

**2008 Report on Compliance with Part 5 of the Disability Act
2005 on Employment of People with Disabilities in the
Public Service**

The National Disability Authority presents this Report under section 15(6) of the National Disability Authority Act 1999, as inserted by section 50(2) of the Disability Act 2005, to the Minister for Justice, Equality and Law Reform, Mr Dermot Ahern, T.D.

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¹ The Department of Education and Science submitted information on these bodies that is listed in Appendix C. These bodies provided this information even though they are not deemed to be public bodies under the definition of a public body set out in section 46 of the Disability Act 2005.

Introduction

Part 5 of the Disability Act 2005 ("the Act") sets out the obligations on public service bodies with regard to the employment of people with disabilities.

There are three interlinked requirements. Firstly, public bodies must, insofar as practicable, take all reasonable measures to promote and support the employment by them of people with disabilities. Secondly, public bodies shall ensure, unless there are good reasons to the contrary for not doing so, that at least 3% of their employees are people with disabilities. Finally, on an annual basis, public bodies must report to a statutory monitoring committee in their parent Department on the number of people with disabilities in their employment and the measures they are taking to support their employment. The monitoring committees in turn submit their reports on such compliance to the Minister of their parent Department and the National Disability Authority (NDA) (Appendix D).

This report presents information received by the NDA in relation to 2008 from monitoring committees established under Part 5 of the Act.²

- Chapter 1 of this report describes how the information was collated
- Chapter 2 analyses the measures being taken to promote and support the employment of people with disabilities
- Chapter 3 gives a detailed analysis of the figures for 2008
- Chapter 4 discusses compliance with the obligations under Part 5

This report lays equal importance on the attainment of the numerical target and the presence of measures to promote and support the employment of people with disabilities.

Positive action measure

Part 5 of the Disability Act is a positive action measure to promote the employment of people with disabilities, against a background of employment rates for people with disabilities that are about half those of other citizens³. To put the 3% target in context, about 6% of people of working age were recorded in Census 2006 as having a disability (Appendix E).

The provisions of Part 5 are referenced in the Sectoral Plan of the Department of Enterprise, Trade and Employment as part of the suite of public policies to promote the employment of people with disabilities. The NDA has advised that a proactive approach by the public sector to employment of people with disabilities should be a key pillar of any comprehensive employment strategy for people with disabilities.⁴

² Section 48(5)(d), Disability Act 2005

³ CSO Census 2006

⁴ NDA (2006) A Strategy of Engagement - towards a comprehensive employment strategy for people with disabilities

Data considerations

The NDA is satisfied that the quality of data collection continues to improve although there remain a number of public bodies whose reports are based on returns in respect of a minority of their staff. The information supplied to the NDA on measures to promote and support the employment of people with disabilities has also improved over that received in 2007.

One caveat, in particular, in relation to the numerical returns is that these can be affected by the proportion of staff in respect of whom data on their disability status was obtained by the public body and by the proportion of staff who disclosed a disability to their employer.

Headline findings

More public bodies meet 3% target

There is a slight increase in the number of public bodies meeting the statutory target. The headline result for 2008 is that 55% of the organisations reported achieving or exceeding the statutory 3% employment target for 2008 (Table 3.1). In 2007, 51% of public bodies reported reaching or surpassing the statutory minimum target.

Number and proportion of staff with disabilities show increase

The number and proportion of staff with disabilities reported across the public service as a whole also showed a small increase in 2008 compared to 2007, despite a fall in the total number of public servants employed between the two years. The total number of public service employees who declared a disability for 2008 totalled 6,083, an increase of 204 over the 2007 figure. The reported percentage of staff with disabilities across the public service as a whole rose from 2.5% in 2007 to 2.7% in 2008. At the same time the total number of employees in the public bodies reporting under the Act fell from 239,000 to just below 229,000 between the two years. While it is possible that some of the recorded increase may be attributable to better reporting, e.g. higher response rates to a staff census, the improving trend is very much welcomed.

All Government Departments reach 3% target

For the first time since the 3% target came into being on a statutory basis (31 December 2005) all 15 Government Departments have achieved or exceeded the target. Totalling the figures for all Government Departments, 3.9% of staff reported a disability for 2008 compared to 3.8% in 2007 (Appendix A).

The public sector, excluding Government Departments, accounted for around 207,000 employees. Out of this number 5,254 declared a disability for 2008 giving a percentage return of 2.5%.

Local authorities have 3.5% of staff with disabilities

Overall, local authorities have 3.5% of staff with disabilities. While four of the 34 local authorities reported coming below the 3% target, all of these cite low response rates to staff surveys, and a reluctance to disclose as factors affecting their data.

Success in achieving the target related to size of public body

Very small public bodies, as might be expected, were less likely to reach the 3% target – just 12% of bodies with ten or fewer staff, and 39% of bodies with 11 to 50 staff achieved or exceeded the target. Almost 80% of public bodies with 201 to 1,000 staff reached the target.

However, it was disappointing to note that only 60% of the public bodies with over 1,000 staff reported that they had achieved or exceeded the target. The 40 public bodies with over 1,000 staff between them account for 80% of public service employees. A stronger performance by these organisations in reaching the target has the greatest potential to impact on the total number of people with disabilities employed in the public service. These larger public bodies are also likely to have the greatest capacity to employ a diversity of staff, and to have well-resourced capacity to support staff with disabilities. However, in some cases, the recorded figures may be partly attributable to the fact that only a minority of the total staff complement participated in the reporting process.

The likelihood of having no staff with disabilities is related to the size of the organisation, for example only 10% of the organisations with fewer than ten employees recorded any employees with a disability. While all of the larger public bodies had at least some employees with a declared disability, there were nine public bodies in the size range from 51 to 200 employees who returned no staff with a disability. In these cases, the scale of the organisation should not of itself present a difficulty. It is acknowledged that this result may be attributable in part to issues around completeness of the data supplied.

Positive actions bring positive results

The analysis of returns shows there is a strong link between positive action measures to support employment of people with disabilities and achievement of the 3% target.

Almost two thirds of public bodies with some form of formal policies on disability/equality – such as a disability policy, an equality policy, a disability action plan, or a Code of Practice - met the 3% target compared with one third of those who did not report such a policy. It was encouraging to note that in four out of every five of the data sets returned (208) it was reported that there was some type of formal disability policy. It may be there are other public bodies which have such formal policies but did not report this.

It is notable that the full achievement of the 3% target in Government Departments is underpinned by the Civil Service Code of Practice on Employment of People with Disabilities; by the Civil Service Equality Unit, and by Disability Liaison Officers (DLOs) attached to each Government Department and to many of the public bodies whose staff are civil servants.

Those public bodies that carried out an access audit of some or all of their premises or sites were six times more likely to have achieved the 3% target than those that reported carrying out no access audit.

Public bodies that reported having one or more persons with a disability on work experience were almost twice as likely to have achieved or exceeded the 3% target than those that reported no one on work experience.

Learning from success

A considerable number of public bodies, in diverse business sectors, have implemented active programmes to support and promote the employment of people with disabilities and have reached or exceeded the 3% target. These organisations have the potential to be role models for sister public bodies with similar functions or mix of staff.

Non-compliance with Part 5 of the Act

Apart from a failure to report, a public body may fail to comply with Part 5 of the Act if it does not

- where practicable, take reasonable measures to support the employment of people with disabilities
- reach the 3% target, unless there is good reason to the contrary

Assessment of non-compliance involves an element of judgment regarding what is practicable, what is reasonable and whether there are good reasons for non-achievement of the 3% target. This issue is dealt with in more detail in Chapter 4.

The NDA advised the Minister for Justice, Equality and Law Reform, in a paper submitted in February 2009, of the criteria the Authority considered would guide an assessment of definitive failure to comply with the Act. The criteria set out in that paper include the absence of any formal policies or measures to promote or support the employment of staff with disabilities, the size of the body, whether above a threshold size there were any staff with disabilities employed, and whether the achievement or otherwise of the target was sensitive to a difference of one staff member with a disability. The Minister and the monitoring committees were circulated in early 2009 with the NDA's assessment of which bodies may be considered to be non-compliant in 2007.

Under section 49 of the Act if, in the opinion of the NDA, a public body is not complying with Part 5 at the end of any two successive years, the NDA may, with the consent of the relevant Minister, request the body to take such measures as the NDA may specify to ensure such compliance, and the body shall comply with that request. Prior to issuing such request the NDA, following consultation with the relevant Minister, can seek further information from a public body to allow it determine whether that body is complying with Part 5. The NDA may also issue a report to the Minister for Justice, Equality and Law Reform making assessments on compliance and setting out recommendations.

Spectrum of disability

The NDA would like to emphasise the importance of the public sector in providing employment opportunities for people across the spectrum of disability. In the 2007 report, the NDA drew attention to the under-representation of people with intellectual disabilities in public sector employment, based on data from the 2006 Census.

The National Disability Survey 2006 provides information on the spectrum of disabling conditions experienced by people with disabilities. Drawing from this source, Appendix E provides round figures of the numbers of people of working age (18-64) with different conditions.

Conclusion

This report details the current state of play regarding public bodies' compliance with Part 5 of the Act. The quality of data received is on a par with 2007 and this allows for reputable comparisons to be made as to the areas where there have been improvements and those areas where more work needs to be done. The NDA presents this report cognisant of the economic circumstances in which public bodies continue to operate.

1. Obligations on public bodies and data collection methods

Responsibilities and roles under Part 5 of the Disability Act 2005

Under the Act, public bodies are required:

- Where practicable, to take all reasonable measures to promote and support the employment by it of people with disabilities - section 47(1)(a)
- To ensure, unless there is a good reason to the contrary for not doing so, that at least 3% of staff employed are people with disabilities - sections 47(2) and 47(4)
- To report on an annual basis to their monitoring committee regarding the number of people with disabilities in their employment and the measures they are taking to promote and support the employment of people with disabilities - section 48(2)
- To comply with any relevant statutory codes of practice - section 47(1)(b)

Role of Monitoring Committees

Under section 48(3) of the Act there are monitoring committees in Government Departments whose role is to monitor and, in consultation with the NDA, encourage compliance by the public bodies that report to them. Public bodies that are staffed by civil servants report to the Department of Finance's monitoring committee; other public bodies report to the monitoring committee in their parent Department. The committees must meet at least three times a year and are required to report on compliance by their public bodies on an annual basis to the Minister of their parent Department, and to the NDA. There are currently 14 monitoring committees. The Department of Finance has two monitoring committees to cover separately the wider civil service, and the public bodies directly under the Department's remit. Neither the Department of Foreign Affairs nor the Department of Defence has established a monitoring committee as there are no qualifying public bodies reporting directly to these Departments.

Role of the NDA

The NDA is obliged to prepare an annual report on compliance by public bodies with their various obligations under Part 5 of the Act, based on the information supplied by them on the agreed reporting form. The NDA, with the consent of the relevant Minister, can specify the format of that form under section 48(6)(a). The same format of report has been used in 2008 as in 2007, facilitating valid comparisons between the two years. The NDA can also, with the consent of the relevant Minister, make recommendations to public bodies on measures to be taken to facilitate or achieve compliance.

Counting the number of staff with disabilities

Who is covered by Part 5 of the Act

The definition of public body for the purposes of Part 5 of the Act is set out in section 46(2). Under the terms of the Act, a public body that meets this definition is legally required to report on its compliance with Part 5.

The Department of Education and Science has established that a number of third level colleges and the Vocational Education Committees, for technical reasons, do

not meet the section 46(2) definition, but has nevertheless made a voluntary return in respect of such bodies (Appendix C).

Numbers of public bodies and separate datasets

Most public bodies are reported on individually. However where the staffing needs are integrated with those of a parent body, in general separate returns were not given for individual public bodies. For example, town councils and regional authorities are staffed by the officials from the relevant county councils and their returns were incorporated accordingly. A number of public bodies are staffed by civil servants from their parent Department, and in some cases the returns were amalgamated with those of their parent Department. County and City Enterprise Boards which individually have very small staff numbers were reported on collectively as a unit. The NDA refers to the separate reports received as datasets. The number of datasets does not therefore directly match the total number of public bodies covered. There are also some differences between the number of datasets returned in 2008 compared with 2007, with slightly more public bodies covered, but by slightly fewer datasets. The reasons for the differences are recorded in the table below.

	No. of datasets	No. of public bodies covered
2007	263	375
2008	255	381
Differences in 2008		
- regional authorities incorporated into relevant local authority return	-2	
- bodies staffed by civil servants incorporated into parent Department's return	-10	
- bodies that had not reported for 2007	+5	
- no return received for 2008	-1	

NDA guidance on data collection

The NDA cannot oblige public bodies to follow any particular method of data collection. The NDA has however developed a suite of guidance documents and a set of standard reporting forms for use by public bodies in recording the number of staff with disabilities, as defined under section 2 of the Act:

" 'disability', in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health, or intellectual impairment;"

The NDA has recommended that public bodies conduct an initial census of their staff (based on voluntary disclosure) to establish their disability status for the purposes of making statutory returns under Part 5. If a satisfactory level of response to this census has been achieved in a baseline year, the NDA has advised that public bodies may update their initial records thereafter by reference to staff movements in and out of the organisation, and by putting in place procedures to add in staff who may have acquired a disability over the course of the year. The NDA has a suite of forms for an initial census, for new recruits and for amending an individual's existing record. An effective tracking mechanism, built on a solid baseline, can eliminate the requirement to do an annual count of all staff. The NDA has developed model text for

personnel manuals to cover the data collection and updating process and has advised public bodies on the confidential storage and handling of sensitive personal data.

The NDA has prepared Frequently Asked Questions and other guidance materials in relation to data collection which are available on www.nda.ie.

How 2008 data was collected

A number of public bodies repeated the census exercise in 2008, given that some public bodies had low response rates to their census in 2007. Other public bodies used 2007 as a baseline and "topped up" their returns with targeted surveys to try and capture those staff members not recorded for 2007. The figures for 2008 show that the staff census form was used in 142 (56%) datasets while 113 (44%) used other methods of data collection such as updating a previous baseline figure by surveying new or remaining staff, examining HR or other records.

Research on disclosure in the context of Part 5 monitoring

Data affected by willingness to disclose disability

The NDA has advised public bodies that the process by which a person's disability status is established for the purposes of monitoring Part 5 should be based on a voluntary disclosure by the individual concerned. This approach respects the rights of the individual concerned not to be recorded as having a disability without their knowledge. The staff census form is constructed in a way that acknowledges the definition of disability under the Act which covers inter alia a substantially restricted capacity to participate in cultural or social life.

The research literature shows it is often difficult for individuals to disclose a disability to their employer, even when this information is treated confidentially and/or for statistical purposes only.⁵ The international evidence shows that people fear the perceived negative consequences of self-disclosure in the workplace. They are concerned that they will be treated differently at work or that their career prospects will be negatively impacted. Studies also show that the decision to disclose a disability is influenced by the culture of the organisation and the quality of the relationship with the employer. Self-disclosure of mental health difficulties to an employer can be a particularly sensitive issue.⁶ For all of these reasons, data which is based on voluntary disclosure of disability runs the risk of underestimating the true proportion of staff with disabilities.

In a work environment where people have more confidence that disclosure of a disability will be confidential and will not have any adverse repercussions, they will be more likely to be open about it.

⁵ WRC (2007) Research and Policy Development on Part 5 of Disability Act 2005 – Statutory targets on employment of people with disabilities in the public sector. www.nda.ie

⁶ Chapter 3; NESF (2008) Mental Health in the Workplace, pp 33-34

NDA research on disclosure and Part 5 reporting

The NDA commissioned research on the issue of disclosure of a disability in the context of the monitoring and reporting process on the employment target for people with disabilities under Part 5.⁷ The research was conducted via focus groups, telephone interviews and by e-mail to ascertain views of public sector employees with disabilities about:

- the current Part 5 monitoring and reporting process
- factors that hinder disclosure
- factors that facilitate disclosure

Among the findings of the report were:

- people with disabilities have concerns about the confidentiality of the information they provide
- people with disabilities have concerns about attitudes of colleagues and managers
- the information that is available to guide staff in completing forms and on the data monitoring process does not always filter down to staff
- the language in the forms can be difficult for some
- while reasonable accommodation is important in developing a disability-friendly work environment, it can, however, distort the attitudes of colleagues towards staff who benefit from it. Furthermore, staff who have been accommodated may no longer see themselves as having a disability because they are not substantially restricted in the workplace

A copy of the report was forwarded to the Part 5 monitoring committees in May 2009. The NDA is considering what steps it can take in the light of the research findings, for example better dissemination of information about the process, and ensuring that data collection forms and associated information are expressed in simpler terms.

To help alleviate concerns around confidentiality of information, the NDA would recommend, where practicable and appropriate, the data on disability status would be collected by someone with an employee welfare function such as a DLO. It is worth noting that some bodies have linked the data collection exercise for Part 5 with a process to ascertain and address issues of reasonable accommodation, so it is more meaningful for individuals. The most difficult barriers to surmount are the attitudes around certain disabilities and the fear that voluntary disclosure will impede career progression. These are long-term issues that are served by actions carried out on the matters highlighted above allied with a consistent, positive message regarding the individual and collective benefits of recognising and supporting people with disabilities in the workplace.

⁷ Ralaheen Ltd (2009) Research exploring the views of people with disabilities who are employed in the public sector on NDA's employment monitoring system and the factors in the workplace that facilitate and hinder disclosure of a disability. www.nda.ie

2. Measures to promote and support the employment of people with disabilities

Introduction

Public bodies are legally obliged to take all reasonable measures to promote and support the employment of people with disabilities - section 47(1)(a). In their reports, public bodies were asked to indicate the measures they were taking under this heading. The NDA advised public bodies on how best to complete the narrative section of their reporting form. To show they are compliant in respect of this aspect of the Act, it is essential that public bodies supply adequate information (Appendix D).

Monitoring committees were also asked to assess the measures they considered to be effective in promoting and supporting the employment of people with disabilities by those reporting to them. Most committees responded by listing all of the measures that had been forwarded to them by the public bodies under their remit. Some monitoring committees added some further suggestions of their own.

As this chapter shows, there is a clear, demonstrable link between engaging in positive actions to promote the employment of people with disabilities and achievement of the 3% target. It is also notable that some organisations which moved from below the 3% target in 2007 to above it in 2008 reported they had implemented a suite of policies on disability in 2008.

In 2008 there was a significant increase in the number of bodies who targeted delivery of disability awareness training to specific groups, for example new recruits or line managers.

Useful measures

This section of the report focuses on the measures which were found to be successful among the larger public bodies, as these are likely to have had the greatest aggregate impact on employment. Some actions reported by the larger public bodies as particularly useful are detailed in the table below:

What public bodies saw as successful measures

Successful Measures	No. of public bodies
Support and retention policy	22
Formal Policies/Codes of Practice	18
Designated Officers	18
Disability Training/Diversity Training	12
Linking in with disability organisations	8

Support and retention

Many people will acquire a disability during the course of their working life. Many large public bodies stated their strong commitment to supporting employees with a disability and to retaining employees who have acquired a disability. These included over half the Government Departments; An Post; St James's Hospital Board and FÁS. Some public bodies have implemented specific policies to support employees

with acquired disabilities in the workplace, and to support the return to work of employees on extended sick absences.

Some organisations who were well under the 3% target in 2007, but who exceeded it in 2008, stated that their policies and practices on reasonable accommodation and retention have been their most successful measures.

The most common accommodations made to support and retain employees with disabilities were:

- flexible working hours
- adjustment of work schedules and duties
- stress management policies
- confidential Employee Assistance Programmes, including designated Employee Assistance Officers
- provision of specialist equipment

Formal Policies or Codes of Practice

A number of public bodies reported as a successful measure that they had formalised or implemented a disability policy, a disability action plan or a code of practice in 2008.

In 2007, both the HSE and Teagasc reported that they were in the process of developing disability policies. In 2008, they have moved to the implementation stage. Teagasc stated that having a disability policy ensured that the organisation continued to implement measures to support people with disabilities. They stated that communicating the disability policy effectively to staff resulted in the successful completion of staff returns for 2008 and data collection for Part 5, without having to depend on HR records only.

The ESB reported that their Code of Practice has been responsible for the development of a disability-friendly culture in the company at all levels.

Designated Officers

The Department of Finance has a designated Equality Unit that covers the civil service. This unit also provides the secretariat for the civil service's DLO network. Government Departments and many of the public bodies staffed by civil servants have designated DLOs who work with staff with disabilities. In local authorities, and some other bodies, staff with similar duties are known as Equality Officers (EOs). In some organisations the Access Officers play a similar role in supporting staff. The respective DLO and EO networks meet regularly to share experiences and good practice. The DLO network, which covers over 40 Government Departments and public bodies, meets regularly throughout the year and publishes an annual report.

Fáilte Ireland appointed a DLO in 2008 and reported that this allowed for an increased emphasis and refocus on their disability policy within their organisation. The Irish Blood Transfusion Service reported that the reappointment of their Access and Equality Officer was one of the most successful measures they implemented.

There is a strong link between having a designated officer to work with staff with disabilities and implementing additional successful measures. The HSE reported that their Equality Officers are developing training programmes and linking in with disability organisations to identify barriers to the employment of people with disabilities and to develop plans to eliminate these barriers.

Disability Awareness/Diversity Training

Public bodies see the value and importance of adopting a life cycle approach to providing their employees with disability awareness training and/or equality/diversity training.

The Department of Agriculture, Fisheries and Food reported that providing equality training for their interview boards during 2008, in addition to providing disability awareness training for all new staff as part of their induction process, has been very beneficial for them. The Department of Justice, Equality and Law Reform also provides disability awareness training as part of their induction package, in addition to ensuring that all staff receive such training.

For 2008 the HSE have incorporated disability awareness and other types of training into their management training programmes. Line managers receive training in their role in promoting equal opportunities and accommodating diversity.

Ordnance Survey Ireland issues its guidelines on disability awareness to all staff via the organisation's intranet and provides information from the DLO service to new staff as part of their induction training.

In addition to providing training for their staff in disability and diversity awareness Teagasc also promotes awareness through staff newsletters.

Linking with disability organisations

A number of public bodies reported that they circulated vacancies to specific disability organisations or to disability umbrella bodies. Enterprise Ireland has forged very successful links with local disability groups and supported employment consortia that have resulted in employment or job placements for people with disabilities.

Work Experience

A number of public bodies offer work experience placements to people with disabilities through the Willing Able Mentoring Programme (WAM) run by the Association for Higher Education Access and Disability (AHEAD), or by linking with other disability organisations. The Departments of Agriculture, Fisheries and Food, Enterprise, Trade and Employment, Foreign Affairs, Health and Children, Justice, Equality and Law Reform and Transport all reported participating in the WAM Programme during 2008.

Some of the smaller bodies that are less likely to have regular staff vacancies to fill often provide work experience opportunities for people with disabilities. Enterprise Ireland engaged people from neighbouring St. Michael's House to work on recycling.

Since 2006, the ESB has run a highly successful Disability Traineeship programme to provide people with disabilities with paid work experience and training for 6 months in addition to CV preparation and interview skills. In 2008, 13 people participated in the programme and two of these participants have since been employed by the ESB. The programme is to be extended for a further 3 years until 2011.

For the purposes of the reporting and monitoring process under Part 5 those people on work experience/placements in a calendar year are counted and analysed separately and are not included in a public body's main staff return.

Access Audits

Many public bodies also reported conducting an access audit as a very positive measure. The VHI engaged an architect with a special interest in accommodating the needs of employees with disabilities to conduct an access audit for their main hiring office in Kilkenny.

Staff Census

Some public bodies commented that the exercise of undertaking a staff census brought a renewed focus and attention to disability issues at work and that it had been a catalyst to further action in this area. The Legal Aid Board reported that it included the census form in its induction packs.

For 2007, An Post decided to process all census returns through its Occupational Health Department. This resulted in a much higher response than previously attained. In 2008, the same processes was implemented with renewed success. It appears that this approach was reassuring to some employees who may have had concerns about confidentiality.

Conclusion

The evidence suggests that a systematic approach to supporting staff with disabilities brings a return in terms of higher numbers of staff with disabilities in employment.

3. Analysis of data for 2008

Introduction

The 381 organisations (255 datasets) reported on in the 2008 data together represent a combined workforce of just under 229,000. 2.7% of these were reported as having a disability as defined in the Act.

Achieving the 3% employment target

Just over half (55%) of organisations reported reaching or exceeding the 3% employment target for 2007 (Table 3.1). This represents a slight increase on 2007 when 51% of bodies reported meeting or exceeding the target. A little over one fifth (23%) of organisations indicated that they had no staff with disabilities on their workforce. This represents a slight decrease on 2007 figures (26%).

Table 3.1 Achievement of the 3% employment target

Proportion of staff with disabilities	No.	%
Nil	58	22.7
0.1% < 1%	8	3.1
1% < 2%	23	9.0
2% < 3 %	26	10.2
3% +	140	54.9
Total	255	100.0

Where information was provided on the method of data collection, just over half of the datasets (56%) reported having conducted a staff census (Table 3.2). The average census participation rate was 70%. The remaining datasets reported various other methods such as examining HR records.

Table 3.2 Method of data collection

Staff Census of employees in 2008	No.	%
Yes ⁸	142	55.7
No or not applicable	113	44.3
Total	255	100.0

The remainder of Chapter 3 presents generalised tables and commentary in respect of the data received. Tabular data on each public body are presented in Appendix A.

Size of organisation

Organisation size varied considerably (Table 3.3). 10% had 10 or fewer employees. Just under half (46%) had between 11 and 200 employees. Larger organisations of over 1,000 staff accounted for 16% of the returns, but these organisations accounted for 80% of the workforce across all bodies that reported and accounted for almost three quarters (73%) of the total population of employees with disabilities.

⁸ Figure includes those public bodies that "topped up" their census figures, using 2007 returns as a baseline, and didn't circulate all staff. See Appendix B for list of those bodies with reported returns of 30% +

Table 3.3 Size of organisation

Category	No. of data sets	% of bodies	Total no. of employees	% of all employees	Total no. of employees with a disability	% of employees with a disability
10 or less	25	9.8	139	0.1	3	2.2
11 - 50	59	23.1	1,705	0.7	66	3.9
51 - 200	59	23.1	6,379	2.8	204	3.2
201 -500	38	14.9	12,685	5.6	499	3.9
501 - 1,000	34	13.3	24,122	10.6	863	3.6
1,001 - 5,000	34	13.3	73,641	32.3	1,963	2.7
5,001 and higher	6	2.4	109,492	48.0	2,485	2.3
Total	255	100.0	228,163	100.0	6,083	2.7

A link was observed between size of organisation and number of employees with a disability, though this link was consistently maintained only up to 1,000 employees in relation to achieving or exceeding the 3% employment target. The proportion of organisations meeting or exceeding the target in 2008 was observed to increase from 12% in bodies of 10 or fewer employees to 79% in bodies between 201 and 1000, then slip to 60% for bodies above 1,000. A similar pattern was observed in 2006 and 2007 data. Again, in 2008, smaller bodies were found to be significantly more likely to report having employed no people with a declared disability (88% in bodies employing 10 or fewer staff). All bodies with over 200 staff reported employing people with declared disabilities.

Table 3.4 Proportion of staff with declared disabilities by size of organisation

Proportion of staff with disabilities	Numbers of employees											
	10 or less		11-50		51-200		201-1,000		1,001 and higher		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Nil	22	88.0	27	45.8	9	15.3	0	0	0	.0	58	22.8
0.1% < 1%	0	0.0	0	0.0	0	0.0%	4	5.6	4	10.0	8	3.1
1% < 2%	0	0.0	0	0.0	11	18.6	4	5.6	8	20.0	23	9.0
2% < 3 %	0	0.0	9	15.3	6	10.2	7	9.7	4	10.0	26	10.2
3% +	3	12.0	23	39.0	33	55.9	57	79.1	24	60.0	140	54.9
Total	25	100.0	59	100.0	59	100.0	72	100	40	100	255	100.0

Type of organisation

As for 2007, approximately half (49%) of public bodies covered in the datasets were classified as non-commercial (Table 3.5)

Table 3.5 Type of organisation

Type of Public Body	No.	%	Total staff	%
Government Departments	16	6.3	21,129	9.3
Local Government	40	15.7	38,364	16.8
Public Bodies staffed by Civil Servants	47	18.4	17,530	7.7
Non Commercial	125	49.0	109,395	47.9
Commercial	27	10.6	41,751	18.3
Total	255	100.0	228,169	100.0

As in 2007, greater proportions of government and local government bodies were found to have reached or exceeded the 3% target (Table 3.6). A full breakdown of Government Department data is available in Appendix A.

Table 3.6 Proportion of staff with disabilities by type of organisation

Proportion of staff with disabilities	Type of Public Body:											
	C		G		LG		NC		PBCS		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Nil	4	14.8	0	0	2	5.0	37	29.6	15	31.9	58	22.7
0.1 < 3%	11	40.7	0	0.0	4	10.0	35	28.0	7	14.9	57	22.4
3%+	12	44.4	16	100.0	34	85.0	53	42.4	25	53.2	140	54.9
Total	27	100.0	16	100.0	40	100.0	125	100.0	47	100.0	255	100.0

Government department - G; Public Body staffed by Civil Servants - PBCS; Local Government - LG; Commercial - C; Non-commercial - NC

Access Audits

Over half (57%) of public bodies indicated that they had conducted an access audit of their premises and/or sites (Table 3.7). A further 18% indicated that they had an access audit carried out on some of their premises/sites.

Table 3.7 Access audit of premises and/or sites

Access audit of premises and/or sites	No.	%
Yes	144	56.5
Some only	46	18.0
No	60	23.5
Data not supplied	5	2.0
Total	255	100.0

Those public bodies that carried out an access audit of some or all of their premises or sites were six times more likely to have achieved the 3% target than those that reported carrying out no access audit (Table 3.8). Those that reported no access audits were carried out were three times more likely to have had no people with

disabilities employed than those bodies that carried out an access audit of some or all of their premises or sites.

Table 3.8 Proportion of staff with disabilities by access audit

Proportion of staff with disabilities	No access audit		All or some premises access audited		Insufficient data supplied	
	No.	%	No.	%	No.	%
Nil	28	48.3	29	50.0	1	1.7
0.1 < 3%	12	21.1	44	77.2	1	1.8
3%+	20	14.3	117	83.6	3	2.1
Total	60	23.5	190	74.5	5	2.0

Written policy/code of practice

Most (81%) public bodies indicated that they either had a written action plan or policy on the employment of people with disabilities and/or were subject to a code of practice on the employment of people with disabilities (Table 3.9). Equal numbers (104 and 104) reported having at least one or both. It should be noted that the quality of data received in relation to this area suggests the possibility of some degree of over-reporting.

Table 3.9 Written action plan, policy or code of practice on employment of people with disabilities

Written action plan, policy or code of practice	No.	%
Yes	208*	81.6
No	45**	17.6
Data not supplied	2	0.8
Total	255	100.0

* including one organisation with a plan/policy/code currently under review

** including one organisation that reported having a plan/policy currently under development

Almost 60% of public bodies that had written policies, action plans or codes of practice achieved or exceeded the 3% target, compared with 33% of bodies that did not. (Table 3.10).

Table 3.10 Proportion of staff with disabilities by presence of written action plan, policy or code of practice on employment of people with disabilities

Proportion of staff with disabilities	No written plan, policy/code of practice		Written plan, policy/code of practice		Total	
	No.	%	No.	%	No.	%
Nil	16	35.6	42	20.2	58	22.9
0.1 < 3%	14	31.1	42	20.2	56	22.1
3%+	15	33.3	124	59.6	139	55.0
Total	45	100.0	208	100.0	253	100.0

Insufficient data supplied: 2

Work experience

82% of public bodies indicated that they had no person with a disability on work experience in their organisation (Table 3.11). One tenth reported at least one person with a disability on work experience. The remainder had between two or more people with disabilities on work experience.

Table 3.11 People with disabilities on work experience

Number of people with disabilities on work experience	No.	%
None	209	82.0
1	27	10.6
2 or more	19	7.4
Total	255	100.0

The compliance rate for those public bodies having one or more persons with a disability on work experience was almost twice that for those organisations that reported no one on work experience (Table 3.12).

Table 3.12 Proportion of staff with disabilities by presence of people with disabilities on work experience

Proportion of staff with disabilities	None		1 or more persons	
	No.	%	No.	%
Nil	56	26.8	2	4.3
0.1 < 3%	52	24.9	5	10.9
3%+	101	48.3	39	84.8
Total	209	100.0	46	100.0

Staff recruitment and turnover

One fifth (21%) of public bodies indicated that they did not recruit their own staff (Table 3.13).

Table 3.13 Staff recruitment

Recruit all or most staff	No.	%
Yes	200	78.4
No	54	21.2
Data not supplied	1	0.4
Total	255	100.0

199 of the datasets received on bodies that indicated recruiting their own staff provided information on the numbers recruited in 2008. 32 (16%) of the 199 reported recruiting no employees in 2008 (Table 3.14). The remaining organisations that carried out their own recruitment, together, accounted for 17,937 (88%) of the 20,341 employees recruited by public bodies overall during 2008. This level of recruitment represents 9.3% of the total workforce of these organisations.

The corresponding return for recruitment in 2007 was an aggregate of 31,000.

Table 3.14 Staff turnover

Number of employees recruited in 2008	No.	%
No recruitment	32	12.5
Recruited 1 or more	222	87.1
Data not supplied	1	0.4
Total	255	100.0

In 2008, recruitment was found to be most frequently reported by non-commercial bodies (109 bodies) (Table 3.15). That said, the highest level of recruitment activity (98%) within any one particular sector was reported by local government (other types of public body averaging 86%). Public bodies staffed by civil servants had the highest rate (21%) of reporting no recruitment in 2008.

Table 3.15 Recruitment in each type of public body

Number of employees recruited in 2008	Type of Public Body:										Total	
	C		G		LG		NC		PBCS			
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
No recruitment	5	18.5	1	6.3	1	2.5	15	12.1	10	21.3	32	12.6
Recruited 1 or more	22	81.	15	93.8	39	97.5	109	87.9	37	78.7	222	87.4
Total	27	100.0	16	100.0	40	100.0	124	100.0	47	100.0	254	100.0

Government department - G; Public Body staffed by Civil Servants - PBCS; Local Government - LG; Commercial - C; Non-commercial - NC.

Data not supplied: 1

196 of the organisations responsible for recruiting all or most of their staff indicated the number of vacancies they had at the end of 2008. Less than half (43%) indicated that they had no vacancies (Table 3.16). The remaining bodies that carried out their own recruitment had over 1,561 vacancies. This compares with 2,700 vacancies in 2007.

Table 3.16 Staff vacancies

Number of vacancies at end of 2008	No.	%
No vacancies	109	42.7
1 or more vacancies	139	54.5
Data not supplied	7	2.7
Total	255	100.0

While the highest number (66 out of a total of 139, equivalent to 48%) of staff vacancies at the end of 2008 was observed within the non-commercial bodies group, the highest percentage of vacancies was observed across local government with 79% of bodies reporting one or more vacancies at the end of that year (Table 3.17).

Table 3.17 Staff vacancies in each type of public body

Number of vacancies at end of 2008	Type of Public Body:											
	C		G		LG		NC		PBCS		Total	
No vacancies	15	55.6	3	21.4	8	21.1	57	46.3	26	56.5	109	44.0
1 or more vacancies	12	44.4	11	78.6	30	78.9	66	53.7	20	43.5	139	56.0
Total	27	100.0	14	100.0	38	100.0	123	100.0	46	100.0	248	100.0

Government department - G; Public Body staffed by Civil Servants - PBCS; Local Government - LG; Commercial - C; Non-commercial - NC

Data not supplied: 7

4. Complying with Part 5

The Act assigns roles in the monitoring of compliance and non-compliance to the Part 5 monitoring committees and to the NDA.

The role of the monitoring committees is to monitor, and in consultation with the NDA, to encourage compliance (section 48(3)).

Under section 49 of the Act if, in the opinion of the NDA, a public body is not complying with Part 5 at the end of any two successive years, the NDA may, with the consent of the relevant Minister, request the body to take such measures as the NDA may specify to ensure such compliance, and the body shall comply with that request.

Outside the scope

For public bodies which are outside the scope of Part 5, the question of compliance does not arise as this part of the Act does not apply to them. If one, or more, of the elements of the definition set out in section 46(2) is not in place then that particular body is excluded from the scope of Part 5.

Obligation to report

Once a public body is considered to come under the definition then it has an obligation to report annually on how it is promoting and supporting the employment of people with disabilities and on the numbers of people in its employment who have disclosed a disability that conforms to the definition in section 2 of the Act.

Compliance with 3% target

The Act sets out that:

“...unless there is good reason to the contrary for not doing so...” – section 47(2) the statutory minimum target should be achieved by all public bodies

The most frequently reported reasons for not achieving compliance were:

- They have no staff (e.g. the body consists of a board/committee of non-civil/public servants that are paid expenses rather than a salary)
- Small staff and limited turnover
- Safety-critical nature of the work
- Problems with the accuracy of the reported data, whether due to issues around disclosure or a low response rate reported for a staff census.

What follows sets out the general criteria the NDA has devised that will help it formulate an assessment of non-compliance for two successive years under the provisions of section 49 of the Act. All monitoring committees have been advised of these criteria.

Promote and support employment of people with disabilities

Public bodies are legally obliged, where practicable, to take all reasonable measures to promote and support the employment by them of people with disabilities, and are asked to supply information in their statutory reports as to the measures taken in this

regard. While some bodies detail significant policies or actions in place to deliver on this obligation, some bodies report no actions at all under this heading, while others confine themselves to general statements such as “we are an equal opportunities employer” which is a minimum statutory requirement anyway.

Overall compliance

The NDA has examined evidence supplied in relation to promoting and supporting the employment of people with disabilities, alongside the actual percentage of staff with disabilities reported, how far below 3% it fell, the size of the body concerned and any data collection issues, to guide its overall assessment of whether the body was non-compliant with Part 5 in 2007 and 2008. As set out above, the NDA can request, with the consent of the relevant Minister, measures be taken by the public body to ensure compliance after any two successive years of non-compliance.

The NDA is undertaking a process under section 49(1), in consultation with the relevant Ministers and monitoring committees, to request further information from certain public bodies in order to make a determination on whether those bodies are complying with Part 5. Allowing for the statutory timeframes for provision of such information by public bodies and the assessments and consultation to be undertaken thereafter, it is expected that assessments on compliance and recommendations will be set out in a report to the Minister for Justice, Equality and Law Reform in 2010.

Compliance and non-compliance

The NDA is pleased to note there is progress recorded in 2008 in respect of some bodies about which the NDA had concerns in 2007. Two of these bodies have now achieved over 3% of staff with disabilities, while a third body which had minimal engagement with disability in 2007, has gone to considerable efforts to develop its policies and procedures in this regard in 2008.

In considering whether a public body is non-compliant each public body will be given an opportunity to clarify its circumstances and put forward ways it might work towards compliance. The relevant monitoring committee will also be asked for their views on measures the public body might take towards becoming compliant.

The Act allows public bodies some leeway in that they can cite the phrases:

- “in so far as practicable” and
- “unless there is good reason to the contrary for not doing so”

to explain their particular circumstances.

The simplest way of deciding whether a public body is compliant with Part 5 is to see whether they have achieved or exceeded the 3% target. In some cases this is a crude measure as there may be valid reasons why it has not achieved the target. There may also be public bodies that have not yet achieved this statutory minimum target but are making strong efforts to promote and support the employment of people with disabilities.

Larger organisations generally have the capacity to develop disability/equality policies and procedures and the resources to monitor and support them. They are often the organisations held up as examples to the rest of the public service.

It is clear from the monitoring process to date that there will always be a number of public bodies that cannot meet the 3% target for a number of reasons. A small number of public bodies cited the highly specialised functions of their organisation as a reason for their inability to employ people with disabilities. While this does not mean that these jobs are not suitable for people with disabilities, it implies that it is harder for these public bodies to hire suitably qualified candidates with disabilities.

Data collection issues

Some organisations have large numbers of staff that are spread out in many locations around the country, or that are required to be regularly in transit/off site for the purposes of their employment. Low response rates, leading to reported low percentages, may be down, primarily, to logistics.

The NDA recommended a staff census for 2007 and over 60% of public bodies used the recommended form, exclusively, to complete their statutory reports. For 2008 the NDA recommended monitoring of the entry and exit of people with disabilities to and from public sector where the staff census response rate had been sufficiently high (85% and above) for 2007. Those public bodies with response rates below this were recommended to use the 2007 response rate as a baseline and to try and reach those employees who had not made a declaration of their disability status previously.

As in 2007, some public bodies cited problems in accurately recording how many staff they had with disabilities. As a result the percentage of staff with disabilities they reported on was below the target. The Health Service Executive (HSE) figures were based on a 44% response rate to their staff census on disability. The NDA recognises that gathering such data was a particularly challenging exercise in an organisation of the HSE's size and complexity.

Difficulties with getting any response to the staff census were also cited by the Garda Síochána Civilian HR, Iarnród Éireann and Dublin Bus. Some organisations that were below the target said they had incomplete data because staff were reluctant to formally disclose a disability.

The NDA accepts that in the case of bodies which had an incomplete count of staff with a disability that the underlying proportion of staff with a disability may be higher than that cited in the tables. The NDA notes that many of these organisations stated that they would be implementing further measures to encourage employees to engage with the monitoring process.

Examples of non-compliance

From the information provided it is clear that there are only a few bodies, that have the capacity to comply, who are not making an effort to do so. Where they have not achieved the 3% target they are endeavouring to support and promote the employment of people with disabilities. As mentioned earlier the reluctance by staff to

disclose a disability can be a factor which may lead to the true number of staff with disabilities employed being under-reported.

Where, based on the information supplied, it is apparent a public body has not made a serious effort to ensure complete coverage of staff employed, and as a result has had a very low response to a staff census, the onus remains on the body to make a comprehensive return so that the degree of compliance can be accurately assessed.

The NDA accepts that the size of the organisation has an important bearing on whether it is realistic to achieve 3% of staff with disabilities. The requirement is particularly difficult to achieve for very small bodies.

In examining whether a body might be definitively regarded as non-compliant, the NDA realises that the departure of just one staff member with a declared disability could make the difference between a body reaching 3% or not. In the case of bodies with fewer than 33 staff, for example, the presence or departure of one staff member with a disability could bring the body from achieving the 3% target to zero. Only those bodies which would require at least two extra staff to achieve the 3% target in 2007 and 2008 have been regarded as definitively non-compliant.

The NDA acknowledges the importance of matching people, their skills and abilities to the job requirements and that not every job is suitable for everyone. The fact that some work is physical in character may make it unsuitable for persons with specific types of impairment. While a number of public bodies have elements of their work which are safety-critical or which require highly specialised qualifications, it would be unusual for any public body, of a certain size, not to have a range of tasks and functions which staff with disabilities could accomplish effectively. While these can be valid reasons for not achieving the 3% target, they would generally not be valid reasons, other things being equal, to have reported no staff with disabilities employed.

One of the key problems has been that many public bodies are providing neither their monitoring committees nor the NDA with a full and comprehensive narrative that details all the actions they are taking to comply with Part 5. This is, however, improving year-on-year as the importance of providing comprehensive information is made clearer.

However, there are some bodies that have not mentioned or referred to any measures they may have taken in the narrative statement of their statutory reports. These are bodies that have the capacity to implement measures that will enable them to comply with Part 5 but have provided the NDA with no evidence that they have done so.

Examples of actions which would offer evidence of satisfying the legal requirement to promote and support the employment of people with disabilities:

- developing a written policy on employment of staff with disabilities or is in the process of developing such a policy

- following the civil service Code of Practice for the Employment of People with a Disability
- a written policy setting out procedures to support retention of staff who acquire a disability, including redeployment where this is necessary and feasible
- employing (or is in the process of appointing) a designated Disability Liaison Officer /Access Officer/Equality Officer
- robust processes to identify and meet any needs for reasonable accommodation in employment and training
- conducting an accessibility audit on its buildings and work environment and has or is implementing specific changes arising from this audit
- offering work experience placements for people with disabilities (e.g. under the FÁS Supported Employment Programme, or AHEAD's WAM programme)

Any public body that has not reported for two successive years and where no evidence exists that it does not come under the definition in section 46(2), is clearly non-compliant with Part 5. In making a definitive determination of non-compliance among those bodies which did report, the NDA takes the following criteria into account:

	Criteria		
Target	Did not meet minimum 3%		
	and		
Policies	No evidence of policies or actions to promote and support employment of staff with disabilities	or	Nothing reported beyond "an equal opportunities employer"
	or		
Returns and accuracy	Compliance with 3% could not be extrapolated if 100% census return not achieved	or	Low response rate (e.g. Census return below 33%) might imply lack of effort to report numbers as accurately as possible
	and		
Numbers	No staff with disabilities employed	or	Would have needed at least two more staff with declared disabilities to make the target
	and		
Mitigating circumstances	No mitigating circumstances such as size, nature of work		

Appendix A⁹

Government Departments' data on 3% employment target

Appendix B gives details of % response rate where the returns are based on a census of employees

Government Departments	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit completed
Agriculture, Fisheries and Food	4,501	136	3.0	Y	YSO
Arts, Sport and Tourism	173	6	3.5	Y	YSO
Communications, Energy and Natural Resources	336	18	5.4	Y	YSO
Community, Rural and Gaeltacht Affairs	268	14	5.2	Y	Y
Defence	440	13	3.0	Y	Y
Defence - Civilian Employees	820	34	4.2	Y	N
Education and Science	1,428	46	3.2	Y	YSO
Enterprise Trade and Employment	1,062	61	5.7	Y	Y
Environment, Heritage and Local Government	1,380	54	3.9	Y	YSO
Finance	672	29	4.3	Y	Y
Foreign Affairs	1,619	56	3.5	Y	YSO
Health and Children	582	27	4.6	Y	YSO
Justice, Equality and Law Reform	2,023	77	3.8	Y	YSO
Social and Family Affairs	5,061	229	4.5	Y	YSO
Taoiseach	203	12	5.9	Y	Y
Transport	561	18	3.2	Y	Y
Total	21,129	830	3.9		

⁹ Y: Yes, N: No, YSO: Yes, some premises only

Other public bodies' data on 3% employment target¹⁰
Appendix B gives details of % response rate where the returns are based on a census of employees

Public Bodies	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit completed
Agriculture, Fisheries and Food					
Bord Bia	102	1	1.0	Y	Y
Bord Iascaigh Mhara	153	73	4.6	Y	Y
Coillte	783	31	4.0	N	Y
Irish National Stud	73	1	1.4	Y	N
Marine Institute	218	7	3.2	Y	Y
National Milk Agency	6	0	0.0	N	N
Sea Fisheries Protection Authority	104	5	4.8	Y	Y
Teagasc	1,609	73	4.5	Y	YSO
Veterinary Council of Ireland	4	0	0.0	N	Y
Arts, Sport and Tourism					
Arts Council	69	1	1.5	N	Y
Bord na gCon	714	6	0.8	N	Y
Chester Beatty Library	39	3	7.7	Y	Y
Crawford Art Gallery Cork	20	4	20.0	Y	Y
Fáilte Ireland	416	16	3.9	Y	YSO
Horse Racing Ireland	171	5	2.9	Y	Y
Irish Film Board	18	1	5.6	Y	YSO
Irish Museum of Modern Art	68	0	0.0	Y	Y
Irish Sports Council	31	1	3.2	N	N
National Concert Hall	93	5	5.4	Y	N
National Gallery of Ireland	144	3	2.1	Y	N
National Library of Ireland	131	11	8.4	Y	Y

¹⁰ Y: Yes, N: No, YSO: Yes, some premises only, NA: information not available from statutory report

Public Bodies	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit completed
National Museum of Ireland	210	12	5.7	Y	Y
National Sports Campus Development Authority	6	0	0.0	N	N
Tourism Ireland	42	3	7.1	N	Y
Communications, Energy and Natural Resources					
An Post	9,789	411	4.2	Y	Y
Broadcasting Commission of Ireland	45	1	2.2	N	Y
Bord Gáis	914	29	3.2	Y	YSO
Bord na Mona	1,929	34	1.8	Y	Y
Central Fisheries Board	86	3	3.5	N	Y
Commission for Energy Regulation	70	4	5.7	Y	N
Communications Regulator	120	4	3.3	Y	Y
Digital Hub Development Agency	17	0	0.0	Y	Y
Eastern Regional Fisheries Board	63	1	1.6	Y	YSO
EirGrid Plc	236	28	11.9	Y	N
Electricity Supply Board	7,560	394	5.2	Y	N
National Oil Reserves Agency	5	0	0.0	N	Y
North Western Regional Fisheries Board	48	3	6.3	Y	Y
Northern Regional Fisheries Board	67	3	4.5	Y	Y
Ordnance Survey Ireland	320	7	2.2	Y	Y
Radio Telefís Éireann	2,351	90	3.8	Y	Y
Sustainable Energy Ireland	59	0	0.0	Y	Y
Shannon Regional Fisheries Board	54	4	7.4	Y	YSO
South Western Regional Fisheries Board	36	1	2.8	Y	YSO
Southern Regional Fisheries Board	47	3	6.4	N	YSO
TG4	88	0	0.0	Y	Y
Western Regional Fisheries Board	65	3	4.6	N	Y
Community, Rural and Gaeltacht Affairs					
Foras na Gaeilge	50	0	0.0	Y	Y
Pobal	269	10	3.7	N	YSO
Údarás na Gaeltachta	110	4	3.6	Y	Y
Ulster Scots Agency	2	0	0.0	Y	YSO

Public Bodies	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit completed
Waterways Ireland	267	6	2.3	Y	YSO
Western Development Commission	19	0	0.0	N	N
Education and Science					
Athlone Institute of Technology	730	2	0.3	N	N
Cork Institute of Technology	1,605	19	1.2	N	YSO
Dublin Institute of Technology	2,850	12	0.4	N	YSO
Dun Laoghaire Institute of Art, Design and Technology	548	4	0.7	Y	Y
Dundalk Institute of Technology	594	22	3.7	Y	Y
Further Education and Training Awards Council	43	0	0.0	Y	Y
Galway Mayo Institute of Technology	1,069	4	0.4	Y	N
Higher Education and Training Awards Council	32	2	6.3	Y	N
Institute of Technology Blanchardstown	204	7	3.4	Y	Y
Institute of Technology Carlow	587	10	1.7	Y	Y
Institute of Technology Sligo	506	15	3.0	Y	YSO
Institute of Technology Tallaght	485	9	1.9	Y	Y
Institute of Technology Tralee	414	3	0.7	Y	N
Leargas	50	1	2.0	Y	Y
Letterkenny Institute of Technology	361	15	4.2	Y	Y
Limerick Institute of Technology	505	16	3.2	Y	Y
National College of Art and Design	148	2	1.4	N	N
National Education Welfare Board	104	4	3.9	N	Y
National Qualifications Authority of Ireland	24	1	4.2	Y	Y
Teaching Council	41	1	2.5	N	N
Tipperary Rural and Business Development Institute	157	0	0.0	Y	Y
Waterford Institute of Technology	1,271	19	1.5	Y	Y
Enterprise, Trade and Employment					
Competition Authority	57	1	1.8	N	Y
County and City Enterprise Boards	150	0	0.0	N	N
Enterprise Ireland	763	34	4.5	Y	Y
FÁS	2,298	83	3.6	Y	YSO

Public Bodies	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit completed
Forfás	132	4	3.0	Y	Y
Health and Safety Authority	208	6	2.9	N	Y
IDA Ireland	282	10	3.6	Y	YSO
Injuries Board	72	1	1.4	Y	Y
InterTrade Ireland	44	2	4.6	Y	Y
Irish Auditing and Accounting Supervisory Authority	12	0	0.0	N	Y
National Standards Authority of Ireland	161	10	6.2	Y	Y
Science Foundation Ireland	54	1	1.9	Y	Y
Shannon Development	138	8	5.8	Y	Y
Environment, Heritage and Local Government - Public Bodies					
Affordable Homes Partnership	17	0	0.0	N	N
An Bord Pleanála	179	7	3.9	Y	Y
An Comhairle Leabharlanna	16	0	0.0	Y	Y
Dublin Docklands Development Authority	51	0	0.0	Y	Y
Environmental Protection Agency	366	10	2.7	Y	YSO
Heritage Council	17	2	11.8	Y	Y
Housing Finance Agency	14	0	0.0	Y	N
Irish Water Safety Association	6	0	0.0	Y	Y
Limerick Regeneration Agencies	16	0	0.0	N	YSO
Local Government Computer Services Board	100	4	4.0	Y	Y
Local Government Management Services Board	33	3	9.1	Y	N
National Building Agency	65	3	4.6	N	N
Private Residential Tenancies Board	41	0	0.0	Y	N
Radiological Protection Institute of Ireland	52	1	1.9	Y	Y
Environment, Heritage and Local Government - Local Authorities					
Border, Midland & Western Regional Assembly	14	0	0.0	Y	Y
Carlow County Council	397	19	4.8	Y	Y
Cavan County Council	485	21	4.3	Y	Y
Clare County Council	962	45	4.7	Y	Y
Cork City Council	1,422	57	4.0	Y	Y
Cork County Council	3,160	75	2.4	Y	Y

Public Bodies	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit completed
Donegal County Council	1,241	18	1.5	Y	YSO
Dublin City Council	7,313	149	2.0	Y	Y
Dun Laoghaire Rathdown County Council	1,275	67	5.3	Y	Y
Fingal County Council	1,776	76	4.3	Y	Y
Galway City Council	555	18	3.2	Y	YSO
Galway County Council	1,452	44	3.3	Y	Y
Kerry County Council	1,644	76	4.6	Y	Y
Kildare County Council	1,306	46	3.5	Y	YSO
Kilkenny County Council	707	30	4.2	Y	Y
Laois County Council	472	14	3.0	Y	Y
Leitrim County Council	351	15	4.3	Y	Y
Limerick City Council	622	19	3.1	Y	Y
Limerick County Council	831	34	4.1	Y	Y
Longford County Council	341	23	6.8	Y	YSO
Louth County Council	821	47	5.8	Y	Y
Mayo County Council	1,466	77	5.3	Y	Y
Meath County Council	939	37	3.9	Y	Y
Monaghan County Council	497	19	3.8	Y	Y
North Tipperary County Council	477	21	4.4	Y	Y
Offaly County Council	516	16	3.1	Y	Y
Roscommon County Council	582	26	4.5	Y	Y
Sligo County Council	617	21	3.4	Y	Y
South Dublin County Council	1,607	61	3.8	Y	Y
South Tipperary County Council	751	30	4.0	Y	Y
Southern and Eastern Regional Assembly	24	2	8.3	Y	Y
Waterford City Council	462	28	6.1	Y	Y
Waterford County Council	612	20	3.3	Y	Y
Westmeath County Council	622	19	3.1	Y	Y
Wexford County Council	940	26	2.8	Y	Y
Wicklow County Council	948	35	3.7	Y	Y

Public Bodies	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit completed
Finance - Public Bodies					
National Treasury Management Agency	170	0	0.0	N	N
Finance - Civil Service					
An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta	4	0	0.0	N	N
An Coimisinéir Teanga	8	0	0.0	Y	Y
An Garda Síochána - Civilian HR Directorate	2,712	51	1.9	Y	YSO
An Garda Síochána Inspectorate	7	0	0.0	Y	N
Army Pensions Board	2	0	0.0	Y	N
Central Statistics Office	920	54	5.9	Y	Y
Civil Defence Board	27	4	14.8	Y	N
Coiste an Asgard	3	0	0.0	N	YSO
Commission for Public Service Appointments	12	0	0.0	Y	YSO
Courts Service	1,144	38	3.3	Y	Y
Defence Forces Canteen Board	19	2	10.5	N	N
Equality Authority	23	3	13.0	Y	Y
Equality Tribunal	33	5	15.2	Y	Y
Irish Film Classification Office	11	0	0.0	Y	N
Labour Relations Commission	50	1	2.0	Y	Y
Legal Aid Board	384	17	4.4	Y	Y
National Consumer Agency	52	2	3.9	Y	Y
National Council for Curriculum and Assessment	41	1	2.4	Y	N
National Council for Special Education	107	4	3.7	Y	YSO
National Property Services Regulatory Authority	8	1	12.5	Y	N
Office of the Appeals Commissioners	4	0	0.0	Y	N
Office of the Attorney General	128	4	3.1	Y	Y
Office of the Chief State Solicitor	256	9	3.5	Y	Y
Office of the Commissioners for Charitable Donations and Bequests in Ireland	8	0	0.0	Y	Y
Office of the Comptroller and Auditor General	155	5	3.2	Y	Y
Office of the Data Protection Commissioner	26	0	0.0	Y	N
Office of the Director of Public Prosecutions	196	9	4.6	Y	YSO

Public Bodies	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit completed
Office of the Houses of the Oireachtas	492	15	3.1	Y	Y
Office of the Ombudsman/Office of the Information Commissioner	98	4	4.1	Y	Y
Office of the Ombudsman for the Defence Forces	4	0	0.0	Y	N
Office of the President	25	1	4.0	Y	Y
Office of Public Works	753	24	3.2	Y	YSO
Office of the Refugee Applications Commissioner	211	12	5.7	Y	YSO
Office of the Revenue Commissioners	7,134	214	3.0	Y	YSO
Private Security Authority	38	0	0.0	Y	N
Property Registration Authority	752	51	6.8	Y	N
Public Appointments Service	161	9	5.6	Y	Y
Refugee Appeals Tribunal	104	4	3.9	Y	N
State Examinations Commission	183	5	2.7	Y	N
State Laboratory	97	2	2.1	Y	Y
Valuation Office/Valuation Tribunal	163	9	5.5	Y	Y
Health and Children					
Beaumont Hospital Board	3,444	60	1.7	Y	YSO
Board of the Adelaide and Meath Hospital	3,063	48	1.6	N	N
Bord Altranais	48	1	2.1	Y	Y
Children Acts Advisory Board	16	0	0.0	Y	YSO
Crisis Pregnancy Agency	16	0	0.0	Y	N
Dental Council	5	0	0.0	Y	N
Drug Treatment Centre Board	120	2	1.7	N	N
Dublin Dental Hospital Board	225	9	4.0	Y	Y
Food Safety Authority of Ireland	90	2	2.2	N	Y
Health Information and Quality Authority	91	3	3.3	Y	Y
Health Insurance Authority	9	1	11.1	N	Y
Health Research Board	78	3	3.9	Y	Y
Health Service Executive	72,635	1088	1.5	Y	YSO
Institute of Public Health in Ireland	22	1	4.6	Y	Y
Irish Blood Transfusion Service	716	12	1.7	Y	YSO

Public Bodies	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit completed
Irish Medicines Boards	251	10	4.0	N	Y
Leopardstown Park Hospital Board	284	26	9.2	N	N
Medical Council	48	0	0.0	N	N
Mental Health Commission	47	1	2.1	Y	Y
National Cancer Registry Ireland	55	0	0.0	Y	N
National Cancer Screening Service	288	9	3.1	Y	Y
National Council for the Professional Development of Nursing and Midwifery	13	0	0.0	Y	Y
National Council on Ageing and Older People	8	0	0.0	N	N
National Social Work Qualifications Board	8	0	0.0	Y	Y
National Treatment Purchase Fund	51	0	0.0	Y	Y
Office of Tobacco Control	13	0	0.0	N	N
Pharmaceutical Society of Ireland	18	0	0.0	Y	YSO
Postgraduate Medical and Dental Board	5	0	0.0	Y	NA
Pre-Hospital Emergency Care Council	17	0	0.0	N	N
Safefood	27	0	0.0	Y	N
St James's Hospital Board	4,486	130	2.9	N	YSO
St Luke's and St Anne's Hospital Board	493	7	1.4	Y	N
Voluntary Health Insurance Board	1,022	39	3.8	Y	Y
Women's Health Council	8	0	0.0	Y	Y
Justice, Equality and Law Reform					
Human Rights Commission	15	0	0.0	N ¹¹	N
National Disability Authority	45	8	17.8	Y	Y
Social and Family Affairs					
Citizens Information Board	104	7	6.7	Y	Y
Combat Poverty Agency	24	0	0.0	Y	Y
Family Support Agency	68	3	4.4	Y	N
Office of the Pensions Ombudsman	10	0	0.0	Y	Y

¹¹ ¹¹ not subject to but adheres to Civil Service Code of Practice

Public Bodies	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit completed
Pensions Board	43	0	0.0	Y	N
Taoiseach					
Law Reform Commission	29	1	3.5	Y	Y
National Economic and Social Development Office	25	1	4.0	Y	N
Transport					
Bantry Bay Harbour Commissioners	2	0	0.0	Y	N
Bus Átha Cliath	3,700	79	2.1	Y	Y
Bus Éireann	2,810	26	0.9	Y	YSO
Commission for Aviation Regulation	21	0	0.0	Y	Y
Commission for Taxi Regulation	22	1	4.6	N	NA
Córas Iompair Éireann	220	8	3.7	Y	N
Dublin Airport Authority	3,026	95	3.1	NA	NA
Dublin Port Company	159	4	2.5	NA	NA
Dun Laoghaire Harbour Company	42	1	2.4	Y	Y
Iarnród Éireann	4,890	36	0.7	Y	Y
Irish Aviation Authority	677	22	3.3	Y	N
National Roads Authority	149	2	1.3	Y	Y
Port of Cork Company	117	4	3.4	N	Y
Railway Procurement Agency	287	6	2.1	Y	Y
Road Safety Authority	310	9	2.9	Y	Y
Wicklow Port Company	3	0	0.0	Y	N

Appendix B

Bodies which conducted a Staff Census for 2008 and response rates ¹²

Government Departments	
Defence	45.7
Defence - Civilian Employees	45.7
Education and Science	36.8
Justice, Equality and Law Reform	30.9
Taoiseach	75.4
Public Bodies listed under parent Departments	
Agriculture, Fisheries and Food	
Bord Bia	70.6
Coillte	58.0
Marine Institute	50.0
National Milk Agency	100.0
Sea Fisheries Protection Authority	73.1
Teagasc	53.7
Veterinary Council of Ireland	100.0
Arts, Sport and Tourism	
Arts Council	72.5
Bord na gCon	45.7
Chester Beatty Library	97.4
Crawford Art Gallery Cork	45.0
Fáilte Ireland	78.6
Irish Film Board	100.0
Irish Museum of Modern Art	93.0
Irish Sports Council	58.1
National Concert Hall	79.6
National Gallery of Ireland	88.5
National Library of Ireland	80.9
National Museum of Ireland	60.6
National Sports Campus Development Authority	50.0
Tourism Ireland	85.7
Communications, Energy and Natural Resources	
Broadcasting Commission of Ireland	88.9
Central Fisheries Board	50.0
Commission for Energy Regulation	100.0
Communications Regulator	97.5
Digital Hub Development Agency	100.0
Eastern Regional Fisheries Board	39.7
North Western Regional Fisheries Board	83.3
Northern Regional Fisheries Board	92.5
Southern Regional Fisheries Board	66.0
Western Regional Fisheries Board	49.2
Community, Rural and Gaeltacht Affairs	
Foras na Gaeilge	46.0
Pobal	57.6
Waterways Ireland	61.4
Western Development Commission	100.0

¹² Only those public bodies securing at least a 30% response rate are included

Enterprise, Trade and Employment	
Competition Authority	100.0
County and City Enterprise Boards	99.3
Health and Safety Authority	91.8
Injuries Board	100.0
Irish Auditing and Accounting Supervisory Authority	100.0
National Standards Authority of Ireland	81.4
Science Foundation Ireland	72.2
Shannon Development	88.7
Environment, Heritage and Local Government - Public Bodies	
An Bord Pleanála	39.1
An Comhairle Leabharlanna	93.8
Border, Midland & Western Regional Assembly	100.0
Dublin Docklands Development Authority	49.0
Heritage Council	97.1
Housing Finance Agency	100.0
Irish Water Safety Association	100.0
Limerick Regeneration Agencies	100.0
Local Government Management Services Board	81.8
Private Residential Tenancies Board	43.9
Environment, Heritage and Local Government - Local Authorities	
Clare County Council	75.0
Kilkenny County Council	90.4
Leitrim County Council	84.0
Limerick City Council	68.7
Longford County Council	55.7
North Tipperary County Council	66.7
South Tipperary County Council	73.1
Waterford City Council	51.3
Wexford County Council	65.2
Finance - Public Bodies	
National Treasury Management Agency	94.1
Finance - Civil Service	
An Chomhairle um Oideachas Gaeltachta & Gaelscolaíochta	100.0
Army Pensions Board	100.0
Civil Defence Board	100.0
Coiste an Asgard	100.0
Commission for Public Service Appointments	83.3
Equality Authority	56.5
Equality Tribunal	60.6
Irish Film Classification Office	36.4
National Consumer Agency	82.7
National Property Services Regulatory Authority	37.5
Office of the Appeals Commissioners	100.0
Office of the Attorney General	93.0
Office of the Chief State Solicitor	40.2
Office of the Data Protection Commissioner	88.5
Office of the Ombudsman for the Defence Forces	100.0
State Examinations Commission	71.0
Health and Children	
Beaumont Hospital Board	58.6
Board of the Adelaide and Meath Hospital	56.0
Bord Altranais	60.4
Children Acts Advisory Board	100.0
Crisis Pregnancy Agency	100.0
Dental Council	60.0
Drug Treatment Centre Board	55.8

Dublin Dental Hospital Board	100.0
Food Safety Authority of Ireland	84.4
Health Information and Quality Authority	76.9
Health Insurance Authority	100.0
Health Research Board	91.0
Health Service Executive	44.8
Institute of Public Health in Ireland	59.1
Irish Blood Transfusion Service	52.9
Irish Medicines Boards	74.1
Leopardstown Park Hospital Board	93.0
Medical Council	89.6
Mental Health Commission	85.1
National Cancer Registry Ireland	80.0
National Cancer Screening Service	57.3
National Council for the Professional Development of Nursing and Midwifery	100.0
National Council on Ageing and Older People	75.0
National Social Work Qualifications Board	75.0
National Treatment Purchase Fund	78.4
Office of Tobacco Control	92.3
Pharmaceutical Society of Ireland	100.0
Postgraduate Medical and Dental Board	100.0
Pre-Hospital Emergency Care Council	100.0
Safefood	85.2
St James's Hospital Board	38.7
St Luke's and St Anne's Hospital Board	42.0
Voluntary Health Insurance Board	78.3
Women's Health Council	100.0
Justice, Equality and Law Reform	
Human Rights Commission	86.7
National Disability Authority	80.0
Social and Family Affairs	
Family Support Agency	72.1
Office of the Pensions Ombudsman	100.0
Pensions Board	37.2
Taoiseach	
Law Reform Commission	96.6
National Economic and Social Development Office	100.0
Transport	
Bantry Bay Harbour Commissioners	100.0
Commission for Taxi Regulation	86.4
Córas Iompair Éireann	69.6
Dublin Port Company	67.9
National Roads Authority	59.7
Railway Procurement Agency	85.4
Road Safety Authority	79.4
Wicklow Port Company	100.0

Appendix C

Additional public bodies under the aegis of the Department of Education and Science

	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit done?
City of Cork VEC	1,085	27	2.5	Y	YSO
City of Galway VEC	147	5	3.4	Y	N
City of Limerick VEC	638	16	2.5	Y	N
City of Waterford VEC	351	3	0.9	Y	N
Co Cavan VEC	456	5	1.1	work in progress	Y
Co. Carlow VEC	282	12	4.3	Y	N
Co. Dublin VEC	460	15	3.3	Y	Y
Co. Galway VEC	572	10	1.8	Y	YSO
Co. Kildare VEC	1,145	0	0.0	Y	Y
Co. Limerick VEC	1,043	14	1.3	Y	YSO
Co. Mayo VEC	482	4	0.8	Y	YSO
Co. Meath VEC	527	16	3.0	Y	Y
Co. Monaghan VEC	636	7	1.1	Y	YSO
Co. Roscommon VEC	243	3	1.2	Y	N
Co. Sligo VEC	228	5	2.2		N
Co. Wexford VEC	648	29	4.5	Y	YSO
Co. Wicklow VEC	1,300	30	2.3	Y	YSO
Dublin City University	1,200	7	0.6	Y	Y
Dublin Institute for Advanced Studies	65	1	1.5	Y	Y
Dun Laoghaire VEC	605	11	1.8	N	N
Higher Education Authority	77	2	2.6	Y	Y
Mater Dei Institute	53	3	5.7	N	N
NUI Galway	2,266	35	1.5	Y	Y
NUI Maynooth	957	5	0.5	Y	Y
Royal Irish Academy	104	5	4.8	N	Y
Royal Irish Academy of Music	114	2	2.0	Y	Y
South Tipperary VEC	433	13	3.0	Y	N
St. Angela's College	118	6	5.1	Y	Y

	Total employees	No. with a disability	% with a disability	Written plan, policy or code of practice	Access audit done?
TCD	3,443	74	2.1	Y	Y
UCC	2,893	133	4.6	Y	Y
UCD	3,549	90	2.5	Y	N
UL	1,333	61	4.6	in draft	Y

Appendix D

Statutory Reporting Form (PB1) for public bodies Public Body to Monitoring Committee

Part 5 of the Disability Act 2005 provides for a statutory report on employment of people with disabilities in the public sector. This statutory report is in two parts. Part A is a narrative statement. Part B is a tabular statement, to be supplied in Excel.

Note: The definition of disability to be used in relation to the statutory minimum target is that set out in the Disability Act 2005:

“Disability in relation to a person, means a substantial restriction in the capability of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment”

Name of public body:

Note for Government Departments

If public bodies under your Department are staffed entirely by civil servants or by a majority of civil servants, **these bodies should report as separate entities to the Monitoring Committee of the Department of Finance and not be merged with your Department's return.** Public bodies where a majority of the staff are not civil servants should report to your Department's Monitoring Committee

Monitoring Committee to which it reports:

Calendar year to which report refers:

Part A – Narrative Statement

Question 1

Section 47(1)(a) of the Disability Act 2005 reads as follows:

A public body shall, in so far as practicable take all reasonable measures to promote and support the employment by it of persons with disabilities.

(i) What measures are you taking to comply with this provision? Please detail these:

(ii) Which of these measures have proved particularly successful or useful?

Question 2

How you compiled the data on staff with disabilities

If your figures on the number of employees with a disability are not based on a Staff Census, or are not exclusively based on such a Staff Census, please state how you compiled your figures

Question 3

If your organisation did not reach the statutory minimum target please set out the reasons why below.

(i) Reasons outside your organisation's immediate control.

(ii) Factors that are open to remedial action by your organisation.

(iii) What steps are being taken, or planned, to reach the statutory minimum target?

(iv) Have you engaged with the Monitoring Committee in your parent Department in the last calendar year about actions to achieve compliance with Part 5 of the Disability Act 2005?

Part B – Tabular Statement

DISABILITY ACT 2005 PUBLIC BODIES STATUTORY REPORT PART B		
	REPORT TO MONITORING COMMITTEE	
	YEAR (INSERT CALENDAR YEAR)	
1	Details of Public Body	
1.1	Name of Public Body:	
1.2	Type of Public Body (Government department - G; Public Body staffed by Civil Servants - PBCS; Local Government - LG; Commercial – C; Non-commercial - NC)	
2	Data for monitoring target	
2.1	Total number of employees	
2.2	Number of employees with a disability under the definition in the Disability Act 2005 (enter 0 if None)	
2.3	Percentage of employees with a disability under the definition in the Disability Act 2005 (Please note this will be calculated automatically from the answers at 2.1 and 2.2 above)	
2.4	Did you conduct a Staff Census of employees as of 31 December 2008? (Yes=Y, No=N)	
2.5	If 'Yes', what number of employees responded to the Staff Census	
2.6	Percentage of employees who responded to the Staff Census (Please note this will be calculated automatically from the answers at 2.1 and 2.5 above)	
3	Employee turnover	
3.1	Number of employees recruited in (insert relevant calendar year) (enter 0 if None)	
3.2	Number of vacancies at end of (insert relevant calendar year) (enter 0 if None)	
4	Recruitment	
4.1	Does the body recruit all or most of your own employees? (Yes=Y, No=N)	
5	Other workforce with a disability	
5.1	Number of people on work experience with a disability (enter 0 if None)	
6	Workplace policies on disability	
6.1	Does the body have a written action plan or policy for the employment of people with disabilities? (Yes=Y, No=N)	
7	Code of Practice	
7.1	Is the body subject to a specific Code of Practice on the employment of people with disabilities? (Yes=Y, No=N)	
7.2	If so, name the Code of Practice	
8	Accessibility of premises	
8.1	Has the body had an access audit conducted of your premises and/or sites? (Yes=Y, Yes some only=some only, No=N)	
9	Do all staff with disabilities under the definition in the Disability Act 2005 understand that the information they have provided on their disability status is being used in order to comply with the organisation's legal obligations to report on how many people with disabilities are employed in your organisation? (Y= Yes, N = No, NA = Not applicable because no employees with a disability under the definition in the Disability Act 2005)	
	Notes:	
	(1) Please refer to the number of employees as opposed to the number of whole-time equivalents. Include contract workers but do not include agency employees.	
	(2) People on work experience should not be included in Questions 2 or 3.	
	(3) For 'Type of Public Body' i.e. Question 1.2, use the category 'Public Body staffed by Civil Servants=PBCS' if all or the majority of employees are Civil Servants.	

Statutory Reporting Form (MC1) for monitoring committees

Monitoring Committee to Minister and the National Disability Authority

(Insert calendar year)

Monitoring Committee for Department of

This statutory report is in three parts. Part A lists public bodies under your aegis, with details of their reporting status under Part 5 of the Disability Act 2005. Part B is a narrative statement. Part C is a tabular statement, to be supplied in Excel.

Combine the Excel spreadsheets from individual public bodies into a single spreadsheet to be supplied to your Minister and the National Disability Authority.

Please report on all public bodies as separate entities. For example, individual public bodies staffed wholly or mainly by civil servants should be shown individually, not merged with their parent Department.

Note: The definition of disability to be used in relation to the statutory minimum target is that set out in the Disability Act 2005:

“Disability in relation to a person, means a substantial restriction in the capability of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment”

Part A – List of public bodies for which return is made

Public bodies under the remit of your Department that made a return to your Monitoring Committee on compliance with Part 5 of the Disability Act 2005 in respect of calendar year

Please list these by the percentage of employees with a disability¹³ that they reported for the last calendar year

Name of public body	% (Highest to lowest)

¹³ Use the percentage automatically calculated in the Excel spreadsheets supplied by public bodies

Part B - Narrative Statement

Question 1

Section 47(1)(a) of the Disability Act 2005 reads as follows:

A public body shall, in so far as practicable take all reasonable measures to promote and support the employment by it of persons with disabilities

(i) Which public bodies in the opinion of the Monitoring Committee are taking actions to comply with this provision? Please detail these:

Name of public body (in alphabetical order)	Measures taken by that public body to comply

(ii) In the opinion of the Monitoring Committee which of these measures have proved particularly successful or useful?

Name of public body (in alphabetical order)	Successful or useful measures taken

Question 2

How public bodies compiled data on staff with disabilities (where the data is not exclusively from a Staff Census)

For each public body whose figures of the number of employees with a disability are not based (or not exclusively based) on a Staff Census, please set out how they compiled their figures

Name of public body (in alphabetical order)	Method used to compile data (including any combination of Staff Census with other data)

Question 3

For those public bodies that did not reach the statutory minimum target please set out the reasons why below..

(i) Reasons the Monitoring Committee considers being outside the public body's immediate control.

Name of public body (in alphabetical order)	Reasons

(ii) Factors that the Monitoring Committee considers are open to remedial action by the public body

Name of public body (in alphabetical order)	Factors

(iii) What steps are being taken, or planned, by public bodies which are currently below the statutory minimum target to reach the target?

Name of public body (in alphabetical order)	Steps taken or planned

(iv) In the last calendar year what contacts have been made by the Monitoring Committee with public bodies about actions to achieve compliance with Part 5 of the Disability Act 2005?

Name of public body (in alphabetical order)	Detail of contact

(v) Any recommendations the Monitoring Committee wishes to make in respect of any individual public body

(vi) Any general recommendations the Monitoring Committee wishes to make

NDA may, where it deems necessary, request the individual report(s) received from the public body/bodies under your Department's remit

Part C – Tabular Statement

Disability Act 2005 Monitoring Committees Statutory Report Part C

Report to Minister and National Disability Authority

Year (Insert Calendar Year)

Name of Monitoring Committee:

		Agency	Agency
1	Details of Public Body		
1.1	Name of Public Body:		
1.2	Type of Public Body (Government department - G; Public Body staffed by Civil Servants - PBCS; Local Government - LG; Commercial – C; Non-commercial - NC)		
2	Data for monitoring target		
2.1	Total number of employees		
2.2	Number of employees with a disability under the definition in the Disability Act 2005 (enter 0 if None)		
2.3	Percentage of employees with a disability under the definition in the Disability Act 2005 (Please note this will be calculated automatically from the answers at 2.1 and 2.2 above)		
2.4	Did you conduct a Staff Census of employees as of 31 December 2008? (Yes=Y, No=N)		
2.5	If 'Yes', what number of employees responded to the Staff Census		
2.6	Percentage of employees who responded to the Staff Census (Please note this will be calculated automatically from the answers at 2.1 and 2.5 above)		
3	Employee turnover		
3.1	Number of employees recruited in (insert relevant calendar year) (enter 0 if None)		
3.2	Number of vacancies at end of (insert relevant calendar year) (enter 0 if None)		
4	Recruitment		
4.1	Does the body recruit all or most of your own employees? (Yes=Y, No=N)		
5	Other workforce with a disability		
5.1	Number of people on work experience with a disability (enter 0 if None)		
6	Workplace policies on disability		
6.1	Does the body have a written action plan or policy for the employment of people with disabilities? (Yes=Y, No=N)		
7	Code of Practice		
7.1	Is the body subject to a specific Code of Practice on the employment of people with disabilities? (Yes=Y, No=N)		
7.2	If so, name the Code of Practice		
8	Accessibility of premises		
8.1	Has the body had an access audit conducted of your premises and/or sites? (Yes=Y, Yes some only=some only, No=N)		
9	Do all staff with disabilities under the definition in the Disability Act 2005 understand that the information they have provided on their disability status is being used in order to comply with the organisation's legal obligations to report on how many people with disabilities are employed in your organisation? (Y= Yes, N = No, NA = Not applicable because no employees <i>with a disability under the definition in the Disability Act 2005</i>)		

Notes:

- (1) Please refer to the number of employees as opposed to the number of whole-time equivalents. Include contract workers but do not include agency employees.
- (2) People on work experience should not be included in Questions 2 or 3.
- (3) For 'Type of Public Body' i.e. Question 1.2, use the category 'Public Body staffed by Civil Servants=PBCS' if all or the majority of employees are Civil Servants.

Appendix E

CSO National Disability Survey 2006: People of working age with disabilities by disability type¹⁴

	Estimated nos. aged 18-64
Seeing	21,300
- moderate difficulty	11,600
- a lot of difficulty	8,300
- cannot see	1,400
Hearing	22,900
- moderate difficulty	14,200
- a lot of difficulty	7,600
- cannot hear	1,200
Speech	15,700
- moderate difficulty	7,500
- a lot of difficulty	4,700
- cannot speak	3,500
Mobility and dexterity	84,500
- moderate difficulty	32,100
- a lot of difficulty	31,300
- cannot do	21,000
Remembering & concentrating	54,700
- moderate difficulty	29,400
- a lot of difficulty	26,900
- cannot do	4,800
Intellectual & learning	37,800
- a little difficulty	6,700
- moderate difficulty	13,000
- a lot of difficulty	12,200
- cannot do	5,800
- of which diagnosed with intellectual disability	25,900
Emotional, psychological & mental health	74,700
- a little difficulty	15,300
- moderate difficulty	32,400
- a lot of difficulty	25,300
- cannot do	1,800
Pain	87,800
- moderate difficulty	41,200
- a lot of difficulty	43,800
- cannot do	1,700
Breathing	35,800
- moderate difficulty	23,300
- a lot of difficulty	12,000
Total persons with a disability	172,600
Proportion of total population aged 18-64	6.3%

¹⁴ These figures are based on the National Disability Survey 2006 – First Results, Census sample, except for the last line of the table giving total number of people with disabilities aged 18-64 which comes from Census 2006. The categories are not mutually excluding as individuals may have a number of different types of impairment. The number of people recorded with a disability is sensitive to the questions used and the form of interviewing. The figures indicate a broad order of magnitude not precise estimates.