



INDEPENDENT LIVING
MOVEMENT IRELAND
FREEDOM • RIGHTS • EMPOWERMENT

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**(Image shows ILMI logo with Text: Independent Living Movement Ireland.
Freedom, rights, empowerment and website address www.ilmi.ie)**

**Independent Living Movement Ireland submission on the Review of the
Reasonable Accommodation Fund (RAF)**

May 2022

Summary of key recommendations:

Independent Living Movement Ireland (ILMI) recognises the importance of reasonable accommodations for disabled people to work effectively and to be contributing members of society. Currently in Ireland some employment supports are only available at entry level or interview stage for disabled people. They do not follow the person throughout their employment journey. In addition, many disabled people are often fully supported in education in terms of accommodations but once they start employment they find that the system to access these supports is problematic and bureaucratic. Disabled people face barriers when transitioning from education into employment meaning many disabled people have to re-apply for supports over and over again. ILMI recommends that any information exchange about our employment needs should be fully accessible as per the State's obligation under article 9 of the UNCRPD.

Due to the COVID 19 pandemic the employment landscape has changed with significantly more work from home and hybrid models now accepted as the norm. Therefore, the reasonable accommodation fund (RAF) needs to take this into consideration to ensure disabled people are also supported at home which is now potentially their place of work as well as their residence.

ILMI also recommend that entrepreneur schemes for disabled people need to be more inclusive and should not penalise us when attempting to start up a business. ILMI recommends that any support given to a disabled person should follow them through their working life. We believe that the employment support should be person-centred and based on our employment needs rather than it being based on a person's impairment. Disabled people need to be involved from the start of the process of seeking support to ensure disabled people can access, retain and strive towards career advancement in employment. Accessing, retaining and progressing in employment is an important part of independent living for disabled people especially considering the high cost of living and the additional cost of disability we incur as disabled people as outlined in the Department of Social Protection's Cost of Disability Report published in December 2021.

ILMI would recommend if the reasonable accommodation fund is to be fully reviewed the Department needs to fully and meaningfully engage with disabled people and their Disabled Person's Organisations (DPOs) on an ongoing basis. This would move towards realising the state's obligation under article 27 of the UNCRPD to ensure these supports include our employment needs going forward so we can participate as equals in the labour force.

ILMI would also recommend aligning employment supports with International best practice models such as the "Access to Work" grant in the UK and Scotland.

Introduction to Independent Living Movement Ireland

Independent Living Movement Ireland (ILMI) is a campaigning, national Disabled Person's Organisation (DPO) that promotes the philosophy of independent living and seeks to build an inclusive society. ILMI works with disabled people on a cross-impairment basis. Central to the way we work is to ensure that policy and legislative discourse and decisions that impact on the lives of disabled people have to be directly influenced by those whose lives are directly affected.

Our philosophy can be summed up as: 'Nothing about us without us!' and 'Rights Not Charity'. Our vision is an Ireland where disabled persons have freedom, choice and control over all aspects of their lives and can fully participate in an inclusive society as equals.

Social model of disability

The UNCRPD at its core is framed through an understanding of disability known as the social model of disability. From ILMI's perspective, it is vital that there is a clear and full understanding of what the social model of disability is and how it should inform future discussions on policy development and improvement and policy implementation.

The social model looks at how society is structured and how it disables people. It is not based on a person's impairment, it is focussed on the barriers that exist in terms of attitudes, policy development, access or lack of supports that prevent people from participating in society as equals, with choice and control over their own lives. In this model it is society that disables people from achieving their hopes and dreams, not a person's impairment. The social model informs all aspects of the work of Independent Living Movement Ireland.

Language and representation of disabled people

Independent Living Movement Ireland recognises that language is a very powerful and evocative tool. Therefore, the language and terminology used in this submission has been carefully chosen to reflect the values of equality and empowerment which is at the core of this organisation. The term 'disabled people' has been used throughout the submission in accordance with the UPIAS classification of disability and impairment which has been developed by disabled people themselves (UPIAS 1976). Where disabled people are referred to in the submission this should be understood to include all disabled people, including those with learning difficulties, people experiencing emotional distress and physical and sensory impairments.

Context

In February and March 2021 ILMI conducted 12 facilitated consultations with an open call to disabled people through our online newsletter (eBulletin) and social media channels. ILMI got the opportunity to consult hundreds of disabled people on many issues that impact on our lives. As part of this process consultation spaces covered the areas of work and employment for disabled people. ILMI have collated these findings along with findings from consultation with participants on our 'Creating Raised Expectations and Aspirations towards Employment' (CREATE project). This project works directly with disabled people to develop their confidence and skills that supports them to start or progress on their employment pathway.

Our recent consultation involved a group of disabled people (cross impairment) ranging in ages with a good representational mix from each region in Ireland. The people who attended this space worked in the areas of supporting people to access third level and further education and access to employment. Others worked on internships, worked from home or in a hybrid model and in the areas of advocacy work/support work.

The participants used many different reasonable accommodations from the different grants to be effective at work including personal assistance, assistive technologies, screen readers, equipment such as height adjustable desks and flexible working

hours. Physical access to the office/building and to accessible bathrooms was noted along with good internet access for those working from home.

ILMI general observations and recommendations for the reasonable accommodation grants

- Article 27 of the United Nations Conventions on the Rights of People with Disabilities (UNCRPD) outlines that disabled people have an equal right to work and should be given the supports they need to access or retain employment and to have the same career opportunities as others. However, disabled people felt they do not have the same rights as non-disabled peers in relation to work and employment and that reasonable accommodations are ineffective for the most part.
- Ireland has a comprehensive employment strategy in place however supports do not follow the person which means the disabled person has to re – apply for the supports each time they move on in their career.

Recommendation: Any support given to a disabled person should follow them through their working life.

- Employment schemes which aim to “include” disabled job seekers are not effective in Ireland. All supports are initiative based and pilot projects. If an initiative works then it should be adopted as policy.

Recommendation: we need to look at international best practice such as the “work access scheme” in the UK and adopt a similar approach in Ireland.

- Employment supports are all framed through a medical model of disability and address your impairment and not your particular needs.

- **Recommendation:** the employment support should be person-centred, and we should be involved from the start. Supports should be based on what we identify as our employment needs rather than our impairments.
- It was noted that disabled people are supported through education and at interview stage but the supports are not as effective when in employment. A good example is the Job Interview Interpreter Grant (JIIG) which only provides funding for an ISL interpreter at interview and induction stages but at no other time during the employment relationship.

Recommendation: This needs to be changed to ensure disabled people can retain employment but also look at career advancement as per article 27 of the UNCRPD.

- Currently, every time a disabled person changes jobs or career and are applying for assistive technology the person must re – apply at each stage.

Recommendation: This needs to be changed to ensure disabled people can retain employment. The Assistive Technology (AT) passport is a suggestion to allow effective participation in relation to assistive technologies in the workforce.

- Employment supports are not administered in an open and transparent way.

Recommendation: Employment supports for disabled people should be provided for at a centralised level and administered through their local INTREO office. The system needs to be designed and developed by disabled people with a clear social-model analysis of disability. Disabled people need to be employed within this system; the system also needs to recognise the intersectionality of disability with class, ethnicity, and gender.

- The application process for employment supports is problematic.

Recommendation: in making an application for employment supports, a disabled person with the skills and analysis should be employed to provide supports to disabled people entering the workforce or taking on a new role. Disabled people employed to give advice should meet and discuss

employment pathways. A rights-based assessment of need would look at what supports would be needed in advance of applying for a job and begin the process of applying for supports. This would be similar to the approach for disabled people in the UK through Work and Pensions.

- The current system is very impairment focussed.

Recommendation: The supports identified should be based on the identified needs of disabled people for jobs they are applying for. This would then be reviewed when disabled people apply for new jobs, including promotions. The supports would include assistive technology, PAS and mentoring / life coaching.

- INTREO through the Department of Social Protection don't always provide accessible information.

Recommendation: Information and communication needs to be accessible, especially when communicating what supports disabled people have a right to access. This includes examples of what a PA (Personal Assistant) does, types of technology that can be provided to make public sector jobs more accessible as per the public sector duty.

- Our members have not always had positive experiences when seeking employment supports.

Recommendation: INTREO staff need to be proactive in informing disabled people about rights and entitlements and supports that disabled job seekers should be accessing. It was suggested that supports are applied for by the disabled person through the INTREO office in direct contact with a social-model led case worker. The supports then follow the disabled person through their career. In this scenario the social model-led case worker would need appropriate training in the philosophy of independent living and the social model of disability. This approach empowers the disabled person to be in

control and be confident that they have the supports to maximise their potential. It allows candidates at CV and interview level to be confident that their impairment will not be a deciding factor in recruitment as they will know they have the supports they need to carry out the role they are applying for. This way employers are relieved of duties of applying for supports they don't understand. It also provides significant savings for the exchequer by not having to reapply for supports at each transition. This service would need to be located within mainstream employment supports services. It cannot be a segregated support in a disability service. It is a practical holistic mechanism to implement reasonable accommodation.

- Transport is not exclusively included in the RAF remit however, inaccessible public transport is a barrier and accessible transport is non-existent in certain parts of the country to gain employment. Therefore the Covid 19 pandemic has shown how now it is acceptable to work from home or do a hybrid model which in many cases works for disabled people.

Recommendation: there needs to be a provision in place for those working from home/hybrid in relation to reasonable accommodations.

- There is still serious attitudinal barriers and employers have perceptions about “work productivity” among their disabled employees. These attitudinal barriers are unintentionally reinforced by Government schemes such as the wage subsidy scheme which tells employers that disabled people will only be 80% productive as a non-disabled person. This is a “false stereotype”.
- **Recommendation:** Reasonable accommodation needs to be implemented to allow disabled people to gain meaningful employment and should be used more effectively aligning the support with the needs of the disabled person themselves. Performance should not be based on your impairment but measured in a constructive way in working with your employer directly. For example through performance management just as the non-disabled workforce would experience.

- The personal reader grant can be effective and ineffective. One person noted that they were given a person to work as their personal reader. This was a negative experience for both parties as they did not “gel”.

Recommendation: the disabled person (similar to personal assistance) must be involved in all aspects of recruiting and choosing the person who will work with them.

- Self-employed disabled people are not eligible for supports that are aimed at employers. Disabled people who begin to earn above certain thresholds can lose secondary benefits which many disabled people rely on, such as a free travel pass, blind pension and so on and impacts on employment of disabled people. Cost of living and professional development is a barrier again because of fear of losing benefits, such as the medical card.

Recommendation: Disabled people should be able to earn and pay it back through taxes rather than “taking away benefits”. Also, disabled people should get “tax breaks” given that we know disabled people incur between nine thousand euro and twelve thousand euro additional per annum. Given the findings of the cost of disability report the threshold for losing some or all of your disability allowance should be higher to acknowledge that additional cost we incur as disabled people.

- The landscape for work has changed from physical offices to work from home and hybrid working models.

Recommendation: In terms of supporting disabled people in the workforce the employment supports should acknowledge this. Work can be flexible or be shared / part-time or suits the needs of the individual leading to a better quality of work and better teamwork and all-round productivity. The RAF should also provide grant support for disabled people who are volunteer workers.

- Employment schemes create employment inequalities between people with different impairments. One scheme might benefit a person with an intellectual impairment but not benefit a person with a physical impairment.

Recommendation: the reasonable accommodation fund needs to recognise that our needs differ and that if the person was involved in their own supports or supported to make a decision on supports it would reduce this inequality of difference among impairment groups.

- Disabled people who work in small and medium enterprises don't feel supported or heard and are not considered as equal job seekers. The Reasonable Accommodation Fund (RAF) is not inclusive of all facets of work.

Recommendation: The RAF needs to include all cohort of workers in the labour force. We need access officers to request reasonable accommodation. Accommodations are quite often not even in minds of the employers

- Entrepreneur schemes are not inclusive for disabled people.

Recommendation: Make these schemes inclusive and ensure they don't penalise disabled people financially.

- The wage subsidy scheme is problematic. For example you must apply for it within 12 months of starting your job. Many employers don't know much about it so miss the opportunity to apply for it. This scheme "forces you" to admit you have an impairment which feeds into the medical model. It is impairment focussed. The employee retention grant is not fit for purpose with time constraints meaning employers might miss the deadline also.

Recommendation: Rethink these particular schemes and engage with Disabled Persons Organisations (DPOs) to work to reform them.

- The Workplace Equipment and Adaptation grant (WEAG) works on a refund basis therefore employers must invest in the equipment prior to receiving the money. This makes it non inclusive for certain employers and productivity

levels drop from the employee as a result. This grant requires that you work a minimum of 8 hours a week

Recommendation: allow the disabled person to receive the grant regardless of hours of work. We must remember disabled people are the experts by lived experience (similar to UK model)