

NDA Written Briefing to
Joint Oireachtas Committee on Disability Matters
and
Joint Oireachtas Committee on Autism
September 2022



**Centre for Excellence
in Universal Design**

**Údarás Náisiúnta Míchumais
National Disability Authority**

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Introduction

The National Disability Authority (NDA) is the independent statutory body that provides information and advice to the Government on policy and practice relevant to the lives of persons with disabilities. We have a role to assist the Minister for Children, Equality, Disability, Integration and Youth in the co-ordination of disability policy. We work through our Centre for Excellence in Universal Design (CEUD) to promote Universal Design of the built environment, products, services and information and communication technologies so that they can be easily accessed, understood and used by everyone, including persons with disabilities.

Defining Universal Design

Over the past number of years the CEUD has seen a convergence of the work between Accessibility and Universal Design. Definitions of accessibility and universal design outline the important connection between the two but also how universal design encapsulates and expands the promise of accessibility. The Disability Act 2005 which legislated for Universal Design and the establishment of the Centre for Excellence in Universal Design (CEUD) defines Universal Design as:

Universal Design is the design and composition of an environment so that it can be accessed, understood and used, to the greatest extent possible by all people regardless of their age, size, ability or disability. A Universal Design approach involves a diverse range of users in the design process from an early stage.

If an environment is accessible, usable, convenient and a pleasure to use, **everyone benefits**. By considering the diverse needs and abilities of all throughout the design process, universal design creates products, services and environments that meet peoples' needs. Simply put, Universal Design is good design.

The CEUD has advanced the disability agenda through three areas as set out in the Disability Act 2005; in Education, Standards and Awareness Raising. The Centre advances these areas through **ongoing engagement and involvement of a wide range of stakeholders** (Disabled Persons Organisations (DPOs), disability service providers, disability advocates, older persons organisations such as Age Friendly Ireland, ALONE, SAGE, government departments and agencies,

members of professional bodies such as the Royal Institute of Architects in Ireland (RIAI), Institute of Designers Ireland (IDI), Irish Computer Society (ICS), educational institutions from primary right through to 3rd level) in the development of standards, guidelines and advice in the domains of

- Information Communication Technologies (ICT),
- Built Environment,
- Products and Services.

The CEUD applies a systems approach to ensure that these areas are interlinked and interconnected to ensure a person's ability to participate in education, community, training and employment, etc. Universal Design in the area of education (UDE) is accommodated through Universal Design for Learning (UDL), along with integrated and inclusive support services, ICT infrastructure and assistive technologies as key drivers in advancing a more inclusive educational experience for a wide range of students including students with disabilities and staff.

Policy framework

UN Convention on the Rights of Persons with Disabilities

Implementing Universal Design in the built environment is an important aspect of Ireland's commitments under the **UN Convention on the Rights of Persons with Disabilities**, as ratified by the State in 2018.

Under Article 4(4) General Obligations, Ireland undertakes to promote the development of universally designed facilities, which should require the minimum possible adaptation and the least cost to meet the specific needs of a person with disabilities, and to promote their availability and use.

Under Article 7 – Children with disabilities. Ireland is required to take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.

Ireland also is to ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.

Under Article 9: Accessibility, Ireland is required to take appropriate measures to ensure access to persons with disabilities, on an equal basis with others, to the physical environment.

Under Article 19: Living Independently and Being Included in the Community, Ireland recognises the rights of persons with disabilities to live in the community, with choices equal to others.

Implementing Universal Design in Housing is also an important aspect of Ireland's commitments under the **UN Convention on the Rights of Persons with Disabilities** Articles 7, 9, 19 and 28 respectively, recognise the rights of persons with disabilities to:

- 'live independently and participate fully in all aspects of life'
- 'live in the community, with choices equal to others'
- 'an adequate standard of living and social protection'

The UN Committee on the Rights of Persons with Disabilities has issued a number of General Comments on the articles in the Convention. On Article 9 Accessibility, the Committee has highlighted the importance of Universal Design in the public realm and in housing:

Its application to a building from the initial design stage helps to make construction much less costly: making a building accessible from the outset might not increase the total cost of construction at all in many cases, or only minimally in some cases. On the other hand, the cost of subsequent adaptations in order to make a building accessible may be considerable in some cases, especially with regard to certain historical buildings. While the initial application of universal design is more economical, the potential cost of subsequent removal of barriers may not be used as an excuse to avoid the obligation to remove barriers to accessibility gradually.

The Committee has commented further on Article 9 Accessibility, as follows:

The application of universal design makes society accessible for all human beings, not only persons with disabilities. It is also significant that article 9 explicitly imposes on States parties the duty to ensure accessibility in both urban and rural areas. Evidence has shown that accessibility is usually better in bigger cities than in remote, less developed rural areas, although extensive urbanization can sometimes also create additional new barriers that prevent access for persons with disabilities, in particular to the built environment,

transport and services, as well as more sophisticated information and communication services in heavily populated, bustling urban areas. In both urban and rural areas, access should be available for persons with disabilities to the natural and heritage parts of the physical environment that the public can enter and enjoy.

Important for Ireland and the CEUD is the new European Accessibility Act (EAA) which states:

‘accessibility should be achieved by the systematic removal and prevention of barriers, **preferably through a universal design approach**, which contributes to ensuring access for persons with disabilities on an equal basis with others’.¹

Although Ireland recognises the importance of universal design, further focus is required to create the environment that enables persons with disabilities to fully participate on an equal level with the rest of society.

The latest OECD report Sept 2021 “Disability, Work and Inclusion in Ireland”² commissioned by the NDA shows that persons with disabilities in Ireland continue to face barriers within society, employment and education. The report details significant gaps in employment and unemployment compared with persons without disabilities. Barriers also exist in education with four out of ten working-age individuals with a disability having only primary or lower secondary education, twice the rate of the rest of the Irish population. Removing barriers within society and opening up discussion requires more than a focus on accessibility and accommodation. Mitigating these inequalities requires the systematic removal and prevention of barriers preferably through a Universal Design approach which contributes to ensuring access for persons with disabilities on equal bases with all others.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L0882&from=EN>

² <https://www.nda.ie/publications/employment/employment-publications/disability-work-and-inclusion-in-ireland-engaging-and-supporting-employers.html>

Universal Design in the Built Environment

Universal Design Guidance

In 2022, the CEUD launched new research and Universal Design Guidelines for Improving Quality of Life and Enhancing COVID-19 Infection Control in Existing Residential Care Settings for Older People. This work was carried out in response to experiences of the Covid-19 pandemic. It focusses on how the built environment in settings can be adapted or retrofitted to:

- enhance the quality of life for residents,
- improve the visitor experience for friends and family members (without compromising the quality of life for residents); and,
- improve pandemic preparedness and resilience while still protecting the psychosocial health and well-being of residents.

In addition, the Centre for Excellence in Universal Design (CEUD) has developed a range of design guidelines to promote Universal Design in the built environment:

[Building for Everyone: A Universal Design Approach](#) provides practical guidance on the universal design of buildings, places and facilities, so that they can be readily accessed and used by everyone, regardless of age, size, ability or disability.

[Dementia Friendly Hospital Guidelines from a Universal Design Approach](#) provides detailed guidance in relation to dementia related design issues and the Universal Design of acute hospitals in Ireland.

[Universal Design Guidelines for Early Learning and Care Settings](#) set out key Universal Design considerations and guidance for Early Learning and Care Settings in Ireland. We are now engaging with the Department of Children, Equality, Disability, Integration and Youth to develop CPD and elearning modules for professionals working in this space, to improve the access of children to early learning and care settings, in conjunction with the supports provided through the Access and Inclusion Model (AIM).

[Universal Design Guidelines for Homes in Ireland](#) are a first step in the process of raising awareness and inspiring people to think differently about the benefits of Universally Designed homes and the potential opportunity to address some of

the global challenges society faces by future-proofing our homes through embracing Universal Design thinking.

[Universal Design Guidelines, Dementia Friendly Dwellings for People with Dementia, their Families and Carers](#) supplements the Universal Design Guidelines for Homes in Ireland. It outlines dementia specific design considerations for homes, as part of the Universal Design approach.

Universal Design Awards

The CEUD has supported the RIAI with a Universal Design category as part of its annual architecture awards, since 2013. The aim of the RIAI Universal Design Award is to promote excellence in Universal Design among the architectural profession in Ireland.

In addition, the CEUD supports built environment Universal Design awards in the Institute of Designers Ireland (IDI) graduate and professional awards schemes. The CEUD also runs its own award scheme for undergraduate students; the Universal Design Grand Challenge.



Figure 1 National Rehabilitation Hospital, RIAI Universal Design Award 2021

Universal Design eLearning module

Continuing Professional Development (CPD) for architectural professionals has been identified as an important way to enable upskilling in Universal Design. The CEUD has developed a Universal Design eLearning module based on a case study of the Central Bank of Ireland, which won the RIAI Universal Design Award in 2017. The module entitled 'Buildings for Everyone: Central Bank of Ireland' will be launched in quarter 4 of 2022. The module is aimed at design professionals and those involved in procuring buildings, to motivate them to learn more about Universal Design and integrate it into their own design practice.



Figure 2 Central Bank of Ireland, RIAI Universal Design Award 2017

Review of Part M to provide for Changing Places Toilets

Standard accessible toilets do not meet the needs of all persons with disabilities. Some people, including older people and persons with complex and multiple disabilities, need assistance and additional equipment to use toilet facilities. Changing Places Toilets provide space for assistance to be provided and equipment, including a hoist and changing bench, to address the needs of people who cannot use standard accessible toilets. Currently there is no requirement in building regulations to provide Changing Places Toilets. The lack of suitable toilet facilities greatly restricts the everyday lives of some persons with disabilities and their families.

The NDA has supported the Department of Housing, Local Government and heritage with its review of Part M of the building regulations to provide for Changing Places Toilets, through its membership of the department's working Group. A public consultation, which ended in May 2022 received over 600 submissions. The NDA is continuing to contribute to the Working Group as it considers the consultation submissions. In addition, the NDA has been requested to develop Universal Design Guidelines for Changing Places Toilets, to advise on issues that are outside the scope of the building regulations, including management, and maintenance, and good practice.

Universal Design in Housing

Universal Design Homes Guidance

In 2015, the CEUD published guidance on how to implement Universal Design in housing: Universal Design Guidelines for Homes in Ireland. The guidance is provided in a two-tiered system:

1. UD Home, optimising flexibility, adaptability and usability for everyone
2. UD Home+, providing for greater accommodation of people's changing needs over time, including wheelchair liveable homes.

UD Home++ guidance and design tips are also provided to raise awareness and assist in person-centred design.

Need for Part M for Dwellings to be reviewed

Part M of the building regulations sets out the minimum requirements for housing design, which is that new dwellings are visitable by disabled people. As most housing is built to the minimum requirements, this means that there is a lack of accessible housing, that disabled people can live in, in Ireland.

Part M was last revised in 2010. The NDA has advised that Part M should be reviewed, with priority given to a review of Part M for Dwellings, to ensure that new homes are required to be liveable by all people, including disabled people and older people (to enable ageing in place).

NDA advice on targets for Universal Design in Housing

The NDA has previously advised the Department of Housing, Local Government and Heritage that in the 30% target set out in the Housing Options for our Ageing Population: Policy Statement, there should be 20% homes built to UD Home level and 10% built to UD Home+ (wheelchair liveable) level. In any review of Part M for dwellings, the base level for all new dwellings should be the UD Home level with 10% built to UD Home+ (wheelchair liveable) level.

Cost Benefit Analysis of Universal Design Homes

The NDA is conducting a cost benefit analysis of Universal Design Homes, under an action in the 2019 policy statement from the Department of Housing and the Department of Health: Housing Options for our Ageing Population: Policy Statement which sets out the aim that within five years, 30% of new builds in Ireland should incorporate Universal Design (UD) principles to accommodate Ireland's ageing population. To inform the cost benefit analysis, an assessment of the up-front cost of Universal Design Homes is being developed by the NDA.

Incentives to design and build UD Homes

The NDA has advised the Department of Housing, Local Government and Heritage to consider the introduction of incentives for the provision of Universal Design Homes. These include:

- Universal Design mortgages for new homes where more favourable terms could be offered when Universal Design features are included in new homes

- a time-limited VAT reduction in order to encourage builders to build Universal Design Homes
- extending the existing practice of waivers from local authority development contributions to developments – or part of developments – that are planned, designed and built following a Universal Design approach

Universal Design Housing Targets in Development Plans

The NDA welcomes that some local authorities are setting targets for a percentage of housing units in new housing developments to incorporate universal Design principles. For example:

- The Wexford County Development Plan 2021-2028 requires that a minimum of 20% of dwellings in residential developments of five dwellings or more are Lifetime Homes, suitable to accommodate or are adaptable to provide accommodation for people with disabilities and older people.
- The Meath County Development Plan 2021-2027 requires that all new residential developments on zoned lands in excess of 20 residential units provide for a minimum of 5% universally designed units

The NDA advises the development of an Irish standard for Universal Design Homes - through the National Standards Authority of Ireland - to support the consistency and delivery by local authorities.

EU Web Accessibility Directive

Public bodies' obligations under the Directive

Public bodies in Ireland must ensure their websites and mobile apps are accessible to all people, including persons with disabilities.

The [European Union \(Accessibility of Websites and Mobile Applications of Public Sector Bodies\) Regulations 2020](#) came into force on 23 September 2020. The 2020 Regulations give effect to the EU “[Directive \(EU\) 2016/2102](#) of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies”. This is known as the Web Accessibility Directive (WAD).

Public bodies in Ireland must comply with the European [web accessibility standards](#) specified by the Directive.

The Directive also requires public bodies to publish a detailed Accessibility Statement which includes information on their level of compliance and information for the members of the public to request support or make a complaint in relation to the accessibility of a public body's website or mobile app.

NDA's role

The 2020 Regulations name the [National Disability Authority](#) as the national monitoring body for the purposes of the Directive. NDA is required to periodically monitor the compliance of websites and mobile applications of public sector bodies with the web accessibility standard outlined above and submit a report to the European Commission.

Monitoring results

In 2021 NDA conducted detailed accessibility reviews on 56 public bodies' websites and mobile apps. The results of these reviews were reported in Ireland first [national monitoring report under the EU Web Accessibility Directive](#).

For far in 2022, NDA has conducted accessibility reviews on 156,000 pages across 300 public sector websites.

Overall the level of compliance with the web accessibility standards mandated under the Directive remains low with only 22.3% of pages reviewed to date having no errors.

The results of these reviews indicate that the top three most commonly occurring issues across public sector websites are:

- Poor colour contrast
- Inaccessible PDFs
- Poor coding of webpages to support accessibility (Name, role, value)

Websites that have performed best in reviews include those of the **Health and Safety Authority**, the **Oireachtas** and the **Environmental Protection Agency**.

While parts of **gov.ie** are technically very accessible, the routine publishing of inaccessible PDFs by some government departments affects its overall level of compliance.

South Dublin County Council and **UCD** are the best performing Local Authority and Higher Education Institution respectively.

Irish Rail performs best of all transport provider websites reviewed and continues to use the data it receives from NDA's reviews to make steady improvements.

Training and support

All public bodies subject to monitoring receive the full results from all reviews conducted by NDA. These reports contain links to detailed advice and guidance on addressing each issue identified.

In conjunction with the Irish Computer Society NDA has run 10 online training webinars over the past 12 months. These have helped raise awareness of the Directive and the obligations it places on public bodies to ensure their websites are compliant with web accessibility standards.

Improving compliance going forward

Public bodies who engage with and use their accessibility review data have made the most significant improvements to the compliance of their websites.

NDA encourages all public bodies to use their review data as a metric to make measurable improvements to the compliance of their websites and mobile apps with the web accessibility standards.

NDA encourages public bodies to ensure relevant staff receive appropriate training.

Code of Practice on Accessible Information and Services and Monitoring Work

Accessible public transport

The NDA works closely with service providers to provide assistance and advice on implementing universal design services and information. Accessible, universally designed transport has been a main focus of our recent engagement, as crucial to the participation of person with disabilities in everyday life. The NDA participates in a number of Transport Committees and working groups where we advise on universal design and guide on the provision of accessible services and information.

Universal design of transport services means that public transport is accessible to everyone, regardless of age, size ability or disability. As such, a universal design approach to public transport services includes taking into account the needs of children. It must be noted that, using the insights and lived experience of children of all abilities in the area of transport is a key area of improvement for Ireland. In a recent study done of 16 countries, Ireland scored among the lowest for children's independent mobility and active travel.³ In order to remedy this the NDA provides information and advice to transport providers on how to incorporate the experiences and needs of a wide range of individuals including children of all abilities into the planning and design of transport services. Recently we have submitted suggestions to the Department of Education's School Transport Scheme Review where we have suggested a universal design approach to consultation should be taken.

Accessible information is one of the key criteria for universally designed services that should be incorporated into the stakeholder engagement process. All information (written, spoken, signed and digital) provided by government and public bodies (including consultation information and information used for journey planning), should be universally designed. The NDA suggests that public bodies should use the **Customer Communications Toolkit for the Public Service - A Universal Design Approach**⁴ which will help to produce universally designed written, verbal and digital communications that can be easily accessed, understood and used by everyone. It is also worth noting the recent publication of **IS/EN 17478:2021 Transport Services - Customer**

³ https://westminsterresearch.westminster.ac.uk/download/03175f2b7388716c0b78acce44b7af6cd907564d6b437038519cb3dc525ad27e/3906556/PSI_Finalreport_2015.pdf

⁴ <https://universaldesign.ie/products-services/customer-communications-toolkit-for-the-public-service-a-universal-design-approach/>

communications for passenger transport services: **A Universal Design approach.**

Code of Practice on Accessibility of Public Services and Information Provided by Public Bodies

The NDAs [Code of Practice on the Accessibility of Public Services and Information provided by Public Bodies](#) outlines the statutory obligations public bodies have in providing accessible services and information under section 26, 27 and 28 of the **Disability Act 2005**. These sections of the Disability Act 2005, incorporate the core elements of an integrated universally designed public transport service as mentioned previously. The NDA, has a statutory role to **monitor the implementation of this Code of Practice** and report our findings to the Minister for Children, Equality, Disability, Integration and Youth.

An amended version of the ‘Code of Practice on Accessibility of Public Services and Information provided by Public Bodies’, first published in 2006, was been developed by the NDA and submitted to the DJE in April 2019. The initial aim of the amended version was to:

- Better meet the needs of persons with autism

The following additional amendments were made at a later stage:

- Inclusion of reference to Irish Sign Language Act 2017
- Inclusion of reference to the Web Accessibility Directive
- Update of terminology

The latest draft revision is dated November 2021, and the NDA looks forward to its publication in due course, and to advancing regular monitoring of performance against it.

Monitoring Activity

Code of Practice on Accessibility of Public Services and Information Provided by Public Bodies

Under the Disability Act 2005 public bodies have a legal duty to ensure their information, goods, services, and public areas of their buildings are accessible to persons with disabilities as far as practicable. These legal duties are described under sections 25, 26, 27, 28 and 29 of the Act.

The National Disability Authority (NDA) produced the **Code of Practice on Accessibility of Public Services and Information provided by Public Bodies** under Section 30 of the Act in order to provide public bodies with

direction in meeting their statutory obligations under these sections of the Act. Public bodies that comply with the Code are considered in compliance with their legal obligations on accessibility under Part 3, sections 26-28 of the Act.

In 2021 the NDA carried out a preliminary monitoring exercise which looked at an indicator derived from the Code of Practice on the Accessibility of Public Services and Information Provided by Public Bodies and the Disability Act 2005. The NDA looks forward to engaging with departments and agencies on the findings of this exercise. It is hoped that our findings and recommendations in this report will assist public services to identify gaps in services and put necessary steps in place to remedy these gaps, making services more accessible for persons with disabilities. It is envisaged that monitoring of this code of practice will take place regularly going forward.

Irish Sign Language Act, 2017

The Irish Sign Language (ISL) Act 2017 was enacted on 24th December 2017 and commenced on 23rd December 2020. The Act recognises the right of ISL users to use ISL as their native language, and to develop and preserve it. Section 10 of the Act places an obligation on the Minister of Children, Equality, Disability, Integration and Youth to report on its operation. The NDA was requested by the Minister to prepare this report on his behalf. The request to prepare the report on the Act was received in December 2020 and work commenced early in 2021. The final report was submitted to the Minister in July 2021.

The NDA established an advisory group to advise on the reporting process and independently undertook information gathering through: consultation activities with the ISL community; an independent survey administered to public bodies; meetings with specific public services within sectors emphasised in the Act; and contextual research to understand the ISL national landscape.

The NDA submitted the report to the Minister and relevant officials in the Department of Children Equality, Disability, Integration and Youth in July 2021 and looks forward to its publication in due course.

The Communications Toolkit for the Public Service – A Universal Design Approach

The communications toolkit was developed by the Civil Service Quality Customer Service Network, in collaboration with the Centre for Excellence in Universal Design at the National Disability Authority and the Department of Public Expenditure and Reform. The Toolkit includes guidance on general writing style principles, verbal and non-verbal communications, design of forms and documents, web and social media content and how to display signage. The toolkit was originally launched in 2017 and updated in 2019 and complements the Plain English Style Guide for the Public Service, developed by the Department of Public Expenditure and Reform in partnership with the National Adult Literacy Agency (NALA). The Toolkit received an award from the National Adult Literacy Agency (NALA) for best use of Plain English by an organisation, and has been distributed widely across the public service.

Project details

The Reform Delivery Office at the Department of Public Expenditure and Reform have continued this collaboration with the National Disability Authority on this important resource for public servants. Since the last edition was published in 2019, significant developments have occurred which mean updates are now required to this document. In particular, the document is being updated to address requirements of the Web Accessibility Directive and will integrate the supplement published by the NDA on accessible online meetings.

NDA is managing the update of this work, including providing content expertise, and engaging with topic experts including DPOs while DPER are providing policy insights regarding the reform agenda, editorial assistance including through the Quality Customer Service (QCS) Steering Group, and a powerful vehicle for dissemination and promotion through the QCS Network itself.

Universal Design in Education

Universal Design in Education (UDE) focuses on a whole system design so that the physical and digital environments, the educational services and the teaching and learning can be easily accessed, understood and used by the widest range of learners and all stakeholders, in a more inclusive environment. Pursuant to Article 9 of the UNCRPD, a Universal Design approach focusses on accessibility and usability from the earliest possible time and throughout all stages in the life of products and services, and the interoperability of products and services with assistive technology. Furthermore, Universal Design in Education is closely aligned to article 7(3) of the UNCRPD which states that “States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.”

The CEUD has delivered a range of projects to support the development of education modules on Universal Design at primary, secondary and third-level, as well as Continued Professional Development (CPD) through a range of collaborative projects and publications.

Universal Design at Primary Level Education

The CEUD has partnered with Junior Achievement Ireland (JAI) and Dublin City Council (DCC) to integrate Universal Design curriculum material into the DCC Power of Design (POD) module. The JAI arranges for volunteers to visit primary schools to conduct one-hour POD workshops around Dublin. This has been rolled out to over 30 schools so far and continues to expand across Ireland.

Universal Design at Second Level Education

The CEUD commissioned work in recent years to support the development of a Short Course on Universal Design for use in the second-level Junior Cycle in response to feedback from educators to introduce Universal Design to students prior to third-level. The Short Course emerging from this work is titled **‘Creating Designs for our Tomorrows’**, and is designed to provide a complete set of materials for use by second-level schools.

This work has been further advanced in the last number of years through a collaboration between the CEUD, the Irish Design Institute and the Big Idea, where short course materials previously developed are now delivered in a transition year programme developed by the Big Idea. This year over 4,000 students from across Ireland will be involved in this program.

In 2022, the NDA sponsored an award at the BT Young Scientist event with the aim of increasing awareness of disability and Universal Design. This award was made to a team of students from Colaiste Mhuire in Westmeath, for the concept A-OK A: digital communication aid between a student with autism and their teachers, coaches and mentors. The proposed product is a wristband a student with autism can use to signal that they are feeling overwhelmed in a particular classroom situation. The notification goes to the teacher and mitigating action can then be taken. The project team evaluated pilot users to see if the product assisted in reducing stress and found that it did. The concept was also recognised in the ‘intermediate technology’ category of the competition – taking second place in this group. Universal Design at 3rd level Education

The NDA through its membership on SOLAS committees has helped to embed Universal Design in further education within the SOLAS 10 year strategy for adult literacy, numeracy and digital literacy published as ‘**Universal Design in Education and Training – Policy Landscape in Ireland**’⁵⁶⁷

A decade long relationship with the Institutes of Technology in Dublin, culminated with the opening of **TU Dublin as a universally designed campus**, demonstrating a commitment to several of the pillars that underpin a Universal Design approach covering areas such as the design of buildings, curricula, teaching and services.

In June 2022, Minister for Further and Higher Education, Research, Innovation and Science, Simon Harris TD announced a two-phase funding scheme to support access to third-level education for autistic students and students with intellectual disabilities. Known as ‘PATH4’, this scheme is designed around the principles of Universal Design in Education. The NDA was pleased to support this initiative through significant engagement with Dept of Further, Higher Education, Research, Innovation and Science (DFHERIS) officials on defining that that the scope of Path4 should be on Universal Design in Education (UDE) rather than what was being proposed at the start which was just looking at a subset of UDE which was Universal Design for Learning (UDL). UDE covers UDL but also covers the built environment, products, services and ICT. The NDA supported this work with the provision of guidelines⁸ which were produced to aid higher-

⁵<https://universaldesign.ie/Awards/Education/Universal%20Design%20in%20Education%20and%20Training%20%E2%80%93%20policy%20landscape%20in%20Ireland.pdf>

⁶ https://www.solas.ie/f/70398/x/64d0718c9e/solas_fet_strategy_web.pdf

⁷https://www.solas.ie/f/70398/x/81044b80ce/fet_practitioners-main.pdf

⁸ <https://universaldesign.ie/web-content-/path-4-requirements-sept-2022-full-document-.pdf>

education institutions in preparation of their applications for funding under this scheme. Whilst the primary focus of the PATH4 is to increase educational opportunities for learners with disabilities, the outcomes have the potential to also enhance access to the various Higher-Education Institutions for other members of the community such as employees with disabilities who work there, and external stakeholders who wish to access them.

European Accessibility Act

The European Accessibility Act (EAA) requires that, from 28th June 2025, a range of specified products and services are designed, and where necessary manufactured, to ensure that they are accessible to persons with disabilities. The EAA focuses mainly on digital products and services and does not cover areas such as health care services, education, housing, or household products, which may include such examples as ovens, washing machines/dishwashers and other similar large and small appliances. Unlike its companion directive the Web Accessibility Directive (WAD), the EAA applies to private companies selling products or services that:

- 1) are seen as highly important for persons with disabilities, and
- 2) have wide ranging accessibility requirements across the member states.

The main aims of the EAA are to:

- Bring benefits to businesses, people with disabilities and older people by increasing the availability of accessible products and services across the EU
- Ensure that accessibility requirements for certain products and services (such as computers and their Operating Systems and self-service terminals) are harmonised across the EU thereby guaranteeing that the manufacture and sale of these products and services adopts consistent approaches to accessibility across jurisdictions
- Clarify existing obligations under EU legislation in respect of accessibility in particular in public procurement and structural funds thereby ensuring that products and services acquired by public-sector organisations meet the needs of persons with disabilities.

There are many expected benefits from implementation of the Act for both people with disabilities and companies alike. The benefits include:

- People with disabilities, older people, people with temporary disabilities, people traveling with luggage, etc. will all benefit from more accessible services and devices

- A single market for accessible products and services will mean lower prices, more choices, and more innovation
- Harmonized accessibility requirements will allow companies to better share research, technology, and ideas from which everyone can benefit
- A strong requirement in the EU for a standardized level of accessibility may have a “Brussels effect,” which will likely lead to other countries outside the EU, adopting the same standards so they can easily sell products/services in the EU
- Persons with Disabilities can enjoy more freedom of movement and employment between member states as they can count on standardized levels of accessibility
- More employment opportunities for disabled people to work with creating accessible products/services

Ireland is currently transposing the European Accessibility Act into national legislation, with implementation commencing from June 2025. Accessibility requirements are binding on public administration organisations **and** the private sector, that is, anyone who produces or provides products or services falling within the scope of the EAA. From 28 June 2025 the legislation will apply to the following wide range of products and services:

- Products
 - Computers and operating systems
 - Payment terminals and certain self-service terminals such as ATMs, ticketing and check-in machines, interactive self-service information terminals
 - Smartphones and other equipment for accessing telecommunication services
 - Devices for accessing audiovisual media services, such as digital TV receivers and digital televisions e-readers
- Services
 - IT and communications services such as telephony services (For example, mobile or landline telephones, tablets with telephony capability or other devices)
 - Services to access audio-visual media services
 - Certain elements of air, bus, rail and water transport services such as websites, mobile services, electronic tickets, information
 - Consumer banking
 - E-books and software for their use
 - E-commerce such as online trading.

The EAA must also be taken into account in the following areas:

- Calling the emergency services (112)

- Public procurement.

The goal of the act is to harmonize and standardize accessibility rules, so that products and services use a “universal design” approach. According to the UN Convention of Rights on the Persons of Disabilities (UNCRPD)⁹, that approach “means the design of products, environments, programs and services should be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.”

It is important to note that the Act sets out the absolute minimum requirements that must be met, without further detailing how to comply with these requirements. Member States may adopt national legislation/regulations that are more ambitious than the requirements outlined in the Act, however they must **never be less** than the minimum specified, nor should they contradict same. It also falls within the remit of Member States to specify those voluntary accessibility requirements of the Act (for example including the built environment), and make them compulsory in their national legislation. Similarly, Member States may cover other products not included in the Act (for example, smart household appliances) and use the accessibility requirements of the Act to cater for their increased accessibility. Additionally, where certain transport services are not covered by the Act, or where the accessibility requirements in the Act are additional to those already required under other EU legislation, it is stated that Member States should encourage transport service providers to apply the relevant accessibility requirements of the Act such as ensuring that all procurement of products and services in the Act includes accessibility requirements.

When considering the applicability of the EAA to products and services placed on the market after June 28th, 2025 the NDA notes the importance of exceeding the minimum recommendations. Furthermore, implementation of accessibility requirements for the built environment are devolved to individual Member States, who “may decide, in the light of national conditions, that the built environment used by clients of services covered by this Directive shall comply with the accessibility requirements set out in Annex III, in order to maximise their use by persons with disabilities” (Article 4(4)). Consideration should be given to the case where ensuring the accessibility of products and/or services might require that the environment in which they are located should also be made accessible. For example, the European Accessibility Act mandates that

⁹ Ireland’s Instrument of Ratification, with Reservations and Declarations pursuant to Articles 12, 14 and 27(1) of the Convention, deposited on 20 March 2018

Entered into force with respect to Ireland on 19 April 2018

Automatic Teller Machines (ATMs) must be made accessible. However, the accessible ATM will be rendered useless to persons with disabilities if the built environment in which it is located cannot be accessed by said persons. The NDA advises that Ireland should ensure that the built environment used by clients of services covered by the Directive will comply with the accessibility requirements. A possible approach to this is to review relevant building regulations as to how they align with the Act but also how Ireland will implement the harmonised standard on the accessibility of the built environment (EN 17210) when that work is completed over the next 3 years.

Standards and Monitoring Functions

Standards and Monitoring activity in the NDA is underpinned by four statutory legislative Acts and instruments: National Disability Authority Act 1999, Disability Act 2005, Irish Sign Language Act 2017 and Statutory Instrument S.I. No. 358/2020 - European Union (Accessibility of Websites and Mobile Applications of Public Sector Bodies) Regulations 2020. In summary the NDA Act 1999 states that the NDA:

- Advises the Minister on appropriate standards for programmes and services
- Acts as an advisory body on development of general or specific standards
- Monitors the implementation of standards and codes of practice
- Liaises with other bodies to facilitate and support the development and implementation of standards
- Prepares codes of practice
- Recognises achievements of good standards through an awards system

The Disability Act 2005 under Parts three (3), Four (4) five (5) and Six (6) sets out similar roles that the NDA plays in standards and monitoring. Under Part 3 4, 5 and, the NDA's role is to develop codes of practices when requested by the Minister.

Part Three (3): - Access to Buildings and Services and Sectoral Plans

NDA has already developed a Code of Practice on the "Accessibility of Public Information systems and Services" (Sections 26-29 in Act) in 2007, revised it in 2021 and is waiting for Ministerial sign off. The revised Code includes an appendix on good practice with sections 38 and 39 of the Act covering Complaints and Enquiry officer procedures in public bodies.

The NDA has received a Ministerial request to develop a code of practice for Part 3, Section 25 that covers the accessibility of Public Buildings. This work is progressing with the setting up of a technical advisory group covering a wide range of stakeholders including Government officials, service providers, disabled persons organisation and older people representatives. A draft Code is in development, and will be finalised in 2023.

Part 5 covers the annual monitoring and compliance of public bodies achieving the 3% of persons with disabilities employed in the public sector. This is to be increased to 6% by 2024, and work is underway to provide a legislative underpinning for this government commitment.

Part 6 of the Act covers the functions of the Centre for Excellence in Universal Design, including that the “Centre shall facilitate the achievement of excellence in universal design by contributing to the development and promulgation of standards in that regard.”

New Roles:

The NDA has been requested to develop a report on the operation of the Irish Sign Language Act 2017, every five (5) years. The first report has been delivered at the end of Q2 2021 to the Minister.

The NDA has also been named as the national monitoring body, with responsibility for annual monitoring and reporting on compliance with the EU Web Accessibility Directive, which covers the accessibility of public websites and mobile applications. The first annual report was submitted to the Minister by the 23rd of December 2021.

HSE and HIQA Standards and Regulations

Participating and Advising on Standards and Regulations through participation on committees in the HSE and HIQA.

European Standardisation Requests and Standards Development

The EU issued four Mandates now called Standardisation Requests in order to progress accessibility and commissioned the three European Standards bodies to develop standards focused on procurement. CEUDSM have contributed to the development of all four of the mandates outlined below.

M/554

M/554 was issued in April 2017 by the Commission and requested the development of a Harmonized Standard (hEN) covering the essential requirements included in the Directive on the accessibility of the websites and mobile application of public sector bodies, based on the EN 301 549 V1.1.2 (2015-04). The hEN also refers to the recent W3C standard WCAG 2.1, which include accessibility requirements useful for mobile application accessibility. The hEN, takes into account the detailed developments of the WCAG and mobile accessibility. EN 301 549 V3.1.1 and was adopted in November 2019 and published at https://www.etsi.org/deliver/etsi_en/301500_301599/301549/03.01.01_60/en_301549v030101p.pdf.

M/376

This addresses ICT accessibility standardisation at European level; it takes into consideration relevant national and international standards on accessibility, e.g. those adopted by the US Access Board, W3C WAI and some related ISO work. The resulting EN 301 549 standard and other related deliverables have been published and contains the requirements of WCAG 2.1.

M/473

The aim of the M/473 mandate was to mainstream accessibility following a ‘design for all’ approach in relevant European standardisation initiatives based on a Protocol. The Protocol is relevant for mainstreaming accessibility in the majority of the standardisation work at European level. M/473 also produced a European process standard EN 17161 to support manufacturers and service providers to include accessibility following a universal design (Design for All) approach so that products and services can be accessed, understood and used by an extended range of users. This was chaired by NDA staff and published in 2019.

M/420

The M/420 mandate, while focusing on accessibility of the built environment, also includes ICT that is used in that context. There are three parts to this mandate:

- Accessibility and usability of the built environment – Functional requirements (EN) – published in January 2021
- Accessibility and usability of the built environment – Technical performance criteria and specifications (TR) – Q2 2021
- A Technical Report on the conformity assessment for the accessibility and usability of the built environment will also be developed. – Q2 2021

Disability Data

The NDA has a statutory role to guide and assist in the development and use of statistics in relation to disability. This, coupled with the information gathered through our monitoring activities outlined above, is critical to tracking progress over time, and identifying those areas where further focus is required. The NDA notes that it can be challenging to get accurate data with regard to, for example, numbers of wheelchair users, or the prevalence of autism in the population. We have been engaging with the Central Statistics Office (CSO) to explore routes to combining administrative datasets with Census data to provide more information in this regard.

We have also engaged with the CSO to explore routes to progressing a National Disability Survey post the 2027 Census. The previous National Disability Survey was administered following the 2006 Census. All those who identified as having a disability during that Census were contacted to participate in a follow-up detailed survey, exploring the barriers and obstacles they encountered in daily life, and also collecting more information about the nature of their disability, and the various supports they used to participate in the socio-economic life of the State. Having updated information on these matters would be extremely valuable in order to identify areas where additional supports and investments may be required, and also to understand in detail the lived experience of this significant group within the population. The NDA has had preliminary discussions with the CSO in this regard, but would welcome support across Government to progress this initiative.

Autism

The Commission on the Status on People with Disability (1996) and the UNCRPD (2006) have recommended a pan-disability approach to policy-making, rather than specific strategies or plans for individual disability areas. This has been echoed in government policy to date, including through successive National Disability Strategies, and the overall policy of 'mainstreaming'. Recognising the specific issues with regard to services and supports for persons with autism, an Action Plan on Autism 2013-2015 was developed under the National Disability Strategy at the time, and the NDA was pleased to be able to support delivery of this action plan, including through advancing specific actions itself. We note that many people with autism have another disability (concurrent ID is about 50% and mental health issue over the course of a lifetime is estimated to be around 80%), which supports the rationale for incorporating actions relevant to autism under the banner of an over-arching disability strategy.

From its own work in relation to the Autism Action Plan 2013-15, the NDA advises that there remain gaps in knowledge in relation to the prevalence of autism and the experiences of people with autism in Ireland. We therefore suggest that there may be scope for this Autism Innovation Strategy to have a focus on developing research, evidence, and guidance to ensure that public sector organisations and the organisations that they fund are using best practice approaches in meeting the needs of people with autism. The NDA has developed some guidance and information resources that can be drawn on where public bodies can benefit from increased awareness of, and knowledge about, autism, ensuring that the services and supports they offer are autism-proofed. These resources include research on models of good practice in supporting people with autism without a concurrent intellectual disability, noting that it can be challenging for this group to identify supports if not being supported through traditional disability service providers.¹⁰ We have also developed guidance for justice professionals, employers and housing officers on meeting the needs of their clients or employees with autism.¹¹

In the case of our guidance for housing officers, we have highlighted the range of supports that might be relevant to an autistic person or their family when seeking to access to social housing. We also welcome recent developments whereby the Housing Adaptation Grant can be used in some local authority areas to provide sensory spaces or low-arousal environments in houses where a person with autism is living. Our understanding is that this approach is not yet standardised across all regions however, and some families can still find it challenging have their requirements met in some areas. Adopting a Universal Design approach to the design and planning of housing developments would offer a route to ensuring homes could be readily adapted to meet the needs of families and individuals with autism.

We have also ensured that our guidance with regard to accessible communications, in both the Code of Practice for Accessible Public Services and

¹⁰ <http://nda.ie/publications/disability-supports/autism/good-practice-in-supporting-adults-with-autism.pdf>

¹¹ <http://nda.ie/publications/employment/employment-publications/assisting-people-with-autism-in-employment-guidance-for-line-managers-and-hr-professionals.html>

<http://nda.ie/publications/justice-and-safeguarding/assisting-people-with-autism-guidance-for-justice-professionals/>

<http://nda.ie/publications/environment-housing/housing-publications/assisting-people-with-autism-guidance-for-local-authority-housing-officers/>

Information, and the Customer Communications Toolkit, have been revised to have due regard to recognising and addressing the needs of autistic people using public services.

Conclusion

The areas outlined above show the breadth of the NDA and CEUD's work over the last number of years. The aim is to provide practical guidance and toolkits to support various sectors in achieving Universal Design, accessibility and inclusion in their respective domains. The NDA would be pleased to provide further detail on any of the items discussed above, and will continue its work to offer evidence-informed advice to Government on all matters related to disability and Universal Design.