

NDA Submission on Statement of Strategy 2014

Introduction

The National Disability Authority welcomes the opportunity to submit views on the revision of the Statement of Strategy of the Department of the Environment, Community and Local Government. The National Disability Authority is the independent state body providing expert advice on disability policy and practice to the government and the wider public sector, and promoting Universal Design in Ireland. We work closely with your Department and other Departments to provide relevant advice and guidance on disability matters. We have a strong track record of working closely with many parts of the Department, including Building Control, Social Housing, Franchise and others.

The functions of this Department have considerable impact on the lives of people with disabilities. This includes access to streets and pavements for travel to work or leisure activities, access to housing, access to water, and community development amongst other departmental roles. It is important that the Department recognises that people with disabilities are a significant element of the public it serves, and ensures that policies, services and procedures reflect this.

In the past, the local authority sector has been one of the leaders across the public sector in provision for people with disabilities and older people. However, there is a danger that past successes are not maintained or developed, and that focus may be lost over time, in the absence of a clear strategic commitment in this area.

Cross Cutting Issues

There are a number of strategic cross-cutting issues which span various aspects of the Department's functions.

Disability Impact Assessments

The National Disability Authority encourages the Department to make use of Disability Impact Assessments in relation to policy formation. These DIAs are aligned with the Regulatory Impact Assessment process and are carried out in tandem with it. The Disability Impact Assessments build upon the existing provision in the Cabinet Handbook to disability-proof significant memoranda for Government. They underpin the commitment in the Programme for Government

to ensure that the quality of life of people with disabilities is enhanced and that resources allocated reach the people who need them.

Governance

In particular, the NDA advises on the inclusion of appropriate objectives and actions in relation to disability in the Statement of Strategy including a reference to the Department's commitments under the National Disability Strategy Implementation Plan.

In relation to your Department's corporate services function, the NDA would welcome inclusion of explicit commitments to ensure accessibility of the Department's services, information and public premises to people with disabilities, and to procurement of accessible goods and services, as required under sections 25-28 of the Disability Act 2005.

The NDA is pleased to note the Department's record on promoting and supporting the employment of people with disabilities where it exceeds the 3% target and advises that it will be important to continue maintaining compliance with Part 5 of the Disability Act 2005 as a key focus of the Department's HR strategy.

'Joined Up' Government – across the Department

It is important that the needs of people with disabilities and older people are addressed across all areas of the Department's activities. Experience in recent years would suggest that this does not always happen in a joined-up way.

Group homes termed 'institutions' under building control regulation

For example, it is important that a number of divisions within the Department work together and align policy and practice towards the common goal of the implementation of the Department's National Housing Strategy for People with a Disability. The Department's strategy, along with Government policy stated in the HSE 'Time to Move On from Congregated Settings' report is based around ordinary homes in ordinary places for people with disabilities. We have worked closely with the Social Inclusion section and more recently with the Housing Policy Management section on the development and implementation of this strategy.

The Building Control regulations, going back to historic practice, define 'institutions' as places where a number of people with disabilities live together and are cared for. This definition, and how it is interpreted on the ground, is creating real difficulties, both practical and financial, in advancing the objective set out in Government disability and housing policy, of providing people with

disabilities with ordinary homes in ordinary places. We would welcome further work to try and resolve this issue in a balanced way.

Supporting real integration of people with disabilities in communities

The Community division of the Department has an essential role to play in preparing communities to accept and integrate people with disabilities within those communities.

Social housing

The new Social Housing Strategy needs to be tightly aligned and integrated to the National Housing Policy for People with a Disability. We welcome the priority that has been given in recent years to housing for people with disabilities at a time when capital funds for social housing had been severely limited.

The whole purpose of the 'ordinary homes in ordinary places' policy is to move away from institutions, which generally provide a poorer quality of life for residents compared to community living, as demonstrated by consistent national and international evidence.

Acquisition models for social housing however, are biased towards larger homes and away from homes for no more than four residents as required by current policy on moving from institutions to normal homes. The current policy is rooted in clear evidence from large-scale studies that the quality of life is better where people live in home of four or fewer residents. There is a strong risk that larger group homes simply become mini-institutions. However, it has been difficult or impossible to acquire appropriate properties under the current acquisition models in a rising property market in the major urban centres. Planning practice, where homes with up to six bedrooms do not require a 'change of use' designation from residential housing, have also been cited to us as a consideration for service providers, where it has been easier for them to extend an existing house to a larger size than pursue other options. It would be important that the new strategy takes a cross-Departmental view of such policies, and ensures that other existing policies, processes and regulations are updated appropriately.

Joined Up Government – across all Departments

Housing for people with disabilities

The vision for disability services set out in the Value for Money and Policy Review of Disability Services and the associated policy documents 'Time to Move on from Congregated Settings' and 'New Directions' (adult day services) can be summarised as supporting people with disabilities to live ordinary lives in ordinary

places. A key element of this is to ensure that communities are accessible, disability-welcoming and disability-competent, so that people with disabilities are supported to be integrated in their communities, not to live isolated lives apart. The recently-published IDS-TILDA study of over-40s with intellectual disabilities pointed up considerable levels of isolation and lack of social engagement for this community. The Department, with its Community role, alongside local authorities and individual communities, will have an important role to play in supporting the effective delivery of the new policy, working in partnership with the Department of Health, the HSE and HSE-funded disability services, as well as with individuals with disabilities and their families.

There are also opportunities for a cross-Department approach to the movement of people with disabilities from institutions to community settings. Over the longer term, this move will require a change in budgeting approach. Housing services that were previously funded by the HSE will now be funded by this Department. The nature of support services will change for many people with disabilities, moving away from a 'wraparound' service towards an 'individual budgeting' approach, where the person takes control of the services they need. This policy move requires a movement of budget for housing supports from the Department of Health and HSE to this Department, and a change in approach to budgeting of support services.

This process has started with the allocation of a small budget of €1m per annum for 2013 and 2014 from Department of Health to this Department. This process needs to continue and be expanded in the short term.

Roads and streets

Accessible roads and streets are an essential part of ensuring people with disabilities and others (elderly people, those with small children) can partake in community life and get to where they want to go. Delivery of this objective involves collaboration between planning authorities (in setting specifications for new developments), local authorities which maintain and repair streets, and the Department of Transport, with strategic responsibility for the road network. The National Disability Authority has worked closely in the past with the Department, the LGMA and local authorities on this matter, resulting in the publication of Roads and Street Design for All by the LGMA and Kildare County Council. Staff from the Department and local authorities contributed to the development of "Shared Space, Shared Surfaces and Home Zones from a Universal Design Approach for the Urban Environment in Ireland" publication. The National Disability Authority welcomes the recent Design Manual for Urban Roads and Streets, and is working on an audit tool to ensure that there is a ready capacity to evaluate what are key problem areas for people with disabilities and other vulnerable users from a Universal Design approach.

Accessible coach stops

We acknowledge the significant progress that has been made to date in delivering accessible bus stops for city buses. We have worked closely with transport providers and local authorities on the design of suitable stops to accommodate accessible buses and coaches. We would welcome a strategic commitment to extend this programme to provision of accessible coach stops in strategic locations that would facilitate people with disabilities transferring to the accessible coach fleet.

70% of Bus Eireann's coach fleet is now wheelchair accessible, with a built-in lift allowing wheelchair users to be lifted on and off the coach. Bus Eireann started buying accessible coaches almost ten years ago.

However, these coaches require a large bus stop with flat area large enough to accommodate the wheelchair lift. Most Bus Eireann bus stops, which are provided by local authorities, do not accommodate these wheelchair lifts. At present, only four Bus Eireann routes provide services to passengers in wheelchairs.

National Disability Strategy Implementation Plan

We acknowledge the considerable work that has been done to date in producing the implementation plan. The Department's most recent submission to the monitoring process of the National Disability Strategy Implementation Plan suggests a number of opportunities for improved effectiveness.

The submission details responses to requests to public bodies under the Department's aegis for information on their activities and approaches. Many of the responses received related to local authorities. We would recommend that the Department takes the opportunity to proactively lead progress on the National Disability Strategy within this sector over the period of this statement of strategy. This would require some significant changes to how things are done at present.

Scope

It is important the scope of implementation of the National Disability Strategy goes beyond the local authorities to every aspect of the Department's activities and each public body under the Department's aegis. Examples include

- ensuring weather forecast information and weather websites are accessible to people with disabilities
- information on environmental quality published by the Environmental Protection Agency is accessible to people with disabilities

- national emergency management plans provide information in formats that are accessible to people who are deaf or blind, and that emergency evacuation plans cover people with physical disabilities
- training and events provided by community organisations funded by the Department are available to people with disabilities.

Working towards the goals of the National Disability Strategy should be part of the business plan of each section of the Department and each public body under the aegis of the Department.

Governance

While good progress has been made towards the National Disability Strategy goals in some areas, a broader, reinvigorated focus is required to ensure that goals will be achieved across all aspects of the Department's operations and activities. We acknowledge the Department's track record in successful engagement with the disability sector on particular programmes. We recommend that a Governance approach is taken across all divisions and sections of the Department, and all public bodies within the Department, including:

- 3 or 4 regular meetings of the Department's Consultative Committee (formerly DASPAC) would take place each year. One meeting of this committee was tentatively scheduled for June 2014, but did not take place. The last DASPAC meeting took place in September 2012.
- All divisions and key sections of the Department would participate in the Consultative Committee as a team. Other Departments may also be required for cross-Departmental issues, particularly transport and housing.
- The Department would set out expectations to each division and each public body as part of normal governance processes. These would include compliance with legal obligations under Part 3 and Part 5 of the Disability Act 2005, and report of progress on the National Disability Strategy.
- Each business plan or workplan or other annual plan of each division in the Department and each public body under the Department will include a section that sets out future activities under the National Disability Strategy
- The Annual Report or equivalent for each public body under the aegis of the Department will include a section that sets out key metrics, under the National Disability Strategy (buildings compliant with S.25 Disability Act 2005, people trained, number of access officers, number of tenders that included accessibility criteria)

Views on current Statement of Strategy

Mission and Mandate

We recommend that the Department include an explicit commitment to equality within the mission or values of the Department to ensure that all people regardless of age, size, ability or disability get equal access to the services and functions of the Department.

Analysis of Organisational Operating Environment

We recommend that the scope of sustainable development is expanded to cover a commitment to universal design, as set out in the Programme for Government (see Appendix 3, page 36 of existing Statement of Strategy). Universal Design feeds into sustainability by ensuring that user needs are met, and avoids unnecessary rework and retrofit cost. This is a particular issue in housing stock, where significant funds are spent on adapting houses to meet the needs of older people and people with disabilities on a case by case basis, but little investment is made upfront to ensure that newly built housing meets the needs of everybody.

The 'participative and citizen centred local government system' will require a focus on ensuring that people with disabilities can take full part in community engagement and consultation processes. We recommend that this requirement is highlighted to ensure that it can be resourced and addressed.

The current electoral system and processes does not provide equal access to people with disabilities. Some people with physical disabilities are unable to get into their polling station. Provisions for access in other polling stations are of poor quality, requiring use of an alternative entrance or temporary ramps. Many people with sight loss are unable to vote independently. Many people with intellectual disabilities have been excluded from the electoral system through historical practices.

We recognise the constructive engagement with the Franchise section in recent years, particular on the issue of independent voting for people with sight loss and in changing legislation to eliminate the tight deadline for registration for postal voters. We would recommend that a programme of addressing these historic deficits across all disability types is developed as part of the next statement of strategy.

Housing

The housing sector has many challenges for people with disabilities. The National Disability Authority has worked closely with the Department, the disability sector and the Housing Agency on the development and implementation of the

National Housing Strategy for People with a Disability. Much progress has been made in preparing the ground for the implementation of the strategy, including the agreement of protocols with the HSE, the initiation of the Housing and Disability Steering Committees in local authorities and the development of publications including:

- Social Housing and People with Mental Health Difficulties
- Universal Design Guidelines for Homes in Ireland
- Universal Design Homes for People with Dementia, their Families and Carers

Progress on the deinstitutionalisation programme to move people from institutional homes to community settings has been disappointingly slow. There are also particular difficulties for people with disabilities currently living in the community, perhaps with elderly parents or in private rented accommodation unable to make any adaptations. A 'business as usual' approach is unlikely to improve outcomes in this area.

A significant prioritisation of the needs of people with disabilities and recognition of the difficulties encountered to date with the implementation of the National Housing Strategy for People with a Disability are required as first steps to addressing these difficulties. Changes to existing supply models and schemes and to building control regulations around institutions and resolution of issues around HIQA inspections may be required to make progress in this area.

We advise that:

- the housing needs of people with disabilities are prioritised
- A commitment is made to implement appropriate models for acquisition of properties, and that models are responsive to housing market conditions
- A commitment is made to Universal Design of new build social housing units, to reduce future retrofit and adaptation costs
- Appropriate KPIs are measured and reported, including the number of people with disabilities still housed in institutions (as indicated on page 15 of the current Statement of Strategy) and the number of people housed out of institutions
- A revision of the content and format of the current social housing application form takes place to ensure it can be used by people with disabilities. This would cover language, terminology, overall size, font size and more.

Water

The National Disability Authority recognises the steps that have been taken to ensure that people with disabilities who have particular needs for additional

water as a result of their disability are not penalised with excessive water charges. The proposed approach of not requiring initial validation or certification of the disability is a practical and sensible response to the concerns of many citizens.

We recommend that future programmes involving acquisitions of water meters or smart meters include provisions to ensure that these products are universally designed, as required by Section 27 of the Disability Act 2005. Procurement of smart meters should be guided by the “Universal Design of In-Home Displays” publication produced by the Centre for Excellence in Universal Design. Where staff believe that no universally designed products exist in the current marketplace, it is important to send a signal to that marketplace that universal design is highly desirable, by including appropriate procurement criteria. This will have a positive impact on future generations of such products.

We advise that provisions are made to ensure that installation services of water meters do not inconvenience people with disabilities. We have a number of reports of people who have been effectively trapped inside their homes where installation works have blocked access routes for wheelchair users or others.

Local Government and Franchise

The local government sector has a central role in ensuring that people with disabilities can have full and active lives. Local government has been at the heart of many positive developments for people with disabilities and older people in recent years, including the Age Friendly Ireland programme and the National Accessibility Week.

It is important that a strategic focus on the needs of people with disabilities and older people is maintained and enhanced over the life of the new strategy statement. This should include:

- Ensuring that people with disabilities are appropriately represented among Public Participation Networks and Socio Economic Committees
- Ongoing commitment and support for access officers and the Local Authority Access Officers Network
- Improving access and participation in electoral processes for people with disabilities
- Tracking ‘outcome’ KPIs instead of ‘activity’ KPIs – for example, measuring the number of issues resolved via fixmystreet.ie and the time taken to resolve instead of measuring the number of authorities using the service, or measuring the number of people trained in Disability Equality Training instead of measuring the number of authorities that have made the training available.

Community and Rural Development

The Community and Rural Development divisions support socio-economic development directly and in partnership with public bodies and the community and voluntary sector. While some organisations within the community and voluntary sector are targeted specifically at people with disabilities and older people, there has been little evidence of a 'mainstreaming' approach in this sector.

A mainstreaming approach would involve ensuring that all services and projects funded are open to people with disabilities and older people. This would need to be 'proofed' as a funding condition, and may well require a change in culture and approach within this sector. Additional supports such as training and guidance may be required to make this change happen.

We recommend that an explicit strategic commitment is included in the next statement of strategy that all funded projects and services will be accessible for people with disabilities and older people. Details of the action plan required to make this happen should also be covered.

Planning

The Planning functions of the Department play an important role in ensuring that future developments of buildings, housing and external environments are accessible and usable for people with disabilities and older people. Many local authorities have included strong commitments to accessibility within their local development plans. The National Disability Authority welcomes progress that has been made in this area in recent years.

The Programme for Government includes a commitment to promote and support universal design in planning legislation. The National Disability Authority is not aware of any actions to progress this commitment to date. We recommend that the next Statement of Strategy highlights this commitment and includes a plan of action to progress this.

Summary

The National Disability Authority recognises the considerable progress made by the Department over recent years to work towards full participation in society for people with disabilities. This submission has set out priority areas for attention over the period of the revised Strategy Statement.

The National Disability Authority is available to continue to work with various areas of the Department to guide on Disability and Universal Design issues, and has a range of resources that can be of assistance, including:

- Online Disability Equality Training – short eLearning module to help staff to serve customers with disabilities – already used by some local authorities – free to public bodies
- Building For Everyone, a Universal Design Approach - comprehensive best practice guidance on how to design, build and manage buildings and spaces so that they can be readily accessed and used by everyone, regardless of age, size ability or disability – includes Booklet 9 on Planning to ensure sustainable development
- Social Housing and People with Mental Health Difficulties – guidance for Housing Staff and others on dealing with people with mental health difficulties on housing matters
- Universal Design Guidelines for Homes in Ireland – due for publication in late 2014 – practical guidance on designing and buildings homes to be used by everyone
- Universal Design Homes for People with Dementia, their Families and Carers
- Universal Design of In-Home Displays