We heard this story repeatedly at our 2016 conference on employment<sup>13</sup>.
- The strategy is driven by inputs rather than impact. Over two years into the strategy, there is no impact on the employment levels of people with disabilities.
- Work is narrowly understood in the CES. There is a dichotomy between seeing it as vocational supported via a service (two therapeutic hours in the local hairdressers sweeping the floor and making tea) or professional (graduate WAM programme). Only those who are “job ready” are welcome at the door of the

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<sup>12</sup> [https://en.wikipedia.org/wiki/Wicked\\_problem](https://en.wikipedia.org/wiki/Wicked_problem).

<sup>13</sup> Make it Work, DFI conference Report 2016.

many supported employment offices. There is little understanding or provision to support people along with the changing nature of work including increased digitalisation remote working and so forth.

- The capacity of different government departments to work together to develop a systemic response is limited. Siloed working has consequences: for example it can be difficult for school leavers to make life choices based on what they want rather than being funding driven. There are two critical areas in which this is evident:
  - Firstly school goers are supported through out their school and college career only to find that once they leave all supports are withdrawn as they came from the Department of education and cannot carry over to a work environment. They have no funding for a Personal Assistant to support them in a job. Similarly their assistive technology cannot travel with them.
  - While the education system relies heavily on the rhetoric of choice and opportunities; for students with severe and profound learning difficulties, the evidence is clear: “there is no choice” (2014, p. 8). Access to education services for this cohort are provided through the HSE in day centres, with little or no training for these young adults.<sup>14</sup> If a school leaver does not fall into the category of needing the level of support offered by a “New Directions” service, they are not eligible for any funding at present. This effectively steers more people towards day places than might be necessary or desirable.
- Significant resources are being put into activation of young people, which is very much welcomed. The Ability programme is set to come into play later this year and it aims at supporting young people between the ages of 15 and 29 to pursue training education or employment. Activating young people into work is something that no one would disagree with. However, DFI has two concerns one that we also give equal attention to retaining people in jobs they already have and secondly that we are not activating people into work environments that are unsustainable in the long run without addressing in work supports.

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<sup>14</sup> Scanlon, Shevlin, & McGuckin, 2014) (DIS)ABILITY AND CHOICE: THE DILEMMAS OF YOUNG PEOPLE'S TRANSITIONS TO FURTHER AND HIGHER EDUCATION IN IRELAND, TCD

- We need a more robust understanding and commitment to “reasonable accommodation” in the workplace. The concept is nebulous and relies on case law to make explicit what we mean by reasonable accommodation in the work place. This requires government commitment to work with employers to make clear decisions on expectations and not rely on already distressed disabled staff taking cases to the Labour relations Committee.
- We also need to reform the Reasonable Accommodation Fund in its entirety to make it fit for the workplace of the 21<sup>st</sup> century. Research conducted by DFI and Enable Ireland indicates that appropriately deployed technologies are cost effective ways of sustaining people in work (FreedomTech 2016) and yet there is little uptake on the grants available. This points to a clear mismatch between the grant scheme and the need.
- The public sector might be expected to lead the way in employing more people with disabilities, but this is not happening to date. Public sector targets are weak (3%) and even though the CES promised to double it to 6%, we have no indication of when this might happen. In 2107 alone, the NDA<sup>15</sup> who has a statutory monitoring role for public sector employment used its statutory powers to seek further information from 9 public bodies including the HSE, Tusla and two local authorities to questions how they were below target for two consecutive years.

There is one beacon of light in the CES: the Make Work Pay<sup>16</sup> report which gives 24 practical time-lined recommendations so that work might raise people out of poverty. It is necessary to account for the extra costs associated with living that are incurred by people with disabilities.

- DFI has argued for years that concern over losing the medical card is enough to stop anyone from entering the workforce: the Minister for Health promised to raise the income disregard at the launch in April 2017. We understand from the Department of health that we will shortly have some news on this critical issue, and it could not come a moment too soon.

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<sup>15</sup> <http://nda.ie/Publications/Employment/Employment-of-people-with-disabilities-in-the-public-service/Reports-on-compliance-with-public-sector-jobs-target/2015-Report-on-Compliance-with-Part-5-on-the-Employment-of-People-with-Disabilities-in-the-Public-Sector.html>.

<sup>16</sup> <https://m.welfare.ie/en/Pages/Make-Work-Pay.aspx>.



- Actions are also progressing around young people's eligibility for Disability Allowance. Currently people are entitled to this at 16 and the current proposals aim to increase it to 18 and introduce conditionality for 18 to 22 year olds to encourage them to engage in training or education, if not employment. We commend the Department's foresight in bringing stakeholders together around what is a complex issue. It is a positive move for those who may otherwise leave school too young once they have cash in their hands or who are made vulnerable by having cash but detrimental for families waiting on this money to stay afloat with what is often a critical household income.

Given these issues in their totality, the outlook for disabled jobseekers and those who acquire a disability in work is bleak.

## **Conclusion**

On a daily basis, people with disabilities spend a lot of energy trying to make difficult decisions: one decision always impacts on something else – and the knock on effects in their lives, does not fit neatly into the boundaries set by Government Departments. All activation measures must be designed from the outset to be inclusive. This means they must be designed to meet people where they are at: not where the rules begin and end or where a particular government department's responsibility begins and ends.

The OECD (2017)<sup>17</sup> has made much comment on this kind of siloed policy making which they state is unsuitable for the speed at which 21<sup>st</sup> century change is occurring. They promote the use of systems approaches to public policy making as the way to tackle complex and messy issues and disability in the workplace is one. Linear interventions will not have the impact we need to have: a systems approach would seek to create accountable systems that avoid creating unintended consequences elsewhere which shift responsibility between departments.

The structural inequalities highlighted in this paper, coupled with the ways in which people with disabilities are already disadvantaged, in a society where inequality is rising in a privileged, ableist labour market and education system, have completely silenced the voice of disabled jobseekers themselves. Focusing on access to and performance

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<sup>17</sup> <http://www.oecd.org/gov/systems-approaches-to-public-sector-challenges-9789264279865-en.htm>.

within institutions, rather than the requiring transformation of those institutions will not result in the inclusion we seek (Van Aswegen, 2017).<sup>18</sup>

That being said, DFI strongly asserts that people with disabilities must not become the new underclass of workers; and they must be afforded an adequate working wage. The risk of getting caught in the category of the working poor in low paid, precarious work, is high for people with disabilities, whose educational backgrounds are often poorer than for those without a disability.

The Comprehensive Employment Strategy requires urgent review with more emphasis being placed on outcomes and impact that the current monitoring arrangements allow. This must happen before another generation of disabled people have their rights and choices to make a meaningful contribution to society discarded. Inclusion of this large cohort of the workforce is critical to Ireland's long term sustainability. People have a right to work, to be included in Irish society and to contribute to the collective wellbeing and economic success of the nation.

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<sup>18</sup> Jennifer Van Aswegen. In search of 'the inclusive agenda' through a series of discursive 'snapshots': ideological challenges to 'Comprehensive Employment Strategy for People with Disabilities 2015–2024', University of Sheffield.



**DFI is about making Ireland fairer for people with disabilities.**

**We work to create an Ireland where everyone can thrive, where everyone is equally valued.**

**We do this by supporting people with disabilities and strengthening the disability movement.**

**There are over 120 member organisations in DFI. We also work with a growing number of other organisations that have a significant interest in people with disabilities.**

**DFI provides:**

- Information
- Training and Support
- Networking
- Advocacy and Representation
- Research, Policy Development and Implementation
- Organisation and Management Development

**Disability is a societal issue and DFI works with Government, and across all the social and economic strands and interests of society.**

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