

NDA independent assessment of progress under NDIS 2017-2018

Introduction

The National Disability Authority (NDA), as the independent statutory body, provides information and advice to the Government on policy and practice relevant to the lives of persons with disabilities, and has a role to promote Universal Design through its Centre for Excellence in Universal Design (CEUD). We have a role to assist the Minister for Justice and Equality and relevant officials in the co-ordination of disability policy.

The National Disability Inclusion Strategy 2017-2021 (NDIS) is a whole-of-government approach to improving the lives of persons with disabilities. It therefore provides a significant framework for all activity across government departments and agencies which can support progress in delivering on the obligations in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which was ratified in March 2018.

The Department of Justice and Equality is the coordinating body for the NDIS. The NDA works to support implementation of the strategy through our engagement with the departments and agencies concerned and also independently monitors and evaluates progress over the lifetime of the Strategy.

This report is the first independent assessment prepared by NDA since the NDIS was launched in July 2017. It was noted by the NDISSG that the first assessment by NDA would cover an 18-month period, in order to allow time and space for the many actions committed under the Strategy to progress and develop. Our assessment does not provide a detailed analysis of each of the 114 actions within the Strategy but instead focuses on broader areas or themes, noting those areas where further focus and commitment may be required. The departmental reports, collated by Department of Justice and Equality in December 2018 offer a breakdown of progress at the level of individual actions, and the NDA has considered same in preparation of this report.

We also note that separately, the Strategy commits to a mid-term review progress by the Steering Group, following which a revised iteration of the NDIS may issue. NDA advises that this review may best be timed for the second half of 2019, thereby allowing over two years of activity on the part of departments and public bodies to be reviewed. Our own independent assessment papers may be

helpful to such a review, as will our measurement of progress against the agreed suite of indicators for the NDIS.¹

The report structure offers a summary of some key highlights for the first 18 months of the Strategy's implementation in its first half, and then offers a more detailed analysis of progress under the 8 thematic priorities within the NDIS in the second part of the paper:

1. Equality and choice
2. Joined up policies and public services
3. Education
4. Employment
5. Health and well-being
6. Person-centred disability services
7. Living in the community
8. Transport and accessible places

What has been achieved to date

The NDA acknowledges the commitment across government departments and agencies to the NDIS, which has delivered a range of achievement, some of which are highlighted below in terms highlights of the first 18 months of the Strategy.

- Ratification of UNCRPD in March 2018, with strong Government commitment to realising the vision of the Convention, and to continuing work to allow ratification of the Optional Protocol no later than Ireland's first report to the monitoring committee.
- On-going work to facilitate commencement of the Assisted Decision Making Capacity Act, including:
 - Establishment of the Decision Support Service
 - Development of Codes of Practice to offer practical guidance on the interpretation of the legislation and the variety of decision-support arrangements set out within it
- Publication of the Make Work Pay Report² and on-going implementation of its 24 recommendations, with the aim of ensuring work pays, and is seen to pay, for persons with disabilities, including the increase of the

¹ <http://nda.ie/Publications/Others/National-Disability-Inclusion-Strategy/An-Indicator-Set-to-Monitor-the-NDISI.pdf>

² <https://www.welfare.ie/en/Pages/Make-Work-Pay-Report-2017.aspx#>

earnings disregard for retention of Disability Allowance and the Medical Card

- Implementation of the Access and Inclusion Model of supports for children with disabilities in early childcare settings
- Completion by NCSE of a review of SNA provision in schools, supported by research commissioned by NDA, followed by policy advice regarding a new model of allocation of in-school supports
- Implementation of new ballot papers to facilitate independent voting by persons with visual impairments during referendums
- Adoption of a suite of indicators developed by NDA to measure progress over the full life-time of the Strategy, with a focus on outcomes for individuals as well as monitoring delivery of actions.³
- Development of a second 3-year action plan under the Comprehensive Employment Strategy, building on progress made in the foundation phase
- Publication of the report of the Task Force on Personalised Budgets, including recommendations regarding a series of demonstration projects to test approaches that could be scaled up in a national programme

Areas where work is well advanced

There are a number of areas where work is well advanced, and NDA notes the progress made to date, and looks forward to continued work in 2019. These areas include:

- On-going work to ensure accessibility of public services, including the roll-out by Department of Public Expenditure and Reform (DPER) of the published Customer Engagement Toolkit for the public sector, incorporating the principles of Universal Design for all types of communication with those using public services⁴
- Preparations by the Department of Communications, Climate Action and Environment (DCCA) for the transposition of the Web Accessibility Directive to ensure all public sector websites are fully accessible to persons with disabilities
- Review of the effectiveness of Section 25 of the Disability Act, with the aim of developing recommendations to facilitate the obligation for public

³ <http://nda.ie/Publications/Others/National-Disability-Inclusion-Strategy/An-Indicator-Set-to-Monitor-the-NDISI.pdf>

⁴ <http://publicservice.universaldesign.ie/>

- bodies to ensure their public buildings are brought into compliance with Part M 2010 by 2022
- Further work to improve accessible voting procedures in time for local and European elections in 2019, building on the successful trial of an accessible referendum ballot paper in May 2018
 - Preparations for commencement of Irish Sign Language legislation, including further development of the SLIS service
 - Finalisation of a comprehensive review of guidance services in schools, including consideration of provision in special schools and for learners with disabilities
 - Development of policy advice to guide development of a national programme for vocational rehabilitation, informed by stakeholder discussions and implementation of programmes for medical and neuro rehabilitation also underway
 - Design and implementation of a series of demonstration projects, including an evaluation framework, to test approaches to provision of personalised budgets, based on the report of the Task Force on Personalised Budgets, delivered in July 2018⁵

Areas where further focus is required

The NDA advises that there are a number of actions where delays have arisen and where additional focus will be necessary in 2019 to ensure progress is made, including:

- Work to complete the review and implementation of Vision for Change, and associated actions to ensure services for children and adults with mental health difficulties are available and accessible in all regions
- Review of the Mental Health Act 2001 to ensure full compliance with the requirements of UNCRPD
- Development of legislation to manage Deprivation of Liberty for those who lack capacity to consent to admission to a designated facility
- Continued work to progress the move of persons with disabilities from institutional settings to homes within the community, including actions to ensure adequate and suitable housing supply
- Ongoing work to progress children's disability services, and in particular the development of multi-disciplinary teams that adopt a 'family first' approach to the provision of supports

⁵ <https://health.gov.ie/disabilities/task-force-on-personalised-budgets/>

- Enhancing structures to ensure departments and agencies can effectively collaborate to deliver cross-sectoral actions

Implementation of NDIS and Reporting on Progress

The 'Traffic light' reporting template completed by each Department with responsibility for actions under the NDIS, and collated by Department of Justice & Equality, is a practical way of monitoring progress against these actions, and identifying those areas where significant delays have arisen. The NDA advises that there may be some scope to make minor revisions to the template to ensure that Departments provide informative but accurate returns that are directly tied to the action in question. Further information can be provided in the brief narrative paper that each department submits to accompany their Traffic Light score-card.

The NDA advises that in the next phase of implementation of the Strategy, it would be helpful for Departments and agencies to identify how the headline actions can be translated to their annual corporate work programmes, and to report against them in this regard. This will be useful in ensuring any progress is clearly visible, but equally ensuring that those areas where delays have arisen are readily apparent. At present, there are a number of actions within the Strategy assigned to 'all departments and agencies' or 'all public bodies'. It can be challenging to ensure robust reporting and measurement of progress for such actions, and the NDA suggests that it will be easier to identify tangible targets and deliverables if each public body undertakes to consider how such an action would be implemented and accounted for within their own organisations, and in the case of government departments to ensure co-ordinated reporting by agencies under their aegis.

The NDA welcomes the fact that all Departments have established their Departmental Consultative Committees, comprising relevant officials, representation from the NDA, and representation from those with lived experience of disability. These Committees focus on discussion of progress against the committed actions within each Department, and we also welcome the extent to which many DCC's have included consideration of the Comprehensive Employment Strategy in their discussions. The timing of the DCC meetings is important in order to allow any challenging issues to be identified in good time for departmental officials to escalate internally as appropriate, but also to ensure DJE and the NDA can identify any topics that would merit a broader discussion

at the meetings of the NDIS Steering Group, informed by the feedback of DSG members.

The NDA congratulates the fifth iteration of the DSG on its new membership and welcomes the commitment of these members to participating in the monitoring of progress under the NDIS. In particular, the composite report delivered by the DSG Chair at meetings of the Steering Group is very welcome as an efficient way of highlighting those issues that are of importance or concern to individual members.

Data gathering and collection

A crucial element of being able to monitor progress under the NDIS is access to timely and accurate data regarding the numbers of persons with disabilities who are accessing and requiring services. The NDA developed a suite of indicators against which the high-level outcomes associated with the Strategy can be measured over its life-time, and these indicators have been adopted by the Steering Group. NDA has committed to begin data gathering and analysis against these indicators in 2019, as the mid-point of the Strategy, and this exercise may be helpful to inform any mid-term review of the NDIS as outlined above.

Access to high-quality data will be essential in using these indicators, but also in allowing departments and agencies to monitor and report on progress for individual actions as well. The NDA welcomes the steps taken across the public service to enhance data collection and where possible to break this data down by disability type and other important variables, e.g. age, gender, etc.

We note the recent establishment of a unit to consider social inclusion within SOLAS for example, and welcome the information this can provide on numbers of persons with disabilities requiring and accessing further education opportunities. We also note that the HSE has begun a series of exercises to improve its data collection in the context of constrained resources. However, there is a need for this work to continue in order to give an accurate portrait of the demand for services, the scale of any unmet need, and over time, any improvements in provision for persons with disabilities. The NDA is available to advise any public body on its data collection approaches that have relevance to disability.

NDIS and UNCRPD

The NDA considers that the National Disability Inclusion Strategy has the potential to provide a framework for progressing implementation of the Articles of the Convention, as indeed many of the actions in the current Strategy support same. However, this would need to be expanded and built on over time to both cover all Articles, and also to ensure continued progress. This would be informed by the outcome of a mid-term review of the Strategy, suggested for the second half of 2019. The Strategy itself is an over-arching instrument that encompasses many national programmes and strategies relevant to the lives of persons with disabilities, e.g. the Comprehensive Employment Strategy, the Transforming Lives programme, the Vision for Change Programme, policies to support early years care and education, and the Rebuilding Ireland Strategy etc.

At present, as outlined above, the NDIS Steering Group comprises officials from the range of departments charged with activity under the Strategy, recognising the whole-of-government approach that underpins it. The thematic approach to meetings should enable officials from the relevant units of a government department and its agencies attend meetings to discuss actions committed and not just the official who has responsibility for co-ordinating a report to the Committee. The composition of the NDIS SG provides a rounded picture of progress under the NDIS. The NDA recommends that it would be helpful to allocate one of the meetings of the NDIS Steering Group each year to a focused discussion of Ireland's progress under UNCRPD, taking the opportunity of hearing the combined perspectives of officials and members of the DSG, and linking the activity under NDIS directly to the Convention.

We advise that it would be useful to publish progress reports on developments under NDIS.

Engagement with civil society is an important element of the State's reporting process under UNCRPD, and the participation of the DSG in NDIS monitoring provides additional value in that regard.

Thematic Approach to NDIS Steering Group Meetings

In 2018, the NDIS Steering Group adopted a thematic approach to its meetings. Group, which provided an opportunity to consider certain topics in a focused manner, with a view to considering challenges to implementation that may have arisen, and effective solution finding. The thematic approach has the potential to foster a greater degree of cross-sectoral understanding of some of the significant

developments of relevance to the NDIS. In particular, thematic meetings can highlight:

- What actions related to that theme within the NDIS are working
- What actions require further support to progress
- The views of the group on what could be helpful to addressing any challenges or delays that have arisen

The NDA advises that it would be helpful to continue this approach for the meetings in 2019, and sets out some suggestions for topics that could be further explored in this way below. We also suggest that as the Strategy progresses and developments continue it may also be relevant for the Group to consider whether further or new actions need to be included within it, in keeping with the position that the Strategy is a living document.

- Recent developments re CES, including consideration of next three-year action plan, agreement of thematic approach, consideration of NDA Independent Assessment on progress for July 2017-Dec 2018.
- Focused meeting on UNCRPD, to include discussion of reporting and monitoring structures, progressive realisation of vision of Convention etc.
- Independent Living in the community – opportunities and barriers, to include consideration of the role of local authorities in this space
- Person centred disability services – day and residential
- Progress on actions relevant to supports and services for those with mental health difficulties

Summary

The NDIS is an important policy instrument in the Irish landscape, both because of its whole-of-government premise, and because of its capacity to support progressive realisation of the aims of UNCRPD. The NDA notes that it was designed to be a ‘living document’, allowing the capacity and flexibility to have actions added or amended as time progresses. The latest collated progress report developed by Department of Justice and Equality shows at least 13 actions fully completed, with further updates due in June 2019. The NDA advises the importance of revisiting these actions in order to see if they can be reframed and refreshed to capture the next phase of activity. Equally, as new priorities emerge over time, it may be relevant to identify additional actions for inclusion, particularly to ensure that any gaps in Ireland’s compliance with UNCRPD can begin to be addressed. This will be important further to the mid-term review in 2019.

NDA acknowledges the work done by departments and agencies in implementing the Strategy to date, and notes that some challenges remain to be addressed. We look forward to advising and supporting progress over the next phase of implementation of the Strategy, as relevant and appropriate.

The remainder of this report sets out a more in-depth analysis of progress under each of the Strategy's thematic headings.

Equality and Choice

This theme encompasses the largest number of actions within the National Disability Inclusion Strategy, at 29. These actions are developed with the aim of ensuring persons with disabilities are recognised and treated equally before law and have the same rights and responsibilities as other citizens, as well as having access to public services, buildings and communications to enable them make their own choices and decisions, while free from abuse. There are a number outstanding to be progressed.

UNCRPD

The Traffic Light report delivered in December 2018 indicates that the majority of the actions are on track, with a small number (3) not yet commenced. The most significant achievement within this theme was the ratification by government of the UNCRPD in March 2018. The NDA notes, however, that further work remains to allow ratification of the Optional Protocol to the Convention. The intention of this protocol is to provide a mechanism for referral of complaints once all national avenues have been exhausted. The government has indicated that the protocol will be ratified at the earliest opportunity, but that a number of other actions will need to be progressed first, including passing of legislation concerning deprivation of liberty. The NDA advises the importance of continued efforts to finalise the draft legislation on this complex question, noting that it is an area the UN Monitoring Committee is likely to be critical of.

Supporting Decision Making by people whose decision-making capacity is in question

Work has been progressed to facilitate full commencement of the Assisted Decision Making (Capacity) Act of 2015. The NDA is aware that there is some frustration in disability organisations about the speed of progress in this regard, but notes that it is a complex area requiring significant culture change. The presumption of capacity is an important guiding principle, and the NDIS commits all public bodies to embedding the principle in all their engagements with persons with disabilities. Nevertheless, this may require new ways of working that can take time to embed, and it would be helpful if public bodies provided tangible and measurable deliverables in their commitments under the Strategy, so that progress can be tracked.

The NDA welcomes the establishment of the Decision Support Service, and notes the body of work underway to operationalise its functions in accordance with the legislation. The NDA itself has delivered 9 Draft Codes of Practice to the Director of the Decision Support Service, to facilitate implementation of the service, providing high level guidance on the various decision-making support

arrangements that are included under the Act. Registers and panels under the Director are required to be put in place before the legislation can be fully commenced. We look forward to the next steps in this regard, including public consultation on the draft Codes of Practice as required under the Act.

We also look forward to completion of work being led by the HSE on Codes of Practice for health and social care professionals and Advanced Healthcare Directives. Each of these will be of relevance to ensuring that persons with disabilities whose decision-making capacity is in question or who lack decision-making capacity can be supported as far as practicable to make decisions in their everyday lives. Where people enter into decision-making support arrangements, the individual's autonomous decision-making and will and preferences will be prioritised, and adequate safeguards against abuse of any kind will be critical.

NDA notes that relevant units in the Department of Justice and Equality have considered their current impact assessments, including the Disability Impact Assessments, and believe them to be sufficiently comprehensive that there is no need for a separate guideline for impact on women with disabilities, as per Action 7. The NDA advises, however, that it may be helpful to refresh this action now that this first step is completed, noting that there is a commitment to disability proof all government policies against their potential impact on persons with disabilities, and that this would also encompass women with disabilities. We note that gender equality is often an area of focus for the UNCRPD monitoring committee when reviewing State Party reports, and so the availability of disaggregated data regarding women and children with disabilities would be necessary in this regard.

Mental Health

The NDA notes that, with the exception of progress in the area of employment, there has been little detail in the reports on actions relevant to mental health, including the reform of associated legislation. We understand that draft heads of Bill are in preparation, but look forward to seeing these progressed to the next stage as early as possible.

Access to Justice

We note that the Department of Justice and Equality has overseen the transposition of the EU Victims of Crime Directive, and welcome this development. It will now be important for all constituent agencies – e.g. Irish Prison Service, An Garda Síochána etc. – to ensure that the provisions of the legislation are translated into practical approaches within their daily operations. The NDA also advises the importance of considering the needs of vulnerable victims of crime, e.g. persons with intellectual disabilities, mental health difficulties and communication difficulties, in how services and supports are provided to

ensure these victims have access to justice on the same basis as everyone else. This may include approaches such as the wider roll-out of intermediaries in supporting vulnerable victims in reporting crime and in a court situation. Change in both attitudinal (e.g. training for staff in the justice system) and physical supports (e.g. accessible Garda stations and court buildings) will also be important in this regard.

NDA also notes the review of the Prohibition of Incitement to Hatred Act is ongoing (Action 15), and that there is a private members bill that may feed into this process. We welcome consideration of disability as a ground within the definition of hate crime, and particularly to identify crimes committed against people with disabilities where the crime appeared to be aggravated by the person's disability. However, NDA acknowledges that collecting accurate and robust data will need to be a key feature of any hate crime legislation enacted. NDA understands that the Garda Victim Support Offices collect anti-disability data (as opposed to hate crime) which is intended to allow Gardai to monitor crimes of an anti-disability nature against persons with a disability and particularly repeat crime against a person. We look forward to seeing progress in this data gathering and analysis in order to identify any issues or concerns arising in this space.

Accessible public services

There are a range of actions under this theme devised with the aim of ensuring public services and supports are accessible and available to all persons with disabilities. These include actions related to physical access, but also how information and communications are provided by public bodies. The NDA advises that further focus will be required in some areas to ensure that progress can be made, particularly now as some of the financial restrictions from earlier in the decade have eased. This is especially relevant in the context of public buildings being brought into compliance with Part M accessibility standards by 2022, as greater momentum will need to be achieved in this regard. It also requires a system to co-ordinate information on how compliance is being progressed, noting not all buildings come under the OPW.

We note the forthcoming transposition of the EU Web Accessibility Directive, and look forward to confirmation by the Department of Communications, Climate Action and Environment on the monitoring and enforcement roles that will apply in an Irish context. The NDA recognises the importance of ensuring that all public service websites are developed and revised to ensure that information can be easily accessed and understood by all users, and in this regard highlights the significance of Universal Design in ensuring communications and services are designed for the widest possible group of users. We welcome the

continued roll-out by DPER of the Customer Engagement Toolkit⁶ as a guide to a Universal Design approach to provision of public services, and look forward to seeing its widespread implementation by Departments and agencies. Similarly, we are engaged with the Irish Computer Society to carry out research to inform and guide development of CPD for ICT professionals, ensuring that relevant training on accessibility of websites can be provided in both public and private sectors.

The NDA revised the Code of Practice for Accessible Public Services and Information, which has required a time extension but will be published as soon as the statutory instrument for the code has been approved. The NDA's Accessibility Toolkit has been reviewed but further revisions are required before the updated version can go live.

The Irish Sign Language Bill was passed by the Oireachtas at the end of 2017, providing for expansion of sign language services within the public sector to ensure persons with hearing difficulties can access services as required. While the Government has 2 years to fully commence the legislation, the NDA notes that there are significant resource implications involved and would welcome further information across departments about practical and tangible actions that could be progressed in this regard. It will also be important to ensure that communications regarding the availability of services are clear and up-to-date, to enable those using services to plan their interactions accordingly.

The NDA welcomed the trial by Department of Housing, Planning and Local Government of a ballot paper format to enable private voting by persons with visual impairments at the May 2018 referendum. We note the on-going work within the department to address feedback from the experience, and to identify approaches to roll-out a suitable ballot paper for local and European elections in May 2019. These are significant steps that will assist in Ireland's compliance with Article 29 of the UNCRPD.

General points

There are a number of actions under this theme that require interpretation and translation at local level by all public bodies. These include the commitment around provision of disability awareness training to all staff (Action 20), embedding and promoting presumption of capacity into the way services are designed and delivered (Action 6), and implementation of the Action Plan on Autism (Action 21). The NDA advises the importance of each department and agency clearly identifying the commitments they are progressing in this regard, ensuring that deliverables or measures of performance are transparent, so that

⁶ <http://publicservice.universaldesign.ie/>

progress can be tracked in the next phase of implementation of the Strategy. This may be achieved by seeking advice from departments as to how the commitments within the Strategy will be translated into annualised corporate action plans, and using this as the basis for reporting under NDIS.

Joined up policies and public services

While there are only a small number of actions under this heading (4), NDA notes the importance of cooperation across government departments and agencies as a critical part of driving improvements for persons with disabilities. Many areas are interconnected e.g. housing and disability supports, built environment and transport, etc. For this reason, progress can be most efficient and effective if relevant departments can work together to resolve issues. It would be helpful if there could be an established mechanism or structured approach to support such cross-departmental working, noting that challenges can still arise in terms of governance and budget to progress actions across sectors.

We are aware that there are some positive examples of joint working in some areas that could provide models for other initiatives. For example, the roll-out of the Access and Inclusion Model of supports for children with disabilities accessing the Early Childhood Care and Education provision, has arisen out of collaborative working between DCYA, Department of Health and DES.

NDA also notes the work on an interdepartmental group to consider transitions comprising DCYA, DES, DOH, NCSE and HSE. NCSE and HSE are currently scoping work to ensure better transition planning for students with disabilities leaving school and seeking day services through development of an RT Transition Programme, recognising that it would be beneficial for the students and their families if this planning could begin much earlier, i.e. in the two years leading up to school-leaving, rather than in the final year as currently happens in some instances.

The NDA notes that the actions committed to under this heading are focused on transitions for children, and also on how public bodies engage with persons with disabilities in the design and delivery of services. These are both important areas of focus, but the need for joined up policies and services can equally apply in several other areas, including employment, community development, and the process to move persons with disabilities out of institutional settings into inclusive communities.

Transitions

The importance of transitions for young people with disabilities and preparing for those transitions is consistently highlighted as a critical element of any individual's pathway through early years support, education, training and employment.

Effective management of transitions requires cooperation at both national and local level across a range of departments and agencies, including Department of Children and Youth Affairs, Department of Education and Skills, Department of Health, and also relevant agencies including TUSLA, HSE and NCSE. NDA notes that these parties currently meet at national level as a cross-sectoral implementation group. However, it may be helpful to consider how cooperation at this level can be delivered at local level. The NDIS commits to delivery of local health and education forums, but it would be helpful to have additional clarity as to how these are being rolled out as a means of implementing policy decisions made at the national level, and to consider their effectiveness.

Work recently completed for the DCYA and DES by NDA on the subject of over-age exemptions, highlighted the importance of strong management of transitions between the various phases of education, and indicates that these transitions need to be planned for even at very early stages – i.e. between early years care and education settings, and primary education. This requires all parties to have robust protocols and approaches to communication and referrals, and a successful approach in this regard would offer a model for other key transition points in an individual's lifetime.

The NDA advises that work done between DES, Department of Health, HSE and Department of Employment Affairs and Social Protection (DEASP) on the subject of employment supports offers another example of the importance of cross-sectoral collaboration. This work is being progressed under the Comprehensive Employment Strategy, but has relevance to the theme of joined up policies and services, recognising as it does the importance of policies interacting efficiently with each other across the areas of education, employment and person centred disability social care services. In particular, the 5.1 working group has recognised the importance of protocols to be put in place to guide co-operation across agencies and departments to ensure effective referral processes and sharing of information. When implemented, this could serve as a model for other instances of cross-departmental/agency cooperation.

Engagement with Persons with Disabilities

While departments and agencies are developing mechanisms to foster collaboration between themselves, it is also important that policy decisions are informed by the lived experience of persons with disabilities and their families. NDA notes that every department now has a Disability Consultative Committee to consider activity under the NDIS, and that members of the Disability

Stakeholders Group or other disability representatives form part of these groups. This offers valuable opportunities to consider commitments within the Strategy, particularly areas where challenges or delays have arisen, and to benefit from the perspectives of those likely to be affected by any policy changes.

As UNCRPD is implemented, however, it will be important for all departments and agencies to consider how they can engage with civil society beyond the DCCs particularly in mainstream policy, planning and service areas, including at local levels. It would be helpful if the actions articulated within the NDIS in this space and their delivery are informed by engagement as appropriate in this regard. There are some very good examples of how this has been working e.g. the co-designed consultation process rolled out by DEASP to explore attitudes to the concept of early engagement in relation to the disability allowance, subsequent to recommendations in the Make Work Pay Report. The approach taken ensured the consultation process was fully inclusive and valued by stakeholders, leading to the gathering of rich information to inform next steps. The NDA looks forward to publication of the report of this exercise.

NDA also notes that under the Transforming Lives programme, a working group of disability stakeholders developed a framework to promote effective participation of persons with disabilities in decision-making and development of services within the remit of the HSE/Department of Health. The learning from this framework may offer useful guidance to other departments and public bodies of how to ensure meaningful engagement with individuals with disabilities when policies are being developed or rolled out.

Education

Traditionally, persons with disabilities have achieved lower levels of educational attainment than their non-disabled counterparts, with only 13% of individuals with disabilities holding a degree or higher qualification in the 2016 Census, compared to 25% of those without a disability. The NDA notes, however, that this is starting to improve over the last decade,⁷ and welcomes actions underway in relevant Departments and agencies to ensure that education at all levels can be accessed and enjoyed by persons with disabilities which is also relevant to future employment opportunities. We note that many of the actions relevant to post-school education, e.g. further education and training or higher education, form part of the Employment Theme, and so will be covered in that section.

⁷ <http://nda.ie/Image-Library/PDF-Downloads/NDA-Factsheet.pdf>

Early Childhood Care and Education

NDA in particular welcomes the fact that the commitments under this theme include a focus on early childhood care and education, and specifically the focus on implementation of the Access and Inclusion Model of supports to participate in the ECCE programme. A review of the first year of implementation of this significant programme has been completed, and we look forward to seeing the learning from this review captured and progressed.

The goal of AIM is to empower service providers to deliver an inclusive pre-school experience, based on a child-centred model with several levels of progressive support ranging from the universal to the target. During 2018, DCYA advanced the AIM inclusive play packs project, which saw over 6,000 packs containing a selection of toys and instructional material for children of all abilities delivered to all Early Learning and Care settings.

The Department of Education has also committed to implement, in collaboration with the Department of Children and Youth Affairs and other stakeholders, the relevant education-focussed actions from “First 5, A Whole of Government Strategy for Babies, Young Children and their Families 2019-2028” including actions on workforce development, curricular development (including work on Early Years to Primary transitions), and quality assurance. NDA welcomes this further emphasis of cross-departmental work to strengthen collaboration across the education continuum, and expects that it will further improve transition planning in these early years.

In-school supports

NDA was also pleased to see a comprehensive review of the Special Needs Assistant programme progressed by the NCSE, informed by NDA-commissioned research on how well young people with disabilities are prepared for life after school.⁸ While investment in the SNA scheme has been increasing year on year, it is important to ensure that the investment is being directed in a way that ensures young people with disabilities can maximise their potential. The research explored some concerns that while an SNA can assist a learner to navigate school and participate in classroom activities, there is a risk that the current allocation model could leave students losing some capacity for independence, which became a disadvantage when progressing to further education, training or employment. In this context, the NCSE’s policy advice regarding a new ‘inclusion support’ model of resource allocation, issued in summer 2018 was welcome,⁹ and

⁸ <http://nda.ie/Publications/Education/Education-Publications-/A-qualitative-study-of-how-well-young-people-with-disabilities-are-prepared-for-life-after-school-.html>

⁹ <https://ncse.ie/policy-advice>

we look forward to seeing this policy implemented on a pilot basis as soon as possible.

We also note the continued work to increase the capacity of the NEPS service, with sanctioned psychologist numbers increasing from 162 whole-time equivalents in 2016 to 194 in 2018. additional psychologist posts to NEPS were announced as part of Budget 2019, and NDA looks forward to this move to bring overall numbers to 204.

Career Guidance

The Department of Education and Skills progressed a comprehensive review of career guidance provision during 2018. The NDA acknowledges the Department's moves to ensure that the parameters of the review incorporated consideration of career guidance provision for students with disabilities, and particularly those in special classes or special schools. Ensuring that career guidance teachers receive any training and development necessary to assist them in providing supports to students with disabilities will be a critical aspect of helping these students to prepare for life after school. We look forward to seeing this point, and others, captured in the report of the review which is due for publication and that translated into the development of effective career guidance supports for students with disabilities.

Mental Health promotion in School

NDA notes that Action 44 of the NDIS commits to implementing Guidelines for Mental Health Promotion in both post-primary and primary schools. We welcome the fact that the training programmes to facilitate this implementation process have commenced in early 2019, noting the importance of teachers receiving training and professional development to enable them address the needs of students with disabilities, including mental health difficulties. We also emphasise the importance of evaluating the impact of the roll-out of such programmes over time.

Data and reporting

The Department has indicated in its reporting under NDIS that its Technical Guidance Documents for school and educational buildings (Action 40) have been revised to incorporate Universal Design Principles. This is an important development, but the NDA would welcome sight of how this guidance is now being implemented, and its benefit evaluated. Similarly, where the NCSE has developed and disseminated guidance on transitions to schools and parents, it would be helpful to consider what follows this action, and to see if the guidance is proving useful in supporting students and their families through significant changes on the pathway through a continuum of education.

We welcome the establishment of the social inclusion unit at Solas, and in particular its work to gather and report on data relevant to learners with disabilities in the range of FET programmes overseen by the organisation. This will be of benefit when establishing the gaps and opportunities in the current provision, so that communications and messaging can be crafted accordingly. We understand that SOLAS is developing a series of 'learner pathways' as part of its communications work and note that it is intended to include at least one such pathway that is focused on a learner with a disability. This is an important step in ensuring that persons with disabilities can feel confident that they can access relevant training and education programmes.

Employment

While the Comprehensive Employment Strategy for People with Disabilities (CES) is a stand-alone strategy in the policy landscape, the theme of employment is a significant one for any national disability strategy. As with education, persons with disabilities experience a lower rate of employment compared to their non-disabled counterparts.¹⁰ Only 36% of persons with disabilities of working age (20-64) are reported to be in employment in Census 2016, compared to 73% of those without a disability in the same age-range. If the CES is fully implemented, along with the additional actions committed in the NDIS, it should be possible to narrow this gap.

The NDA has separately published an independent assessment of progress under the CES 2018, which offers more detail on actions or areas requiring additional focus in the next phase of the Strategy's iteration. We have also worked closely with Department of Justice and Equality, the coordinating body for the CES, to advise on development of the next three-year action plan to build on progress made to date. The CES, therefore, will encompass a series of new actions to guide development and improvement in this space, and like the NDIS it will be possible to measure broader outcomes over the lifetime of the Strategy by using a suite of indicators developed by the NDA and adopted by the CES Implementation group.

Engaging Employers

Within the NDIS there are some specific commitments around routes to engage or support employers, many of which will be captured and progressed in the next action plan of the CES. These include commitments regarding the Pathways to Work action plan, such as job-placement schemes, and work underway in the

¹⁰ <http://nda.ie/Image-Library/PDF-Downloads/NDA-Factsheet.pdf>

Department of Employment Affairs and Social Protection to review some of its employer support schemes such as the Wage Subsidy scheme and the Partial Capacity Benefit scheme. The NDA advises that such reviews will need to encompass wider considerations than the IT platforms for delivery of the schemes, such as whether the supports are themselves fit for purpose. Information gathered through the employer peer-to-peer advice and information service Employer Disability Information (EDI), for example, indicates that the way in which these supports are administered and allocated no longer meets the requirements of employers in terms of speed and ease of access. We would therefore welcome a more comprehensive review of relevant schemes to ensure they reflect current the current employment landscape.

The NDA was assigned responsibility for administering funding to the consortium delivering the EDI service during its three-year pilot phase, which came to an end at close of 2018. We continue to emphasise the importance of disability-competent and aware employers, including a service of this nature, in order to ensure that all other actions underway within public bodies to improve employment and education outcomes for persons with disabilities.

Post-School Education and Training

Ensuring persons with disabilities can access the education and training required is a significant aspect of improving employment outcomes (Action 46). NDA notes that in 2018 over 18,000 people are estimated to have taken part in Further Education and Training courses (FET) through ETBs across Ireland. We welcome the establishment of the social inclusion unit in SOLAS, and in particular to work underway to gather data on numbers accessing FET, including those with disabilities, so that trends and progression can be monitored.

While FET courses are available to all who apply, we welcome work underway through SOLAS to develop a series of learner pathways to show the relevance of FET to specific groups, and note that potential pathways for learners with disabilities will be included in this work. There remain barriers, however, in the fact that FET courses at required levels for some learners with disabilities (e.g. Levels 3, 4 and 5) are not available in all regions, and this can provide challenges for those students who need to bridge the gap between their second-level educational attainments and the higher level courses (Level 6) available through FET provision. Similarly, while work experience placements that are part of some FET courses are available and open to all who are registered to the courses, NDA advises that extra consideration may need to be given to additional supports that may be required by some learners to participate in same.

Higher Education Providers are equally required to ensure their courses can be accessed by all groups, and have a mandate to improve access for those who

would typically have been under-represented at third level. NDA notes that targets set for HEIs in recent years to improve access for students with disabilities have been reached, and note that these targets have been increased for future intake. As with previous advice, the NDA suggests that there is also a need to ensure targets are set for inclusion of learners with intellectual disabilities.

As in previous sections, the importance of effective transition planning between school and further education, training and learning, is clear, and NDA welcomes the focus in the Comprehensive Employment Strategy Implementation Group on this matter. This includes ensuring that transition planning begins as early as possible in the secondary school, with the support of career guidance counsellors and other key personnel as required.

Make Work Pay

The Make Work Pay Report was published early in 2017, with 24 recommendations for actions that can ensure that employment leads to better financial outcomes for persons with disabilities. The NDA notes that two significant recommendations were implemented at the end of 2018, namely the increase of the earnings disregard for retention of both Disability Allowance and the Medical Card. These changes will ensure that persons with disabilities who take up employment can retain access to these entitlements, so that work 'pays' and they do not end up financially worse off as a result of their employment. The NDA welcomes these developments, recognising that anxiety about loss of the medical card, or reduced access to other important benefits, has been a regularly repeated concern on the part of persons with disabilities when considering work.

The Department of Employment Affairs and Social Protection has also progressed work to ensure a 'fast-track' return to benefits if work does not prove successful for the individual, and also to host a 'ready reckoner' on its website to enable people to estimate their likely financial position on taking up employment. These are very valuable developments, allowing persons with disabilities the confidence to explore employment opportunities without fear of triggering a review process of their entitlements within the department. The NDA acknowledges the importance of these steps to individuals with disabilities, and advises that it is equally important to ensure that developments within the system are clearly communicated to the public and to other departments and agencies, so that everyone is made aware of the changes in the landscape that might affect their personal situations.

The Make Work Pay report also contains two recommendations that have been carried forward into the NDIS, concerning access to transport and access to aids and appliances (Actions 104 and 53). In both cases, progress will depend on

cross-departmental consideration and work to review the current landscape and identify potential solutions to any issues arising. The NDA notes that the Department of Justice and Equality holds the coordinating role for each of these actions, and looks forward to them being progressed at the earliest opportunity. The NDA will also have a role to support the cross-departmental work on these matters by identifying and delivering on research needs to provide an evidence-base for any subsequent policy decisions. We look forward to being able to participate in this work in these important areas.

Part 5 of the Disability Act

The NDA is responsible for annually monitoring compliance by public bodies with Part 5 of the Disability Act, whereby each public body should ensure a minimum of 3% of its workforce comprises employees with a disability. In 2018 the public sector as a whole achieved a level of 3.5%, and the NDA notes that some bodies exceeded this level. The Comprehensive Employment Strategy outlines a commitment to increasing the statutory minimum requirement to 6% by 2024. We note the measures proposed within the Disability Miscellaneous Provisions Bill 2016 to manage this increase on a staged basis, and believe that this will provide a helpful structure to guide public bodies through this process. The NDA itself is in the process of commissioning a review of the overall Part 5 monitoring process to guide considerations of how departments and agencies can be supported to achieve the higher targets. We also note that some public bodies are already achieving the suggested targets for 2021 and beyond, and welcome this commitment, particularly at a time where the economic restrictions that applied at the start of the CES are no longer as stringent.

Health and Well-being

The aim of this theme is to ensure that persons with disabilities are supported to achieve and maintain the best possible physical, mental and emotional well-being.

Mental Health

The NDA notes that, as part of the reporting process on NDIS to date, there is little detail on how relevant departments and agencies are progressing the provision of mental health services. The HSE and Department of Health have indicated that a number of the actions (58, 59, 60 and 61) are being prioritised in the context of agreeing HSE annual service plans. While we note the commitments outlined in the HSE 2019 service plan, it would be helpful if measurable targets and deliverables were applied to the actions in the context of the NDIS. This would assist a more up-to-date picture of whether actions were 'on track', or whether delays or challenges have arisen.

We also note that the committed review of Vision for Change has not yet been conducted, and completion of this review would be an important demonstration of renewed commitment to the mental health space, in light of the fact that the original strategy dates from 2006. Similarly, the amendment of the Mental Health Act 2001 has proceeded more slowly than envisaged. This will require both an update to the dates for delivery within the NDIS, but also a revision to status reports that indicate this area is 'on track'.

Healthy Ireland and Slaintecare

The NDA would welcome further information and detail on the implementation of the Healthy Ireland Framework as part of the reporting cycle for NDIS, and in particular on actions being advanced to ensure that persons with disabilities have access to mainstream health services, and what targets and deliverables are specific to persons with disabilities. The NDA notes that development of the Healthy Ireland Strategic Action Plan 2020-2022 is incorporated in the recently published Slaintecare Action Plan 2019, and would welcome further information in this regard when available.

The NDA notes the significant work underway within the Department of Health and the HSE to implement the Slaintecare plan and welcomes the recent publication of the 2019 Action Plan in this regard.

A key focus of Slaintecare is the increased provision of healthcare services in community locations. It will be important for the success of the relevant action within NDIS (Action 64) that community-based health and social care services are disability-proofed to ensure that those with disabilities who need to access them can do so on an equitable basis. The NDA advises that this will require careful planning as Slaintecare is implemented, and that greater clarity is required in terms of how social care supports will assist community living.

Vocational Rehabilitation

The NDA has itself committed to developing policy advice for consideration by relevant government departments on a national programme for vocational rehabilitation. This advice will be informed by NDA-commissioned research on good practice across 12 jurisdictions. In 2017, the commissioned research was completed, published, and disseminated to key stakeholders within the Irish policy system. A key finding of the research was that no other jurisdiction had a model of vocational rehabilitation that could be effectively adopted wholesale for the Irish system, and that most models evolve over time and within the socio-political-economic context of the jurisdictions in question. The NDA advice therefore need to consider the other relevant elements within the system, and therefore will be developed with due regard to the neuro-rehabilitation strategy or other medical rehabilitation programmes. We note the fact that plans are

advanced to pilot the neuro-rehabilitation strategy in one location in 2019, and we look forward to benefiting from the learning gathered as part of this process. We also suggest that it may be helpful for the pilot process to have due regard to the Department's approach to providing Trauma Care services, noting that effective linkage to vocational rehabilitation is an important component of any acute rehabilitative service. While the advice paper will be later than originally planned, the NDA is confident that in light of above developments and positive engagement by stakeholders, an advice paper will be finalised before end of 2019.

Person Centred Disability Services

A core principle of the Transforming Lives programme under Department of Health and HSE, is the development of person-centred disability supports and services that can enable persons with disabilities to live lives of their choosing. The importance of this principle is reflected in the fact that this theme within the National Disability Inclusion Strategy incorporates 27 separate actions.

NDA welcomes the commitments set out within these actions, but looks forward to seeing further detail on how they are translated into annualised practical deliverables by relevant parties. This is especially true for actions such as 'We will strengthen the focus on culture change from the 'care' to the 'support' model' (Action 69) and 'We will develop actions at community level to build and sustain for disability-competent and welcoming communities' (Action 74). In each of these cases, and others like them, progress can only be measured if there is clear information on how each responsible party is taking steps to deliver on the overarching goal, noting that in some cases progress may be staged and incremental.

Person-centred Planning

In keeping with the status of the NDIS as a 'living document', the NDA advises that there may be scope to reprofile or amalgamate some of the actions to ensure similar topics are covered together (e.g. Actions 67 and 68 regarding person centred planning), but also to ensure that developments underway can be captured. This may be the case where work delivered under the Transforming Lives programme is entering its implementation phase, e.g. through pilot or demonstration projects. In a number of cases these next steps are informed by research and frameworks developed by the NDA to guide the HSE who would oversee their implementation. We note, for example, that HSE aims to test the person-centred-planning framework with 4 service providers in 2019. We

welcome this development and advise the importance of testing the framework in residential disability services as well.

The suggestion to ensure actions delivered are reframed to identify next steps would also apply when considering the next phase of the 'Informing Families' guidance (Action 70), where it may be useful to consider evaluation of its effectiveness as a potential next step.

We note the ongoing commitment to ensuring a model of disability services that provide support for empowering people to make decisions in their own lives (Action 71). There are a number of factors that could be considered in this regard, including consideration and implementation of a framework to ensure effective participation of persons with disabilities in the design and delivery of services that was developed under the Transforming Lives programme (Working Group 3). Tools such as the person-centred planning framework identified above, and a quality framework for outcomes-based disability services currently being finalised under HSE, will also be of use in helping to guide this change in culture, as well access to supports under the Assisted Decision Making legislation, and access to advocacy etc. NDA is also involved in work to understand the direct experiences of individuals with disabilities of services, including residential and respite services, and this understanding will be of value in progressing this work, and in guiding on the staffing competencies that can help disability service providers to continue this transformation effort.

Action 73 commits to an evaluation of local area co-ordination pilots, and we note that in December 2018, this was identified as being slightly delayed. NDA would welcome an update from the responsible bodies in this regard, noting that the building of community connections at local level is a critical enabler for empowering persons with disabilities to participate in the everyday lives of their communities. Local Area Coordination is one means of supporting this goal, and an evaluation of the pilot projects will be of use in identifying what worked and what lessons could be learned for any other approaches to fostering community inclusion and building independence that might be considered.

De-institutionalisation

The NDA notes that decongregation is being progressed through the Time to Move On Strategy and that there is a steering /implementation group in place to oversee same. However, we also note that pace of movement is slower than had been expected, although there has been an increase in activity in recent months, achieving some further transitions to the community. While recognising that a decision to move out must be person-centred, the NDA is aware from its own work to evaluate the costs and benefits of new models of service, that some of the delays are about access to suitable housing stock, while others have been

connected to the change management process among staff and families. The NDA notes that the EU Fundamental Rights Agency has published a review of de-institutionalisation in five European countries,¹¹ of which Ireland is one. In that review, the FRA is critical of a number of factors, including the strength of the national policy underpinning the decongregation process.

Adult Day Services

The NDA notes the HSE has reported significant delivery issues around the implementation of the New Directions programme for adult day services, based on lack of resources. NDA staff have been working closely with the national implementation team for New Directions, and welcomes the progress made in establishing interim standards for the regulation of day services, and the self-assessment programme by which services can measure their improving performance against these standards. However, many services report difficulties in achieving truly person-centred day services given current resource constraints, while the HSE itself does not have capacity to conduct any kind of independent or external review of progress. As more and more people realise the opportunities to live within our communities, it will be ever more important to ensure they are supported to have meaningful days in line with their own goals and aspirations. In this regard, access to day service supports that are flexible enough to adapt to individual requirements will be critical.

Children's Disability Services

We note there has been significant challenges in implementing the recommendations in the Progressing Children's Disability Services policy, and this has led to increased waiting times for parents seeking to access statutory assessment of need process or multi-disciplinary therapy supports for their children. We acknowledge recent updates with regard to progress in establishing multi-d teams across the 9 CHO areas, and hope that this will allow swifter progress to be made in this regard. In particular, we note the recent approval for 100 additional therapy posts in 2019 and hope this may address some of the waiting periods in various regions. We also note that HSE are developing a training programme for the roll-out of the multi-disciplinary teams and understand that this, in conjunction with necessary developments in management information systems, may also advance progress. NDA welcomes the agreement of the Outcomes Framework for Children and their Families, and the fact that this will be implemented on a demonstration basis in 6 sites in 2019. We look forward to seeing the learning from this process inform a national implementation of the Framework.

¹¹ <https://fra.europa.eu/en/publication/2018/independent-living-reality>

Mental Health

As already mentioned, the NDA is concerned that progress on actions relevant to mental health is either slower than anticipated or not being reported in sufficient detail. We look forward to on-going work to review the Mental Health Act, and also fully implement Vision for Change, recognising that this strategy may require fresh examination since its first publication. Under Action 81, the HSE reports that protocols between disability services and mental health services have been agreed to ensure persons with disabilities and concurrent mental health difficulties can attend mental health services as appropriate. Similarly, Action 84 points to collaboration between HSE and TUSLA to develop in 2019 a joint care plan for children with disabilities who are in the care of the State (570 of 6,000), including those with mental health difficulties. NDA recommends that it may be useful to evaluate how these inter-agency protocols operate in practice, and suggests that they may provide a helpful model for other areas where services and units need to interact to ensure the best possible service for the individual.

We understand that work has progressed on consideration of options to progress an advocacy service for persons with mental health difficulties (Action 85), and that a pilot will be progressed in 2019. We look forward to hearing further updates as this action develops.

HIQA Registration and Regulations

NDA notes that, as of end 2018, all designated residential facilities have been registered by HIQA (1,149), and welcomes this fact. We advise that it would be helpful to NDIS SG to receive updates on this regard from Department of Health at appropriate intervals. We also look forward to hearing when HIQA might be in a position to progress thematic inspections of the designated facilities, noting that this should help to enhance the extent to which the services are appropriately person-centred in their delivery. We note that the review of regulations promised in Action 87 is on hold pending the outcome of deprivation of liberty work and full commencement of the Assisted Decision Making (Capacity) Legislation, and as above, emphasise the importance of progressing these important legislative structures at the earliest opportunity.

Personalised Budgets

The NDA welcomed the publication of the Task Force on Personalised Budgets in July 2018, representing the conclusions and recommendations of the Task Force following 18 months of deliberation. The work has now moved into an implementation phase, with the design and roll-out in second half of 2019 of a series of demonstration projects to test the variety of scenarios set out in the Report. The NDA is committed to continuing to play its part in supporting this phase engaging with the HSE and Department of Health. We suggest that Action

91 within the NDIS could be reframed and updated to acknowledge these developments and ensure that progress can be tracked over time.

We note that introduction of individualised funding is also an ambition within the Slaintecare plan, and that personalised budgets are merely one aspect of this approach to provision of services, whereby ‘money follows the person’. In this regard, a standardised approach to assessment of need and resource allocation is critical. The NDA acknowledges that the HSE has committed to making a decision about a single resource allocation tool for disability services in its 2019 Service Plan which will be important to any future implementation of a national system of personalised budgets, as well as wider planning for service provision,.

Inclusive Communities

This theme within the NDIS recognises the importance of mainstream communities themselves being welcoming and inclusive to persons with disabilities. This not only means that services and supports are designed to be accessible for all users, but also that communities themselves need to foster and grown an inclusive attitude and culture. The NDA is concerned that the reporting process for NDIS to date has not provided sufficient detail on how different departments, agencies and public bodies are translating this aspiration into practical actions for delivery by them. In this context, it may be useful to bring these actions into the next theme within the Strategy, as discussed further below.

Living in the Community

Moving to the community

This theme recognises the importance of persons with disabilities living ‘ordinary lives in ordinary places’. As such it is a mechanism to achieve realisation of Article 19, among others, of UNCRPD. As above, the NDA notes the slow progress and challenges with regard to the decongregation process. We suggest that the update ‘on track’ does not give a sense of the challenges and complexities the HSE and disability service providers are working to address in this space.

In this context, the NDA welcomes the development of a resource called ‘Making Homes’. This new resource has been developed by a subgroup of the Time To Move On Group, charged with progressing decongregation. It will guide providers through the process of “making a home” from the time a property is identified until after the person has moved in. It comprehensively covers a wide

range of themes such as HIQA regulation and registration and building regulations through to organising utility bills and housekeeping issues.

Housing

While noting the pressures on housing provision across the country, the NDA is concerned that the needs of persons with a disability require additional focus, and would welcome sight of tangible targets and deliverables in this regard through the NDIS, and particularly Action 96. While the extension of the National Housing Strategy for Persons with Disabilities to 2020 was welcome, there is still a need to ensure that the objectives of the Strategy can be met within this timeframe, and NDA would welcome further detail from the Department of Housing on how the Strategy is being addressed within the Rebuilding Ireland Framework. While initial progress under the NHSPWD was slower than anticipated, the NDA notes increased inter-agency cooperation over the last 18 months. This has coincided with the reactivation of the Department's NHSPWD Implementation Monitoring Group and regular meetings of the Department's Disability Consultative Committee. NDA notes the targets that were set within the NHSPWD for allocation of housing to persons with disabilities at the level of local authorities. In 2017, 30 of 31 local authorities met these targets. NDA would advise further consideration of these targets in conjunction with the Housing Agency to ensure the needs of persons with disabilities continue to be addressed. In particular, according to figures collated by the Housing Agency, there were over 5,000 households in 2018 where persons with disabilities had unmet needs with regard to social housing support.

Alongside the housing being secured through the HSE Capital Funding Disability Programme, there is also substantial work to progress housing solutions for all persons with disabilities under the NHSPWD that will also support implementation of the decongregation policy. The Department of Housing and the Housing Agency have been working in close collaboration with Health and the HSE in this regard. Initiatives to date have included:

- Updating the Assessment and Allocation Guidelines for the Local Authorities (relating to people with disabilities)
- Overseeing the development of a five- year strategic plan by each local authority on the implementation of the NHSPWD
- The **Design Housing to Meet the Needs of All** toolkit and website. This is a resource for housing authorities, developers and housing providers to support them to develop and design individual and larger housing projects that are inclusive, adaptive and accessible. The NDA was part of this project and advised Universal Design as the primary method of developing accessible homes.

The Department of Housing has previously reported that it has reviewed its suite of housing adaptation grant schemes to ensure they are streamlined for older people and persons with disabilities, and that local authorities have been engaged in this regard to ensure the process can work as efficiently and effectively as possible (Actions 98 and 99). However, the NDA would welcome commitments from the Department and relevant authorities on how the reviewed schemes can be evaluated on implementation, in order to ensure they remain fit for purpose. These actions could therefore be reframed to capture the next phase of work in this space.

Inclusive Communities

NDA notes that the actions under this theme focus either on the decongregation process being progressed by HSE, or the provision of physical housing under the Department of Housing and local authorities. We advise that there are other dimensions to 'living in the community' that could be gathered and progressed under this thematic heading, some of which are currently categorised under person-centred disability services. While recognising the important role for personnel within disability services in supporting individuals within the community, it may be more helpful to capture actions that can be progressed at local level under Theme 7. We also suggest that it may be relevant and helpful to consider the role of the Department of Community and Rural Affairs in this regard, noting their remit to oversee schemes and networks developed with the aim of ensuring the participation and inclusion within community life.

Transport and Accessible Places

Under UNCRPD, the rights of persons with disabilities to personal mobility (Article 20) and participation in society's cultural, recreation, leisure and sport activities (Article 30) are enshrined. The 8th and final theme – Transport and Accessible Places - within the National Disability Inclusion Strategy is intended to provide a mechanism to progressively realise these goals.

Transport

During 2018, the Department of Transport, Tourism and Sport (DTTAS), together with the National Transport Authority (NTA), have progressed a number of actions to ensure the public transport experience of persons with disabilities is improved. This included a pilot of a reduced notice period for travel on the DART service, which was subsequently mainstreamed on the DART network as, well as the Northern and Maynooth commuter lines, developments to ensure customer service personnel travel on all inter-city rail services, thereby

removing the need for any notice to be given by travellers, and on-going improvements to the bus and rail infrastructure (Action 110). NDA advises the importance of the NTA evaluating and monitoring the impact of these developments.

We also recognise work underway to improve accessibility in bus travel, noting that 100% of the Dublin Bus fleet, approximately 86% of the total Bus Éireann fleet and 80% of Local Link services are accessible. The NTA is currently in the process of introducing a new fleet of PSO regional commuter buses that will remove the need for a notice period on these routes. We also note, however, that while urban bus stops are accessible, the importance of continued work to upgrade rural and regional bus stops to ensure they can facilitate persons with mobility difficulties to access the accessible fleet as it is rolled out (Action 109). The NDA welcomes the National Transport Authority's recent announcement that they are providing more funding for local authorities to upgrade rural and regional bus stops to this end and we advise that the National Transport Authority, Bus Éireann and local authorities need to work together to ensure that there are accessible coach stops in strategic locations that would facilitate people with disabilities transferring to the accessible coach fleet.

The NDA welcomes the fact that the Minister for Transport, Tourism and Sport moved swiftly to appoint persons with disabilities to the Boards of the public transport companies. These individuals have all taken their places on these Boards, which will ensure that any decisions made at Board level will be informed by the lived experience of disability.

The issue of transport for persons with disabilities was the focus of an Oireachtas Committee hearing in January and February of 2018, and the Transport Committee's report was issued late in the year with several recommendations. These recommendations included ensuring audio announcements on all services are operational and clear; that performance should be regularly monitored with a focus on customer feedback; and that licensing of private transport provision should include accessibility criteria. The NDA also welcomes the commitments made by DTTAS and NTA with regard to the next action plan under the Comprehensive Employment Strategy, and in particular to their use of firm targets for deliverables, against which progress can easily be measured. The NDA advises that these developments are also relevant to wider access considerations outside employment and therefore should also be reported here.

NDA advises that it is important to ensure that any developments and improvements within the public transport system are clearly communicated to the public, so that the available information is accurate and regularly updated. In connection with this, monitoring of performance is critical. This will need to include robust feedback and complaints processes so that user feedback can be gathered in a timely fashion. We note that while facilities such as audio announcements have been introduced on many transport routes (Action 111), there are still regular reports of faults and failings with these announcements. A mechanism to record and address these issues in a timely fashion is critical to ensuring persons with disabilities can access and use public transport. Following a successful trial last year, the NTA, together with Bus Éireann and other bus operators, are rolling out “Next Stop” announcements at all 6,000 bus stops across the rural and regional bus network.

During 2017 and 2018 the NDA piloted an approach to monitoring the public transport sector. This pilot emphasised the multiple factors that would need to be measured and taken into account, across a range of transport types. The NDA has taken the learning from this pilot into account, and in consultation with the transport providers and the transport users, is devising a series of indicators and measures that can be practically applied in an on-going monitoring framework.

While not identified as a specific action within the NDIS, the NDA notes that the Bus Connects project was introduced in 2018, raising a number of significant issues for persons with disabilities. The NDA has met with the NTA to discuss same, noting that the introduction of several transfers in a journey under Bus Connects, while intended to improve overall connectivity, may prove challenging for users with disabilities, and understands that revised proposals will be brought forward for further consultation. We also note that the initiative may involve the relocation of some existing bus-stops, which may impact on older persons and those with mobility difficulties as well as other users with disabilities who may find it challenging to adjust to new arrangements. We will continue engagement with NTA and the DTTAS to advise on issues for consideration in work to provide an integrated, universally designed and sustainable approach to provision of public transport.

Accessing the local environment

In the 2018 collation of traffic light reports from all departments, a number of actions assigned to local authorities had no update. Recognising that it can be challenging to gather and collate information from a wide range of sources, it will nevertheless be important for a single body to be responsible for providing updates on the actions committed, e.g. Actions 107 and 108 and 114. The NDA would welcome consideration of a mechanism for these authorities to report on

progress to the NDIS, and suggest that the LGMA may have a role to play in this regard.

We understand that the National Transport Authority is working, with the support of the NDA, on the development of a Walkability audit tool for existing roads and streets, using a Universal Design approach. This audit tool will enable users of different age, size and abilities to identify features of roads and streets that prevent them from accessing community services and facilities with ease. This audit tool, when developed should enable local authorities to identify areas for improvement in roads and streets and, with its focus on user feedback, has the potential to complement the work to be carried out under the NDIS, particularly as an aspect of work under Action 114, which refers to the promotion of accessible user engagement in design and planning.

NDA would also advise that at present, the NDIS has very few actions relevant to Article 30 (participation in cultural life, recreation, leisure and sport), and suggest there may be an opportunity to identify new commitments in this regard in the next phase of the Strategy's implementation. While there are some responsibilities assigned to the DTTAS and/or Sport Ireland with regard to accessing sport and recreation facilities (e.g. Action 107 and 75), these are focused on the physical accessibility aspects and do not provide a clear mechanism for developing the other aspects of an accessible service, e.g. clear and easy-to-find information or disability awareness and competence on the part of staff. Since recreational activities are a significant element of living an included life within society, NDA advises there may be scope to examine these actions in further detail and identify practical routes to building capacity in these services beyond simply ensuring physical access to a facility can be achieved.

The NDA welcomes, that in addition to the appointments to the public transport companies, Minister Ross also appointed a disability advocate to the Board of Sport Ireland during 2018.

We note Action 76 (under the theme of person-centred disability services), which commits to fostering disability awareness and competence in voluntary, sporting, cultural and other organisations. In this regard bodies such as Sport Ireland, the DTTAS and the Department of Arts, Heritage and the Gaeltacht, have a remit, and we welcome the launch of Ireland's first Sport Inclusion Disability Charter in late 2018. However, there are no committed targets for other cultural or recreational activities, and NDA advises this is something that requires further focus in the next phase of the NDIS. We also suggest there may be scope to include the Department of Community and Rural Affairs on the NDIS Steering Group, since this Department presides over a range of community-inclusion networks and schemes, some of which may be of value

when exploring how to ensure communities are prepared and supported to be disability-friendly.

While Action 106 – a review of the Code of Practice for accessible heritage sites - is not yet commenced, the NDA is currently engaged in discussions with the OPW about progressing a review of those sites that are under OPW's remit, including what works and doesn't work under the existing Code. This will inform further progress on this action. The NDA is also working closely with RIAI to develop case studies on good practice in implementing Universal Design practices for architects (Action 112), which will form the basis of CPD for this group.

The NDA notes the work underway through the National Standards Authority of Ireland to encourage use of ISO Guide 71/CEN Guide 6 (Action 113), and understands that this work will be key to development of the EU Standard on 'Design for All' which is due to be launched in Q2 2019. This will help to improve accessibility by ensuring a Universal Design/Design for All approach to standards in products, goods and services.

Conclusion

The NDA recognises the progress across departments and public bodies under the NDIS since its launch in 2017. There have been significant developments in some areas, as outlined above. However, we note that there is still scope to achieve further improvements. In particular, we note the on-going challenge of ensuring effective cross-departmental working, particularly with regard to the funding and implementation of actions where more than one party shares responsibility for delivery. NDA suggests that if the NDISSG continues a thematic approach to meetings in 2019, this should be used as an opportunity to examine specific issues in greater detail, and particularly where delays and challenges have arisen, or where reporting to date has not facilitated a clear understanding of developments underway. However, it is also important to review implementation of the strategy as a whole.

While the traffic light reporting system allows an at-a-glance view of progress, NDA suggests that it can be difficult to see how some actions are translated and implemented at the level of an individual department or public body. This is particularly the case where an action is deemed the responsibility of 'all departments and public bodies'. We would welcome developments to ensure that the actions set out in the NDIS are translated at the departmental level to

become part of an annualised work plan, with associated targets and deliverables. This will in turn ensure accountability for same at local level.

We note that as of end 2018, a number of actions are identified as completed, while in other cases the original target timelines have passed while the action remains ongoing. The process to identify commitments for 2019 will allow an opportunity to refresh some of these actions, including updating the target dates, or revising the action to take more recent developments into account. NDA advises that this exercise might be linked to the mid-term review discussed above, particularly as this may also highlight areas where newer actions are required.

In light of Ireland's ratification of UNCPRD in 2018, NDA advises that a renewed focus on the aims and vision of the NDIS will be essential in order to ensure we can deliver on our commitment to the Convention.