NDA assessment of progress under the National Disability Inclusion Strategy 2019

June 2020



# Introduction

The National Disability Authority (NDA), as the independent statutory body, provides information and evidence informed 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 duty 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 continued independent advice delivered through direct engagement with the departments and agencies concerned, our contributions through working committees, our project work and data gathering and analysis. The NDA also independently monitors and evaluates progress in the implementation of committed actions in terms of outputs each year and of impact over the lifetime of the Strategy.

This report is the second independent assessment prepared by NDA since the NDIS was launched in July 2017. The first assessment by NDA published in Q1 2019 covered an 18-month period up to end 2018. The current review covers progress made on actions in 2019, noting that a significant area of focus for the year was on the process to carry out a mid-term review of this Strategy.

The NDA’s assessment does not provide a detailed analysis of each of the 114 actions within the Strategy but instead focuses on broader areas or themes, drawing on actions relevant to those themes noting those are areas where further focus and commitment may be required. The departmental reports, collated by Department of Justice and Equality in December 2019 offer a breakdown of progress at the level of individual actions as reported by officials. The NDA has considered the information in those reports in preparation of this assessment. However, the NDA also draws information from its own work, as well as updates and discussions at Departmental Disability Consultative Committees and the NDISSG, from inputs by the DSG, and from attending and facilitating the NDIS mid-term review consultation events organised by the Department of Justice and Equality. The NDA also draws on learning from engagement with a range of stakeholders including persons with disabilities, particularly through participation on a range of working and advisory groups across Government Departments on areas related to NDIS actions.

The report structure offers a summary of some key highlights in 2019 and a summary of areas in which progress was slow in 2019, and then offers a more detailed analysis of progress under the 8 thematic priorities within the NDIS in the second part of the paper. The 8 thematic priorities areas are:

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

## Key highlights in 2019

Some of the areas where work has been completed or progressed in line with stated actions in the NDIS over the course of 2019 include:

* Delivery of Person Centred Planning demonstration projects in 5 disability services, providing learning from the experiences of persons with disabilities, families and service providers in implementing a person centred approach to delivery of services. The HSE projects were delivered in line with the Framework as developed by NDA and research it had produced to guide the HSE in 2018. An independent evaluation of the demonstration phase commissioned by the HSE will be available in 2020 to guide further implementation.
* Report published by the NDA and the OPW on a Review of the Effectiveness of the Operation of Section 25 of the Disability Act by public bodies in terms of making public buildings accessible, setting out recommendations for increasing awareness and implementation of the provisions of this Section with regard to ensuring accessibility of public buildings is progressed without delay.
* Continued progress in implementing the AIM Programme to support children with disabilities to access and benefit from early learning and care services, where further capacity in the early years sector was built through the development of training programmes in Lámh, Hanen and online training in sensory processing. AIM implementation continued to demonstrate good practice in inter-organisational working with the development and publication of the Universal Design Guidelines for Early Learning and Care settings which was developed by the Department of Children and Youth Affairs in collaboration Centre for Excellence in Universal Design at the National Disability Authority
* In line with the commitment of advancing new policy the Department of Education and Skills, the piloting in 75 schools of a new School Inclusion Model, which is research-informed package of education and health supports which aim to build schools’ capacity to include children with additional needs. Schools in the pilot will receive an upfront allocation of SNAs, support from speech and language therapists, occupational therapists and behavioural practitioners, and additional National Educational Psychological Service support. Learning from the evaluation of the pilot will be very important in terms of planning for how Ireland will meet its obligations under Article 24 of the NCDRPD.
* Neurorehabilation implementation framework was published by the HSE. The implementation framework covers a 3 year period and covers governance structures, a population planning and a mapping approach to inform the service development requirements required to improve the quality of life of people living with neurological conditions.
* An operational definition of Hate Crime was adopted by An Garda Síochána and work was commenced by the Department of Justice on Hate Speech. The operational definition of hate crime is intended to bring clarity to what counts as a hate crime and to increase reporting rates and to ensure that hate crimes are investigated properly.
* The HSE’s Safeguarding Draft Policy 2019 was completed (though it is still awaiting sign off from the HSE Board). An implementation and Governance Group has been formed and will be working on implementation in 2020.
* Hundreds of organisations and clubs adopted the Sport Inclusion Disability Charter (which was launched in late 2018). The Sport Inclusion Disability Charter, one of the key actions National Sports Policy 2018 – 2017, is the mechanism for ensuring that sporting organisations adopt a set guiding principles which are aimed at reducing the disparity in sports participation rates between people with and without a disability.
* Awareness raising around the UN convention, and consideration of the NDIS as an instrument for progressively realising the State’s obligations under the UNCRPD was progressed in 2019. The Department of Justice and Equality used the Disability Senior Officials Group meetings and the consultation on the Midterm Review of the NDIS to raise awareness and hear views on the UNCRPD.
* In supporting the engagement of employers in the implementation of the Comprehensive Employment Strategy for Persons with Disabilities, a grant was awarded by the NDA under a 2018/19 Awareness programme to a consortium of disability organisations who came forward to develop disability awareness materials for employers. The materials were developed and piloted in 2019, and can be delivered either through face-to-face training or, from Q2 2020 on an online platform.
* Completion of the mid-term review of the NDIS led by the Department of Justice and Equality, including consultation events to support same. The mid-term review identified completed actions for removal or to inform next stage of development, actions for modification and the identification of some new actions. The review stage also involved the development of an initiative for a proposed Consultation and Participation Model which aims to build capacity around engagement between Government departments and agencies and Disabled Persons Organisations and individuals with disabilities in relation to policy formulation and decision making. This is recognised as particularly important to supporting the implementation of the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

## Delays and areas requiring further focus in 2020

There were a number of areas where progress was slow or seemed to have stalled in 2019. Some of these areas which will require greater focus in 2020 include:

* Work continued on the development of codes of practice to support its implementation. While the Director of the Decision Support Service under the Assisted Decision Making (Capacity) Act 2015 had been appointed in 2017 the service has not yet been operationalised as the full commencement of the Act is awaited.
* While work continued to develop the Deprivation of Liberty legislation, the pace was slow in 2019 as outcome of a relevant Supreme Court judgement/case was awaited.
* Similarly progress on draft legislation to reform the Mental Health Act, 2001 was slow, although draft Heads of Bill were sent Mental Health Commission to review in mid-2019.
* The Disability (Miscellaneous Provisions) Bill 2016 did not progress in 2019, so next steps will be informed by developments in 2020. It will be the responsibility of the new Government to bring forward draft legislation.
* While a number of pieces of work were progressed by the HSE in 2019 in relation to decongregation the pace at which people are moving out institutions remains slow. In 2019 118 of a target of 160 moved out. Given the obligations under Article 19 of the UN Convention it will be important that the pace at which those remaining in congregated settings are supported to move to the community.
* Progress on the establishment and roll out of the Personalised Budgets Demonstration Project was slow in 2019, though expressions of interest for participation were publicised and guided by briefing sessions delivered by the HSE, and a small number of project participants were approved by end of 2019 and in receipt a personalised budget
* In relation to transitions for young persons with disabilities from school on to post-school education and training, work was commenced by NCSE and HSE in 2019 to consider transition arrangements. Further progress in this area was committed to in Action 1.3 of the Comprehensive Employment Strategy Phase Two Action Plan 2019- 2021. There was little progress in relation to other transitions, such as, from pre-school to school. There is a commitment to developing supports around from pre-school to school under the national policy First Five. It is important that work in relation to supporting transitions for children and young people with disabilities are progressed in 2020.
* The implementation of 2 of the Make Work Pay Policy recommendations, entailing the appointment of Two interdepartmental working groups to consider the position regarding to assistive technology and transport to supporting the employment of persons with disabilities, was delayed. The groups have been convened by the Department of Justice and Equality since in Quarter 1 2020

As referred earlier, the above list is not an exhaustive list of areas that were not progressed as per commitments, in 2019, but simply a selection covering different policy areas. There are also some areas where there is insufficient information available at this stage to assess progress, for example, in relation to some actions that apply to all Government Departments and agencies, such as, the accessibility of websites and in relation to staff disability awareness.

## Available NDIS information and thematic approach

The varied nature of NDIS actions and how they are framed for delivery, the degree of cross departmental dependency involved means that it is easier for Departments to succinctly report progress on some actions than others, particularly in those actions that are the responsibility of ‘all departments and public bodies’. It is also recognised that there will have been developments in some areas since an action was originally committed which may impact the approach for implementation. The NDA advises that in 2020 mechanisms are developed by officials at Departmental Disability Consultative Committee level and at the NDIS Steering Group to find ways of to support better focusing of attention on areas where either little progress has been reported. The NDA notes the value of Departmental Consultative Committees in the implementation, coordination and reporting of NDIS actions, and particularly those actions were inter-departmental or cross-departmental work is required to develop joined-up public services. The NDA advises that membership of the Disability Consultative Committee should include business units across the relevant department and agencies under its remit, as for example in the case of the Department of Education and Skills DCC, where there is representation from business units in the department and agencies such as NCSE, Solas, and the ETB’s.

The NDA has previously advised that ‘thematic’ NDIS meetings may be one way of achieving this focus, as 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:

* Which actions related to that theme within the NDIS are working well, and any learning that can be applied elsewhere
* Which actions have not progressed as expected, why this is so and what action the Departmental plans to address same. These should ideally have been discussed with the DCC prior to meetings of the NDIS
* 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 use this approach for some NDIS and / or Departmental Disability Consultative Committee meetings in 2020. Possible themes which the NDA would suggest for 2020 include:

* Focused meeting on UNCRPD (perhaps to inform early discussions about an UNCRPD implementation plan)
* Thematic meeting on NDIS mental health actions
* Thematic meeting on housing for people with disabilities (perhaps to take stock and to inform early work on developing a new Housing Strategy for People with disabilities)
* Thematic meeting on transitions across the life-course beginning with early years provision
* Thematic meeting on local implementation of NDIS and local coordination of inclusive community supports, including input from local authorities on implementation of actions committed within the Strategy

# Equality

The actions under this theme aim to ensure progress in relation to the rights of people with disability to access mainstream public services and of ensuring persons with disabilities are recognised and treated equally before law, including in relation to making decisions.

A number of actions under this theme relate to the accessibility of public services. A number of Departments and agencies reported improvements in the accessibility of their built environment in 2019 achieved through relocation or refurbishments of accommodation. Some Departments and state agencies reported progress in relation to the accessibility of their information and communication and in particular work that was being done by Departments in relation to transitioning websites to Gov.ie. However, the NDA advises the need for more structured reporting to build a picture of performance by all departments on their offices and systems, as well as with regards to the public bodies under their aegis. It would be expected for example that they have systems in place to identify areas for attention, plans of action to address these within specific timeframes and a means of updating on progress in this regard. We are conscious that public bodies can factor commitments in this regard into their annual Performance Framework Agreements that they are duty bound to report to their parent departments on.

Under **Action 20** some Departments reported on activities around disability awareness training for their staff. However, the current format of reporting on this action makes it difficult for the NDA to assess the extent to which training was delivered in 2019. The NDA advises that in 2020 it would be helpful if Departments could report on the numbers of staff who actually received disability awareness training in 2020.

The United Nations Convention on the Rights of Persons with Disabilities was ratified by Ireland in 2018 (Action 1). In 2019 there engagement in relation to the Convention included a dedicated meeting of the NDISSG to consider issues concerning the implementation of the Strategy in light of the NDIS mechanism and its structures, in advance of the mid-term review of that strategy, and to hear the views of stakeholders in this regard. The Department of Justice chair the Senior Officials Group on disability matters, which provides one of the important mechanisms for collaborative working to plan progressive implementation of the strategy and co-operation on cross departmental areas. The NDA dedicated its annual conference to the theme of implementing the Convention and reporting to the UN on same. In line with this the NDA also hosted two workshops during 2019 with officials from other jurisdictions and senior officials from government departments to share the learning from experience to date.

The NDA also hosted a forum for representatives from a number of disability organisations including those with disabilities to commence an exploration of their views and the views of their members on the main areas of concern for priority attention under the UNCRPD.

The NDA has also conducted a UNCRPD Mapping to assist in mapping the extent to which the actions committed to within the National Disability Inclusion Strategy (NDIS), as well as existing or planned relevant legislation, national strategies, policies or programmes are aligned with the associated UNCRPD articles. This process should also assist in identifying gaps and areas where there appears to be little or no legislation, policy or programmes in place to address the intention of an individual Article, and where there is insufficient or indeed no evidence of activity underway nor planned to address same.

The Irish Human Rights and Equality Commission produced a guide and video to explain the United Nations Convention on the Rights of Persons with Disabilities. IHREC also appointed a Disability Advisory Committee in 2019 to assist IHREC in performing its monitoring role under Article 33.

Progress in relation to Action 1 - i.e. enactment of the Disability (Miscellaneous Provisions) Bill 2016 - was impacted by developments 2019 at Committee Stage concerning amendments, so that further action would be required so that it could be progressed within the government’s legislative programme, continuing in 2020. The Bill primarily aims to address the remaining legislative barriers to Ireland’s implementation of the UN Convention on the Rights of Persons with Disabilities. It addresses a range of legislative issues which are not addressed separately in other legislation (mainly in the Assisted Decision-Making (Capacity) Act 2015). As the bill was still before the Oireachtas when Election 2020 was called, it will be a matter for the new Government once it is formed to advance this legislation.

The delay in enacting the Disability (Miscellaneous Provisions) Bill has had a knock on effect on the commencement of the Assisted Decision-Making (Capacity) Act 2015 and consequently the full establishment of the Decision Support Service given the further amendments for that Act are set out in the Bill. However, in relation to the NDIS actions relevant to the Decision Support Service (Actions 4, 5 and 9) the National Disability Authority completed work on the last two the draft non-healthcare codes of practice, bringing the total to 11 codes of practice transferred by the NDA to the Director of the Decision Support Service. In addition, the HSE has developed, and in 2019 submitted to the Director of the DSS, draft Codes of Practice on Advance Healthcare Directives and a Code of Practice on the Act for Health and Social Care Professionals. Also in 2019, the HSE held three high-profile, well-attended events on the Capacity Act to build awareness among health and social care professionals in advance of the commencement of the Act.

The HSE completed and published its HSE Adult Safeguarding Policy (Action 10) in 2019. The HSE has established an Implementation & Governance Group which will be responsible for overseeing the implementation of the policy. The ongoing monitoring of the implementation and impact of same for persons with disabilities will be important.

Progress by the Department of Health on developing a new legislative basis for deprivation of liberty/protection of liberty safeguards has been slow (Action 12). This is a complex area and the Department of Health had previously considered that that progress was on track whereby consultation on the Heads of Bill took place in 2018 and early 2019 and a consultation report on the draft heads of Bill was published in 2019. However, in Quarter 4 of 2019 the Department of Health briefed stakeholders that it was continuing to refine the draft Heads and was working hard to resolve complicated policy issues that had arisen, especially in light of the implications of what is known as the AC case in the Supreme Court. In Q4 2019, the Department held a workshop, aimed at identifying types of deprivations of liberty. The National Disability Authority acknowledges that the area is extremely complex and accepts that it is imperative to get the legislative approach right but advises the importance of continued efforts to progress the legislation at the earliest opportunity, noting that this area is one of significance in relation to realisation of the goals of UNCRPD.

In relation to Action 13 on amending the Mental Health Act, 2001 the Department of Health drafted Heads of Bill and submitted these to the Mental Health Commission for review in July 2019. NDA advises the importance of the Heads of Bill being approved by Government followed by wide consultation in order to progress this item. The National Disability Authority advises that it is important that mechanisms to ensure that people who experience mental health difficulties and in particular people who use mental health services have their voices heard as part of the consultation process.

There has been a considerable amount of work completed or commenced in 2019 in relation to Action 15(hate speech and the engagement of Gardaí and other with people with disabilities). An Garda Síochána published its Integration and Diversity Strategy in 2019. The Strategy provided a working definition of a hate crime and of a non-crime hate incident. The Strategy sets out plans for how hate crime and hate incidents data will be recorded and a mechanism for how third-party reporting of hate incidents will be dealt with. Significantly, An Garda Síochána have reconfigured the role of Ethnic Liaison Officers into Garda Diversity Officers (whose remit now includes disability) and committed to providing these new Garda Diversity Officers with appropriate training including disability awareness training. The NDA commends An Garda Síochána on the work that they have progressed in 2019. The NDA advises that in 2020 there should be focus on how data is gathered in relation to people with disability as victims of crime, as victims of hate crime, and as persons arrested and detained by An Garda Síochána, etc.

An Garda Síochána also published a Human Rights Strategy 2020-2022 and it reconvened its Strategic Human Rights Advisory Committee. The Human Rights Strategy has five priority areas including victims of crime, arrest and detention (custody management) which are particularly relevant to Action 15, and NDA advises importance of implementing the actions and recommendations set out in same in 2020.

The Department of Justice held a public consultation on hate speech and the reform of the Prohibition of Incitement to Hatred Act, 1989 in Quarter 4 2019 and is conducting research on hate crime legislation. There were very few successful prosecutions under the 1989 Act and the Act didn’t cover disability so it is important the legislation in this area is modernised to ensure that where a hate crime is committed towards a person with a disability there is an appropriate legal framework to deal with it.

In April 2019, the National Disability Authority held a roundtable on the use of Intermediaries for victims of crime, witnesses and defendants in the criminal justice system in Ireland, which was attended by senior stakeholders from across the criminal justice system. Intermediaries have been shown to be very successful in supporting persons with communication difficulties (victims, witnesses or those accused of committing a crime) to access the criminal justice system on an equal basis will all others, by providing them with support to give better evidence. The round-table was informed by learning from other jurisdictions and the concept of intermediaries was positively received by stakeholders from all the key organisations in the criminal justice system. The NDA will follow up with an advice paper on what next steps might apply in Irish context in 2020. This is reflected in the insertion of a new action in the revised NDIS (**Action 18C**) to cover same.

The EU Directive 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies requires public bodies to ensure their websites and applications are accessible to all users and in particular to persons with disabilities. Under the timelines set out in the Directive, public websites developed since September 2018 had until September 2019 to comply with the essential requirements set out under the Directive. The Directive requires public bodies to provide a detailed, comprehensive and clear accessibility statement on their compliance with the Directive. This statement must also have a feedback mechanism allowing any person to notify the public body of any failure of its website or mobile application with the accessibility requirements set out in the Directive. In 2019 the Department of Communications, Climate Action and Environment worked on the transposition of the Directive by way of drafting statutory instrument. However, the Directive has not yet been transposed into Irish legislation. The National Disability Authority advises that not only is it important that the Directive is transposed in 2020 but also that appropriate monitoring structures and awareness raising process are established.

In relation to **Actions 22 and 23** a number of Departments and agencies have advised that they updated their websites to improve their accessibility either as stand-alone upgrades are as part of their migration to Gov.ie. In light of the EU Directive advised above it is important that the accessibility of these websites achieves the standard required by same, and that planning by all departments and agencies to upgrading their websites is also informed by these standards. In 2019 NDA CEUD reviewed the Universal Design Customer Communications Toolkit for the Public Sector to ensure that it covers the new directive on Web Accessibility Directive 2018. The revised Toolkit for the Public Sector was relaunched by the Department of Public Expenditure and Reform in December 2019.

In relation to **Action 25** a number of Departments and agencies reported on making progress on bringing their public buildings in line with Part M in 2019 (Action 25) through relocations or refurbishments. During 2019 office of Public Works and the National Disability Authority published a review of Section 25 of the Disability Act 2005 (**Action 26**). While the review was based on engagement with a small number of public bodies (7 public bodies and 5 local authorities), it highlighted that there is considerable work to be done to ensure that the obligation on public bodies to bring their public buildings into compliance with Part M by 2022 is met. The National Disability Authority therefore advises that there should be an awareness raising programme for public bodies on requirements of Section 25 of the Disability Act; that public bodies should be required to identify public buildings, as defined in the Disability Act 2005, on their building registers; that the National Property Register should be used to support public bodies to report on their compliance with Section 25 of the Disability Act (by allowing for the identification of public buildings that are subject to the requirements of the Disability Act and if those bodies have taken action to meet those requirements); and that public bodies should apply the design philosophy of Universal Design, rather than the minimum requirements of Part M, where practical and appropriate, when carrying out works to meet their obligations under Section 25 of the Disability Act. Funding will be required to enable the improvement of the accessibility of public buildings to ensure compliance by the deadline of the 1st January 2022. The NDA wrote to the Secretary General of each government department in 2020 to draw attention to the need for all accommodation officers to be aware of their duties, to pursue audits to guide any action required and to follow up on those actions in order to achieve compliance.

In relation to the Irish Sign Language Act 2017 public bodies will by the end of 2020 be required to have arrangements in place to ensure that ISL users can access statutory entitlements or services provided by or under statute by that public body using ISL. While some public sector organisations, such as An Garda Síochána, commenced a pilot in 2019 to help them plan for how they will meet their statutory duties under the 2017 Act the National Disability Authority emphasises the importance of all relevant public bodies examining how they will incorporate the statutory duties under the 2017 Act into their model of service provision. National Disability Authority advises that public bodies will need to be aware of their responsibilities and obligations in this regard in 2020, and suggests mechanisms where the learning from those public bodies that have established processes to meet their obligations under the 2017 Act could be shared with other relevant public bodies.

With specific regard to **Action 28**, the hours for the operation of the Irish Remote Interpreting Service were further extended in 2019 to include a Sunday service, which is welcome. An independent evaluation of the Irish Remote Interpreting Service was completed in 2019, and NDA looks forward to the publication of the findings on same, and implementation of any recommendations. SLIS have appointed a Development and Quality Assurance Officer in 2019. SLIS produced papers on an Interpreter Registration Panel and on a Specialist Panels which were approved by Citizens Information Board in 2019. SLIS will work with the Citizens Information Board to operationalise these panels in 2020. A contract for the development of a Continuous Professional Development (CPD) framework for interpreters was awarded in March 2019. It will be important that the issues of training, enhancing supply and quality assurance are progressed in 2020 in preparation for the commencement of the Irish Sign Language Act, 2017 in December 2020.

# Joined up services theme

The actions under this theme relate to the areas that particularly require Government Departments and State agencies to work together to provide public services in a way that meets the needs of people with disabilities. This can entail co-ordinated provision of access to supports from different sources, co-operation to support effective, smooth and timely transitions and referrals between different service areas e.g. schools and further education, all of which are person centred and delivered with clear roles of accountability, good communications and continued building of staff capacity in this regard.

**Action 30** relates to the establishment and operation of local health and education fora which are intended to facilitate improved co-ordination of services for children with disabilities at local level. A meeting took place in June 2019 to commence work on the implementation of the Framework for Collaborative Working between Education and Health (which was agreed and published in 2013). Given the mixed experiences by families on the ground and often fragmented provision of supports for children with disabilities and their families the NDA strongly urges that more urgency is brought to the implementation of the Framework in 2020.

**Action 31** relates to facilitate smooth transitions into, within and out of education on a cross departmental and agency basis. While work on transitions for children with disabilities into school had been commenced under the Department of Children and Youth Affairs Working Group on Overage Exemptions, this group’s work stalled in 2019. The Department of Children and Youth Affairs has indicated that work will commence in 2020 on transitions for all children into school as part of its work under First 5: A Whole-of-Government Strategy for Babies, Young Children and their Families. While the NDA would welcome progress on improved transitions for all children we would advise that transitions present particular additional challenges for children with disabilities and their families and advise that these would need to be considered in the context of mainstream transition support and transition planning processes.

In relation to transitions for young persons with disabilities from school on to further education and training work was commenced by NCSE and HSE in 2019 to consider transition arrangements. Further progress in this area was committed to in Action 1.3 of the Comprehensive Employment Strategy Phase Two Action Plan 2019- 2021. There was little progress in relation to other transitions, such as from pre-school to school. There is a commitment to developing supports around from pre-school to school under the national policy First Five. It is important that work in relation to supporting transitions for children and young people with disabilities are progressed in 2020.

# Education theme

The actions under this theme cover education from early learning and care up to further and higher education. The NDIS actions aim to ensure that education at all levels can be accessed and enjoyed by persons with disabilities. Progress on these actions will be important in terms of meeting the State’s obligations under Article 24 of the UNCRPD.

The Department of Children and Youth Affairs and its cross-sectoral partners continued to make significant progress in relation to the implementation and operation of the AIM model. AIM is a model of supports designed to ensure that children with a disability can access and meaningfully participate in the Early Childhood Care and Education (ECCE) programme. AIM is a child-centred model, involving 7 levels of progressive support, moving from the universal to the targeted, based on the needs of the child and the early learning and care (ELC) setting. Since its introduction in September 2016, over 12,500 children with a disability have benefitted from 26,460 targeted supports in 3,390 ELC settings provided under AIM.

In 2019, DCYA published an independent End of Year One Review of AIM, DCYA and the Centre for Excellence in Universal Design at the National Disability Authority published Universal Design Guidelines for Early Learning and Care settings. These Guidelines provide for Early Learning and Care operators with a range of options and practical information about how to ensure settings can be used by families, staff and children regardless age, size, ability or disability. The Department promoted adoption of the guidelines by ensuring that their 2020 capital grants programme, administered by Pobal, requests applicants refer to the Universal Design Guidelines. Furthermore, DCYA applied in 2019 for Dormant Accounts funding to promote the Universal Design Guidelines through design competitions.

In 2019, 887 early years professionals participated in the DCYA funded Leadership for INClusion (LINC) Programme (graduates of the programme can become Inclusion Coordinator in their Early Learning and Care settings). In 2019, 1,838 Early Learning and Care Years settings had a LINC graduate acting as an Inclusion Coordinator. Early Learning and Care Years settings with an Inclusion Coordinator receive increased capitation from DCYA.

To further build inclusion capacity among Early Learning and Care practitioners additional training under AIM was rolled out in 2019, including training in Lámh Sign Language (334 participants completed to end September 2019) and Hanen Teacher Talk (468 participants completed to end September 2019) and training in relation to the Diversity, Equality and Inclusion Guidelines was continued in 2019. The Department of Children & Youth Affairs also commissioned the development of online introductory training in “Sensory Processing and Early Learning”.

DCYA also continued to take part in the Demonstration Project in Early Learning and Care Therapy Supports as part of its work on AIM (this work had commenced in 2018). The demonstration project aims to develop and test a model for the delivery of in pre-school and in-school speech and language therapy and occupational therapy support. The Demonstration Project was independently evaluated in 2019 and an evaluation report is due to be published in Quarter 1 2020. The approach implemented in the Demonstration Project was now been integrated into the new School Inclusion Model (see below).

The National Disability Authority acknowledges the continued substantial progress that the Department of Children and Youth Affairs has made in building the capacity of Early Learning and Care settings to provide inclusive pre-school opportunities for young children with disabilities and its commitment to continue to build that capacity. The National Disability Authority notes that it will be important for the Department to engage further with a minority (though possibly up to one third) of Early Learning and Care settings appear not to have engaged with AIM (attended courses or sought supports for children with disabilities).

In 2020 the NDA advises that the DCYA continues to build the capacity of the Early Learning and Care sector to deliver inclusive services through training and the provision of supports. The NDA advises that the Department build on the Universal Design Guidelines for Early Learning and Care settings work in 2020 through promotion initiatives such as design competitions and plan for 2021 when there will be capital funding available for Early Learning and Care settings under the Project Ireland 2040 plan.

The National Disability Authority notes that work was undertaken in 2019 by the Working Group on Overage Exemptions on supporting the transitions of children with disabilities from Early Learning and Care to primary school (Action 31). However, to date the Working Group has not completed its work. The National Disability Authority advises that progress on supporting children with disabilities to transition to school should be a priority for 2020, whether it is progressed by the Working Group or under the Departments First Five workstream on transitions.

In 2018, the NCSE published its Comprehensive Review of the Special Needs Assistant Scheme in response to which the Department of Education and Skills committed to develop proposals for implementation. In 2019, the Department of Education and Skills (following engagement with the Departments of Public Expenditure and Reform, and Health) announced that it would pilot a new School Inclusion Model.

The new School Inclusion Model for children with special educational and additional care needs pilot is being implemented by cross-department working group. The pilot involves 75 participating schools in the Community Healthcare Organisation area (CHO 7) for the 2019/20 school year) and builds in-part on the continuation of the pre-school and in-school demonstration project. The new School Inclusion Model involves the training of SNAs and frontloading of SNA allocation, increased National Educational Psychological Service (NEPS) supports, support from NCSE Regional Support Team (specialist teams comprising for example speech and language therapists, occupational therapists and behaviour practitioners) to build teacher capacity and a new model of provision of supports for children with complex medical needs. The NCSE has commissioned an independent evaluation of the pilot School Inclusion Model.

The new School Inclusion Model pilot is testing a model of provision which aims to be more focused on children’s needs rather than diagnosis and seeks to deliver move comprehensive and coherent supports to schools. The NDA believes that the School Inclusion Model represents significant delivery of NDIS **Action 35** but also that the evaluation of the pilot School Inclusion Model represents an opportunity for key stakeholders to learn how Ireland’s progress on Article 24 of the UN Convention could be supported.

The Department of Education and Skills has indicated in its updates that **Action 40** (to review the Department’s school design templates and technical design guidance documents to ensure that they reflect the principles of Universal Design) is complete. The NDA as the statutory body responsible for supporting and assisting in the development of standards for universal design in Ireland would welcome further opportunities to engage with the Department of Education and Skills on their school design templates and technical guidance documents in 2020. Relatedly, in 2019 the National Council for Special Education requested that the National Disability Authority provide guidance on the built environment implications of providing more inclusive schools to inform the National Council for Special Education’s policy advice on the future role of special schools and special classes. The National Disability Authority undertook work on a short briefing paper on Universally Designed schools and advised on the need for more extensive technical guidance which are school focused, and continues to engage with the NCSE about how best to progress work in this important area.

# Employment theme

This theme contains actions to address the barriers faced by people with disabilities in gaining and maintaining employment. The gap between persons with a disability and persons without a disability in employment remains substantial at 36.5% vs 72.8% (CSO Census 2016). This is one of the widest gaps in Europe [though it should be noted that European figure is not directly comparable as the age ranges in the European figure start at 15 years whereas figures the Irish figure refers to people aged 20 and over], and progress in closing it has been slower than hoped. The NDIS includes an action to implement the Comprehensive Employment Strategy for Persons with Disabilities which has its own monitoring structures and independent assessment of progress. The NDIS also includes a number of specific actions to support persons with disabilities on their pathway to work.

**Action 46** of the NDIS covers work to support school to post-school transitions, awareness of post-school options, providing guidance and work experience options for people with disabilities. A key support for students with disabilities in this regard relates access to suitable career guidance. The Department of Education and Skills published the Indecon review of career guidance in schools generally and subsequently established a Department Taskforce to consider the recommendations arising from the review in 2019. The NDA advised that the Review did not sufficiently address the particular needs of students with disabilities, particularly those in special schools in relation to career guidance and advised that the Department’s internal Taskforce should address these issues. We note that the Department has committed to establish a dedicated sub-committee of the Taskforce to guide on same and would welcome action by the sub-committee to focus on this particular issue. The NDA will continue to support considerations and in this regard has committed (as per Mid-Term Review of the NDIS) to explore how such career guidance provision in other countries operates, as part of the NDA’s work programme for 2020 and 2021.

In relation to post-school transitions the NDA welcomes the work being commenced by the NCSE and HSE in 2019 to consider transition arrangements between HSE funded services and education, and vice versa. We particularly note the importance of the planned expansion of this work to incorporate wider transition arrangements, e.g. between secondary school and higher/further education and/or employment. NDA notes the plans for SOLAS, ETBI and others to join the steering group and recognises the potential of this action to provide more effective post school options for young people with high support needs to access training and support rather than a direct route to Adult Day Services. The agreed aim from this collaborative action is to pilot a transition programme in 2020 and to monitor it over a two year period.

**Action 47** relates to the implementation of the Comprehensive Employment Strategy. As advised above there are separate structures in place to support and monitor its implementation of this 10 year strategy, with an independent chairperson and members from relevant Departments, agencies as well as disability stakeholders and the NDA. The NDA has produced a separate assessment of performance under that strategy for 2019 to be considered by that implementation group. The NDA notes that a further 3 year action plan was developed under the strategy, which was published in December 2019.

**Action 48** relates to enhancing access to further training and employment opportunities for persons with disabilities through relevant programmes, including the Employability Service, and also incentives for employers in this regard including the Wage Subsidy Scheme, and the Reasonable Accommodation Fund.

The EmployAbility Programme of supported employment for individuals who are available to work 8 hours a week is funded by DEASP and supports an average of 3,000 clients at any stage, across 24 services, with a placement rate in the order of 40%.

The Wage Subsidy Scheme currently supports 1,696 employers availing of the scheme, who in turn are supporting 2,746 employees with disabilities. DEASP are committed to reviewing the Reasonable Accommodation Fund. The NDA recognises that the application of reasonable accommodation has been reported as a challenge by some employers and that many employees with disabilities also refer to issues in terms of accessing same. In light of same the NDA conducted a study on “Reasonable Accommodations: Obstacles and Opportunities to the Employment of Persons with a Disability”, and published the report of our findings in 2019. This research examined the current provision of reasonable accommodations to guide good practice. This report was informed by a consultation process that included employees with disabilities, trade union representatives and employer representative bodies. The report also incorporated analysis of recent WRC decisions relevant to disability and the provision of reasonable accommodations.

In 2020, the research will inform the development of guidance by the NDA for employers on the reasonable accommodations process. The NDA notes in this context that IHREC intends to publish a Code of Practice for Employers that will also be helpful in providing support and information in this area also.

The establishment of inter-Departmental groups to consider national policy in terms of how Assistive Technology (**Action 53**) and transport and mobility supports, can assist persons with disabilities to access and retain employment (**Action 104**) was delayed, but the Department of Justice and Equality has in early 2020 convened these groups.

**Action 56** relates to supports for employers employing persons with disabilities. In early 2019, the pilot of the Employer Disability Information (EDI) service came to the end of its term. The pilot service had been managed by a consortium of employer bodies (ISME, IBEC and Chambers Ireland) to deliver peer-to-peer advice and support for employers regarding employment of persons with disabilities, recognising that previous research and surveys had highlighted the importance of this type of support to employers in mitigating their lack of awareness or fears regarding disability. Information gathered through two employer surveys conducted during the lifetime of the pilot indicated that employers valued the service, and in particular the delivery of advice and support from a business perspective.

As the pilot project met its objectives, the NDA advised on the value of the continuation of such a service, noting the positive feedback from employers, and noting that levels of employer engagement had increased over the lifetime of the pilot. Guidance on available supports, recruitment approaches, developing inclusive and disability focused policies, and the merits of the peer support network were particularly valued by employers. NDA welcomes the work commenced by the Department of Justice and Equality in 2019 to develop an employer awareness campaign and note commitments in this regard in the revised National Disability Inclusion Strategy, and the NDA advises that learning captured from the EDI pilot can be of benefit in this regard.

During 2019, with grant funding administered by NDA, a consortium of four organisations (Rehab NLN, WALK, AsIAm and Not so Different) developed online learning employment awareness-raising materials that will be made available to employers. This awareness material specifically addresses employer needs as identified through a survey of employers conducted by EDI. The Consortium piloted the materials with private and public sector employers in 2019 with a view to launching on an online platform in 2020. The materials cover all types of disability, and can currently be delivered through face-to-face training, and shortly through an online module to be available in the first half of 2020.

In 2020, the NDA will progress international research on effective approaches to employer engagement in order to guide future developments. **Action 118 (of the revised NDIS)** describes an OECD project to research evidence on effective models of employer engagement across OECD countries as a means of enhancing access to employment for persons with disabilities, with a view to guiding policy considerations.

# Health theme

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.

**Action 57** of the NDIS relates to the implementation of the Healthy Ireland Framework, and progress updates have been provided for activity in this regard under Action 29 of the **National Physical Activity Plan** which covers guidance for mental health and disability professionals.Guidance for mental health professionals on promoting physical activity among those who use mental health services were published in 2018 and work on developing the ‘I’m in too’ train-the-trainer programme for staff in Adult Day Services was developed in 2019 and will be rolled out in collaboration with the New Directions Programme in adult day services for people with disabilities 2020.

Given that the Physical Activity strand is only one of 6 strands of the Healthy Ireland Framework the NDA advises that in 2020 that the Department of Health also report on progress of targeted or mainstream activities in relation to how people with disabilities and mental health issues are being engaged in relation to the obesity, smoking, alcohol, sexual activity and skin cancer strands Healthy Ireland Framework. Census 2016 show that there is a stark difference in the percentage of persons with and without disabilities (92.7% without a disability vs 51.2% of persons with a disability) with regards to how they report their general health (92.7% without a disability vs 51.2% of persons with a disability). The NDA advises therefore that it is extremely important that people with disabilities are included in all health and wellbeing programmes and that measures to reach and accommodate people with disabilities are included in the design of all health and wellbeing programmes. In relation to **Action 60** on examine the need to establish statutory, national advocacy services for children and adults with mental health difficulties, the NDA notes that a pilot adult inpatient advocacy service is being rolled out in St Patrick’s Hospital; that a mental health helpline was established, and that work was done on the design of a youth mental service advocacy model. The HSE has committed to establishing a Pilot Youth Mental Health Information and Advocacy Service in all Child and Adolescent Mental Health Teams in Quarter 1 2020, and NDA advises the importance of capturing and addressing learning from same in any wider roll-out, as appropriate.

In relation to **Action 58 and 59** on the development of early intervention services for children with mental health needs and expansion of mental health services for people with intellectual disabilities, the NDA notes the general updates provided to date by Department of Health through its DCC and at NDIS Steering Group meetings, and suggests that more detailed information to the NDIS SG would assist in understanding progress and any issues. The NDA is aware that monies were provided in 2019 for mainstream community organisations’ capacity to help support preventative and early intervention well-being practices and that considerable work has been done on the Refresh of Vision for Change, which is likely to be published in early 2020. Publishing the Refresh and implementing its recommendations should, the NDA advises, be a priority for 2020.

The NDA is concerned that there has been limited focus on mental health actions in the NDIS to date. The NDA therefore advises that in 2020 a mechanism needs to be found to foreground work on NDIS mental actions. This mechanism could be an extended Department of Health Disability Consultative Committee meeting devoted to NDIS mental health actions and / or a Thematic NDIS Steering Group meeting (as described above).

**Action 65** relates to a policy advice paper on vocational rehabilitation. The NDA is committed to delivery of a policy advice paper to guide the development and implementation of a national programme for vocational rehabilitation, with due regard to the neuro-rehabilitation strategy and other medical rehabilitation programmes as appropriate. Over the course of 2019 the NDA hosted a number of focused consultations with people with disabilities on a range of subjects relevant to our work-programme. During these discussions themes such as return to work, retraining for career change, and flexibility of working arrangements were considered. This evidence and the exploration of other measures such as return to work protocols and identification of good practice measures will inform the NDA policy advice paper on vocational rehabilitation. This advice paper and corresponding implementation plan is due in 2020.

# Person centred services

The theme of Person Centred Services cover actions related to creating more person focused disability supports for persons with disabilities to live lives of their choosing, and actions related to building and sustaining disability-competent and welcoming communities.

* **Actions 66 – 69 and Action 71** relate to efforts to transform traditional disability services into person centred supports respecting the choice of individuals with disabilities. In 2019 the HSE piloted a new Person Centred Planning framework with 5 adult day service providers operating in 30 locations. The pilot provides learning from the experiences of persons with disabilities, families and service providers in implementing a person centred approach in services. The HSE projects were delivered in line with the Framework as developed by NDA and informed by research it had produced to guide the HSE in 2018. An independent evaluation report commissioned by the HSE of the demonstration phase will be available in 2020 to guide further implementation. The NDA understands that the evaluation report shows that significant challenges exist for providers in delivering person centred services to people with disabilities in terms of leadership, staff skills, organisational culture and equity (those with more complex needs receiving less person centred planning opportunities than others). The HSE’s New Directions National Steering Group has been tasked with developing a number of actions for 2020 which will address some of these issues. The NDA advises that work in 2020 on person centred planning should link to processes underway to monitor the Interim New Directions Standards and link to work progressed on a quality framework for outcomes-focused disability services also developed by NDA. The evaluation report also highlights a number of issues which impact on person centred planning and providing person centred supports which are possibly beyond the remit HSE’s New Directions National Steering Group to deliver. These issues include access to transport, access to multi-disciplinary supports in the community and home support hours. NDA advises a coordinated cross-departmental effort will be required to address these issues.

No progress is reported on **Action 73** on evaluating the outcomes of Local Area Co-ordination pilots. The Department of Health update indicates that a planned evaluation of pilot Local Area Coordination projects did not go ahead. Local Area Coordination is a mechanism to enable inclusive living in communities. There are other models which have been established in other countries to coordinate service for people with disabilities living in the community. NDA advises the importance of considering how actors at local level, e.g. local authorities, community services etc. can coordinate at a local level to support inclusive living in communities. In 2020, NDA will publish research it has undertaken on effective models of community engagement and support that may guide considerations in this regard. The NDA also advises that next steps in relation to **Action 73** could form part of the wider discussions which need to happen in relation to **Action 74**.

**Action 74** relates to Local Authorities developing actions at community level to build and sustain disability-competent and welcoming communities. No progress was reported for 2019. The NDA notes that as part of the public consultation on mid-term review of the National Disability Inclusion Strategy the issue of local non-implementation of national policies was raised. Given the importance of this action the NDA is concerned that no update was reported in 2019. The NDA advises that it would be worth devoting time at an NDIS Steering Committee meeting to discussing the local implementation of the NDIS and of **Action 74** in particular. The NDA advises that learning from developments in terms of community supports to support persons with disabilities and others in the community during the COVID-19 crisis in 2020 may also be helpful. The NDA advises that as part of the discussion on **Action 74** it is important for parent departments to identify ways of ensuring bodies under their aegis incorporate relevant actions under NDIS in their local business plans.

In 2019 progress was made in relation **Action 76** towards advancing the inclusion of people with disabilities in sporting and cultural activates, and the NDA advises that evaluating the impact of these activities on levels of inclusion would be an important next step.

In 2018 Sport Ireland and CARA launched the Sport Inclusion Disability Charter. In 2019, 224 organisations, clubs and centres have signed up to the Charter. The Charter is one of the key actions National Sports Policy 2018 – 2017, is a mechanism for ensuring that sporting organisations adopt a set guiding principles which are aimed at reducing the disparity in sports participation rates between people with and without a disability. In the Local Sports Partnership network the recruitment of new Sport inclusion Disability Officers continued in 2019 with the aim of having one in each Local Sports Partnership. The NDA welcomes the work completed in 2019. It would be useful to hear about what activities or accommodations those clubs and organisations that have signed the Charter have made. This could perhaps be achieved through reporting to the Department’s Disability Consultative Committee, the NDA advises.

The Open Youth Orchestra of Ireland funded under the Creative Ireland Programme in 2019 was a significant achievement being the EU's first national youth orchestra for disabled musicians. However, there is a general lack of reporting of actions undertaken under **Action 76** across the broader spectrum of cultural organisations. The NDA advises that more information needs to gathered by the Department of Culture, Heritage and the Gaeltacht from cultural organisations on their efforts to ensure that cultural activities are accessible to people with disabilities.

**Action 78 and 79** relate to Progressing Disability Services for Children, a HSE reform programme which aims to ensure children with disabilities can access geographically based, multi-disciplinary teams that are operating a family centred practice model of support. The NDIS action relates in particular to the establishment of network teams throughout the country and the implementation of the Outcomes for Children and their Families Framework. Progress in this area in 2019 was significantly impacted by industrial relations issues which we understand are now resolved. The HSE advises that Team managers for all 96 disability network teams will be appointed in 2020. This will facilitate the configuration of teams, including redeployment or recruitment of personnel as relevant and appropriate. A training and team development programme has been developed in 2019 and is nearing completion which should ensure that all of the newly appointed managers can support their team(s) to deliver the service in line with the principles of the Progressing Disability Services programme. NDA looks forward to seeing progress in this regard at the earliest opportunity in 2020, now that previous issues have been resolved.

A working group has worked throughout 2019 to put in place a system to measure the extent to which the outcomes important to children and families (who access children disability services) are being achieved. In parallel a Family Centred Practice framework (Family Centred Practice is about staff seeing parents and carers as the central players of primary importance in the child’s development and about developing the parents’ and carers’ capacities to develop the child’s strengths) continued to be trialled in one CHO area in 2019 and work continued on developing an appropriate IT system for children’s disability network teams.

NDA advises that there may be learning to be captured from work underway to implement a system to measure outcomes for children in receipt of disability services, as well as an opportunity to align approaches to measuring outcomes for children and adults, with due regard to the different priorities that may apply in each case.

Despite significant delays in recent years there now appears to be the potential for progress in implementing Progressing Disability Services in 2020 and 2021. While work is underway to ensure that when the 96 children disability network team managers are in post in Quarter 3 2020 it will be important that there are no significant delays in appointing team members where these are required.

**Action 82** relates to two commitments. Firstly, the development of the Implementation Plan for the National Neurorehabilitation Strategy and secondly, capital investment in the National Rehabilitation Hospital. While later than originally scheduled, the Implementation Plan was launched in February 2019 and most CHOs have identified implementation leads. The HSE expects that the 120 extra beds in the NRH will be opened in Quarter 2 2020. The NDA notes the evidence on vocational rehabilitation indicates the importance of vocational rehabilitation and work being integrated with medical and neuro rehabilitation planning and supports, which is important to recovery and earlier return to work, where relevant and appropriate. The NDA recognises that there have been challenges to identifying budget for the full implementation of the Neurorehabilitation Strategy, but it is extremely important that implementation can be resourced adequately to realise goals of Strategy.

**Action 83** relates to the full implementation of A Vision for Change. The Department of Health has indicated that the publication of a Refresh of Vision for Change is imminent. Following an evidence review commissioned by the Department of Health in 2017, a significant consultation process conducted in 2018, work on finalising the document and developing costed proposals took place in 2019. Given the challenges that remain to delivering a model of service in line with A Vision for Change (Mental Health Commission’s 2020 Acute Mental Health Beds in Ireland report reiterated these changes) it is important that a Refresh of Vision for Change is published early in 2020 and that its recommendations are prioritised and resourced. As mentioned above, once a Refresh of Vision for Change is published it will be helpful to supporting a focus on mental health in actions in the NDIS in 2020.

**Action 87** relates to a review of the regulations for residential disability services. The review has not taken place to date. The NDA’s review of the first year of inspections in relation to Regulations and Standards in 2015 highlighted a number of areas that could be addressed within a review of the current regulations (for example, with regards to the definitions of designated centres and person in charge and with regards to the differentiation between respite and full-time residential). The NDA’s policy advice paper presented that a review of the regulations which incorporated significant stakeholder consultation, and engagement with staff and with people with disabilities in particular, had the potential to create a better understanding and greater sense of ownership of the regulations than currently exists. We note that HIQA’s 2019 report, **Five years of regulation in designated centres for people with a disability,** highlights the fact that a designated centre model of regulation might not be the most appropriate model of regulation for Ireland, and in particular that it would be difficult to regulate home care and other forms of supported independent living using the current regulatory framework. The NDA notes the opportunity to take the learning from the research and experience to date to guide next steps for a collaborative review of the regulations in the remaining lifetime of the Strategy.

**Action 88** relates to the continued work of the HSE’s Quality Improvement Team for Disability Services. In 2019 there has been awareness raising through newsletters and a major conference or ‘sharing day’ focused on the nine quality of life outcome domains for Irish disability services for adults developed by the NDA.

As part of its work to support Transforming Lives Working Group 4, NDA completed the development of ‘A Quality Framework: supporting persons with disabilities to achieve personal outcomes’ in 2018. In August 2019, the NDA concluded a ‘Review of Quality Assurance Systems with reference to ‘A Quality Framework: supporting persons with disabilities to achieve personal outcomes’. This review of five quality assurance systems used by disability services in Ireland was carried out to assess the extent to which each of them addresses each of the outcome predictors in the quality framework.

Noting the further work and outputs in this regard to guide quality and person centred planning frameworks, the NDA advises a joined up approach to their implementation. As with the comments above in relation to Actions **66 – 69** and **Action 71**, the NDA advises thatthere is a need for these different strands of quality improvement work to be joined up:

The NDA advises that this would be supported by actions by the HSE including:

* publication and roll-out of ‘A Quality Framework: supporting persons with disabilities to achieve personal outcomes’
* ongoing work on developing a person centred organisational culture (National Programme to Enable Cultures of Person-centredness)
* further work by HSE National New Directions Steering Group on developing a national person centred planning framework, based on learning from the demonstration project completed in 2019
* further considerations on how to operationalise approaches to measuring progress on the nine quality of life outcome domains, informed by NDA research on potential options in this regard

Action 91 relates to personalised budgets. The report of Task Force on Personalised Budgets was published in mid 2018, following which a demonstration project was committed for development to test the recommendations. Further to a slow start due to recruitment difficulties, a process was established in 2019, with calls for expression of interest to participate in the pilot generating interest across CHO regions, and the commencement of payment to a small number of participants before the end of 2019. The demonstration projects will run up to the end of 2021 with further participants engaged over 2020. NDA will lead the independent evaluation of the project in terms of the experience of participants, learning from the administration process and the costs involved, to guide a national programme. noting this will be particularly relevant toArticle 19 (Independent Living) of the UNCRPD.

# Living in the community theme

This theme recognises the importance of persons with disabilities having choice and control in their lives, living ‘ordinary lives in ordinary places’. As such it is a mechanism to achieve realisation of Article 19, among others, of UNCRPD. Actions under this theme relate to decongregation but also to housing in the community for people with disabilities.

**Action 93 and 94** relate to the implementation of the Time to Move On programme to move people out of congregated settings into homes in the community. While noting that work has taken place in 2019, progress in this area has been slow. Positive outputs include the development of **Making A Home: A practical guide to creating a home and moving to the community** and developing a Register of Congregated Settings). However the number of persons with disabilities supported to move out of the community was only 118 compared to the target of 160. Timely access to suitable housing particularly during a housing crisis, is recognised as a particular challenge. Finding housing suitable for those with significant specialist support needs can be particularly challenging. The NDA notes in this regards that the HSE undertook a piece of work in 2019 to identify case studies and good practice around supporting people with high supports needs to move from congregated setting into the community. However, given Ireland’s obligations under Article 19 of the UNCRPD it is important that there is joined up working to resolve such matters in order to expedite the decongregation programme. In 2020 the NDA will complete and publish a report on its evaluation of decongregation from a number of sites and experience of community living i.e. the Moving in Study, which should provide evidence and learning on the benefits for persons with disabilities, the models of support involved and costs of same for the future, with a view to progressing this policy.

**Action 95** relates to extending the remit of the Mental Health Commission to regulate community based services and for the Inspector of Mental Health Services in relation to 24 hour staffed community mental health services, which will require Mental Health Act to be amended. As noted above in relation to **Action 13** progress on legislation to amend the Mental Health Act, 2001 has been slow in 2019. Heads of the Bill were sent to the Mental Health Commission in mid-2019. The National Disability Authority advises that it is important that mechanisms to ensure that people who experience mental health difficulties and in particular people use mental health services have their voices heard as part of the consultation processes as the Bill is being drafted.

**Action 96** relates to the implementation of the National Housing Strategy for people with a disability 2011-2016 (which has been extended to 2020).

The Department of Housing, Planning and Local Government’s National Housing Strategy for People with a Disability has one more year to run. The Department has indicated its willingness to draft a new strategy for 2021 onwards. Many of the actions set out in the current Strategy involve close cooperation between the Department and the Department of Health/HSE.

According to the Department, the Rebuilding Ireland social housing building programme is supposed to deliver over 8,400 houses over the coming years. Of the 1,416 projects listed in an update, from June 2019, for the provision of accommodation for persons with specific categories of housing need such as Homeless and Older Persons, People with Disabilities, Returning Emigrants and Victims of Domestic Violence, 147 are being funded under Capital Assistance Scheme (CAS). CAS provides essential funding to Approved Housing Bodies.

This represents 10.4% of the committed projects, however, there is no breakdown for the various categories covered by CAS. When the Department first reported on the social housing building programme in 2016, 21% of the committed projects were CAS funded. Over the 3-year interval it appears that there has been a reduction in the number of projects that are most likely to be available to persons with disabilities.

The lack of progress for persons with disabilities is also demonstrated by the figures contained in the Housing Agency’s Summary of Social Housing Assessments 2019. The headline figure of 68,693 households on local authority waiting lists, assessed as qualified for housing support, was a decrease of 3,165 (4.4%) compared to the previous assessment in June 2018. Over the same period the combined figure for persons with disabilities rose by 4.4%.

The National Disability Authority advises that the Department needs to review its Unit Cost Ceilings (Circular 43/2017) for social housing new builds. Approved Housing Bodies are being refused funding under the CAS for any projects which are designed over and above these ceilings. The NDA advises that this approach is a barrier to designing housing for long-term and flexible use from the outset, and will mean a continued reliance on retro-fitting, which is less cost-effective.

The NDA advises that a policy be adopted to progress universal designed homes i.e. houses and apartments and we submitted a policy advice paper to the Minister for Housing on building new Universal Design homes (**Action 97**) was completed in 2019. The paper contains a series of short- to medium-term recommendations to progress a UD approach to home-building, including incentives to progress same e.g.: a Universal Design Grant scheme (modelled on the Home Energy Grant); a Universal Design mortgage (modelled on Green mortgages); a time-limited VAT reduction for builders who follow a Universal Design approach; waivers from local authority development contributions for developments containing Universal Design homes. The NDA will engage with the Department of Housing Planning and Local Government in relation to the Policy Advice Paper in 2020. In addition to the above the NDA recommends a review of Part M of the Building Regulations in light of the requirement to future-proof housing being constructed today. The NDA is also advancing a cost assessment to guide this policy, which will be presented in 2020.

Given the slow progress to date on realisation of the goals of the National Housing Strategy for People with Disabilities, even with its extended timeframe, the NDA advises the importance of collaborative work to develop a successor to the Strategy for 2021 forwards, including measurable and time-bound goals that recognise the requirements of persons with disabilities.

# Transport and accessible places theme

Commitments under the Transport and Accessible Places theme involve actions to progress the availability of accessible public transport and accessibility of the built environment. 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. Transport and difficulties with accessing and using public transport was an issue which featured strongly in the consultation on the **Mid-term review of the NDIS,** however,the NDA notes that the Department of Transport, Tourism and Sport and the National Transport Authority reportedprogress in implementing a number of its commitments under the Strategy in 2019

**Action 100** of the NDIS states a commitment to increasing the availability and accessibility of public transport services including improved accessibility of information on transport services. In 2019, Irish Rail began user testing a DART disability app to help persons with disabilities to prebook assistance and to better manage their journey. A new pilot application to assist customers arriving in major train stations was also being developed which will be live in early 2020. The NDA has provided Irish Rail and the NTA with guidance and advice that will help them to ensure that these apps are universally designed.

The NTA also reported that in 2020, it will roll out bus stop poles throughout the country that will have yellow carousels and flags at the top of each poles. These poles will therefore be more visible and more recognisable to persons with sight loss, persons with intellectual disabilities, and persons with autism spectrum disorder, older people, visitors and tourists.

The NDA facilitated engagement with stakeholders to assist in identifying issues and solutions for accessible buses and bus stops. The NTA is engaging with a number of organisations in this regard. The NDA welcomes the above developments, as we have advised the NTA on working in collaboration with the Local Authorities to improve the accessibility of bus stops around the country. The NTA reported that works on accessible bus bays at bus stations/train stations have been completed in Cavan, Monaghan and Drogheda stations with works in Ballyshannon and Sligo stations underway and a number of tenders for other towns and cities underway.

Persons with disabilities in urban and rural areas have stated that they have issues booking wheelchair accessible taxis and taxis also not showing up even when booked in advance. The NTA provides a grant for wheelchair accessible vehicles. The number of wheelchair accessible taxis in Ireland has increased from 2,220 wheelchair accessible vehicles (taxis and hackneys) in 2018 to 3053 in 2019. This corresponds to an increase in the overall fleet that is wheelchair accessible from 10% to 14.3%. The NTA has published a register of wheelchair accessible vehicles in every county with the drivers’ phone number and email address on the Transport for Ireland’s website. The NDA looks forward to seeing a continued increase in these figures but also increased satisfaction in the service by customers with disabilities over the remaining lifetime of the NDIS.

The NDA is aware that disability stakeholders have recently highlighted that many lifts on the rail and DART network are out of service for long periods of time. Irish Rail now plans to replace and upgrade lifts at all Dart and commuter rail stations over the next five years.

As part of its commitment under **Action 102** of the NDIS, the National Transport Authority launched a public consultation to develop proposals for the incorporation of wheelchair accessibility conditions on commercial licensed services, specifically the regular category of licensed services, in September 2019. The National Transport Authority committed to further work in this area in the Mid-term Review of the NDIS. Specifically they committed to developing proposals informed by Universal Design principles in relation to attaching conditions regarding wheelchair accessibility on commercial licensed services. The NDA will continue to work with the NTA to help to help them to develop these proposals and achieve this objective.

**Actions 100** and **109** contain commitments to improve rural and regional transport services for persons with disabilities. Since October 2019, all vehicles contracted for Local Link services must be wheelchair accessible. €21m was allocated to Rural Transport services in 2019. 50 Local Link evening services continue to run throughout the country. The NTA has awarded funding of €6,000 to individual drivers, over twelve months to operate a localised hackney service in 15 **Local Link** areas nationwide. The roll out of this pilot service was planned for November 2019.

There are currently 12,000 bus stops throughout the country. Following an accessibility audit of towns over 5,000 population which have bus stops serviced by high floor coaches, 43 towns were identified by the NTA as requiring accessibility enhancements to accommodate 2 stops (one in direction) i.e. a total of 86 new bus stops. NTA is liaising with 13 local authorities to develop designs, agree locations and scope of works. The NTA estimates that work on these projects will be completed by the end of 2021 subject to funding. The NDA will be discussing with the NTA the most effective staggered approach for improving the accessibility of the remaining 11,917 bus stops across the country on an incremental basis. The NDA welcomes the fact that work has been progressed on increasing the number of wheelchair accessible bus stops but advises the NTA that these stops will need to be user tested by persons with different disabilities to ensure they are easy to access for a diverse range of users including persons with disabilities, older people, tourists etc.  The NDA also suggests that the NTA and /or the Local Authorities should monitor these bus stop on an annual basis to ensure they are maintained and still accessible.

In 2019, as a part of its commitment to improve the availability and accessibility of public transport services in urban and rural areas (**Action 100** of the NDIS), the Department of Transport, Tourism and Sport launched a public consultation to review Ireland’s sustainable mobility (active travel and public transport). This consultation covers various aspects of sustainable mobility including accessible public transport, rural transport, transport regulation etc.

**Action 110** contains commitments thatIrish Rail and the NTA will review operational issues in relation to the need for advance notice of accessibility requirements for train travel with a view to removing barriers for service users with disabilities. Irish Rail is continuing the roll-out of Customer Service Officers (CSOs) on all Inter-city routes throughout the country which will eliminate advance notice requirement on such services. 43 out of the 115 required Officers are in place. The NDA has advised the NTA and Irish Rail that it will be important to monitor the effectiveness of this CSO service as it is rolled out.

# Summary and Conclusion

The NDA notes that there has been progress on many actions under all 8 NDIS themes in 2019, but in a number of these that the pace of progress was slower than originally planned. However, in the case of some actions it is difficult to break them down into tangible sub-actions actions to be completed in a particular timeframe. To address this the NDA has advised that certain areas should be selected for more detailed scrutiny at Departmental Consultative Committee meetings and / or at NDIDS Steering Group meetings. NDA also advises the importance of departments giving consideration to how to develop a structured approach to implementation of, and reporting on, actions that are the responsibility of ‘all departments and public bodies’ within their own departments and the bodies under their aegis. The NDA notes the value of Departmental Consultative Committees in the implementation, coordination and reporting of NDIS actions, and particularly those actions were inter-departmental or cross-departmental work is required to develop joined-up public services. The NDA advises that membership of the Disability Consultative Committee should include business units across the relevant department and agencies under its remit, but also that local action plans indicate how commitments within the NDIS can be translated at individual organisational level.

The NDA welcomes the mid-term review and the commitment to strengthening the strategy for the remainder of its term and with due regard to the UNCRPD. The NDA advises that it is important for the remainder of the Strategy’s lifetime that its actions are more clearly linked to relevant Articles of the UNCRPD.

The NDA welcomes the commitment in the Mid-term Review of the NDIS that the Department of Justice and Equality will develop a UNCRPD implementation plan, that will include monitoring structures and metrics and that Government Departments and agencies will be requested to develop plans for implementation of the Convention that will link with the national plan.

The NDA looks forward to continuing to advise and inform departments and agencies on the areas of responsibility within their remit.