

NDA Submission to the Department of Further and Higher Education, Research, Innovation and Science to inform the development of their new Statement of Strategy 2025–2027

**April 2025**

# Introduction

The National Disability Authority (NDA) is the independent statutory body with a duty to provide evidence-informed advice to the Government on policy and practice relevant to the lives of persons with disabilities, and to promote the adoption and application of a Universal Design approach across all sectors. We thank the Department for the opportunity to contribute to the development of its new Statement of Strategy.[[1]](#footnote-1)

The NDA recommends that the Department include clear commitments in its new Statement of Strategy with regard to how legislation, policies, programmes, services and supports within its remit will be inclusive of and provided to members of the public with disabilities. In particular, the NDA would welcome a clear statement confirming the Government’s policy of ‘mainstreaming’ and its commitment to meeting obligations under the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

# Summary

In our submission below, we have set out our advice in relation to the new Statement of Strategy. In summary, the statement of strategy should be aligned with the UNCRPD, including a commitment to effectively and meaningfully engage with Disabled Persons’ Organisations and disabled people in the creation and implementation of policies and legislation that impact their lives. We advise that it should include the following commitments:

* incorporating disability-related commitments in the new Programme for Government most relevant to the Department’s work and remit as strategic actions in the new strategic statement
* identifying and including within the new strategic statement all specific and cross-cutting actions in the draft National Disability Strategy and Autism Innovation Strategy which fall within or are relevant to the Department’s remit
* ensuring the forthcoming mid-term progress review of the National Access Plan for the Equity of Access to Higher Education 2022 to 2028 fully considers the needs of disabled people
* meeting existing statutory obligations in relation to the employment of people with disability in the public service, providing accessible information, services, websites and public buildings, and Irish Sign Language interpretation where required
* further implementing and integrating a Universal Design in Education (UDE) approach across further and higher education.

# Programme for Government Commitments

The new Programme for Government, **Securing Ireland’s Future**, contains wide-ranging commitments to advance the rights and improve the lives of disabled people in Ireland. The NDA advises that the Department identify the disability-related commitments most relevant to its work and remit, including those of a cross-cutting nature, and include these as strategic actions in the new Statement of Strategy. These include:

* Increase the number of apprenticeships (and the NDA recommends setting an ambitious target for apprentices with disabilities)
* Take relevant measures to help increase the supply of health and social care professionals
* Promote inclusive research by ensuring institutions have the necessary supports for faculty and researchers with disabilities
* Expand free part-time courses to assist more people to gain or enhance their qualifications
* Support students with disabilities to have a clear path into employment, avoiding any barriers to entering the workforce
* Expand the Programme for Access to Higher Education (Path 4) courses to ensure equity of access to further education
* Examine the provision of the Personal Assistants Initiative for persons with a disability in third level institutions to ensure consistency

These actions are very welcome and will contribute to supporting disabled people to access, succeed in and successfully transition out of further and higher education. It is important that all are implemented through the lens of the UNCRPD, and that schemes and programmes are inclusive and do not contribute to segregated education provision.

# Alignment with National Strategies

The NDA advises that the Department’s new Statement of Strategy align with the UN Convention on the Rights of Persons with Disabilities and other relevant national strategies and policy commitments relevant to people with disabilities. Some of the most important of these are highlighted below.

## UNCRPD

Ireland ratified the UN Convention on the Rights of Persons with Disabilities (UNCRPD) in March 2018 and its Optional Protocol in November 2024. There are several Articles of the Convention relevant to the work of the Department, in particular Article 24 – Education, which places obligations on the Irish government to ensure that disabled people are not excluded from education on the basis of disability and can access education on an equal basis with others. Article 24(5) specifically states:

“States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.”

The NDA advises that the Department has regard to the Convention when developing its new Strategic Statement and outlines therein how it intends to meet its obligations. The NDA has developed a briefing paper on Article 24 of the Convention, detailing the legislation, policies, services and data available relevant to disabled persons, which may be of assistance in this regard.[[2]](#footnote-2)

## New National Disability Strategy

The Department of Children, Equality, Disability, Integration and Youth is currently coordinating work across Government to develop Ireland’s next National Disability Strategy, which will serve as the successor to the National Disability Inclusion Strategy 2017-2022. The new strategy will seek to progress Ireland’s implementation of the UNCRPD through a whole-of-government approach, necessitating collaboration between all government departments and agencies. Furthermore, the new Programme for Government commits to prioritising and funding this new National Disability Strategy.

While the new strategy has yet to be fully finalised, the NDA is aware that drafting is well advanced and advises that the Department ensure that its new Statement of Strategy incorporates specific and cross-cutting actions identified in the draft which fall within or are relevant to its remit. This will likely include actions concerning:

* Supporting transitions for young people with a disability (for the Department this would include both from secondary school to further and higher education and from further and higher education to employment).
* Identify opportunities to include work experience/work placements for disabled people, either as a part of/ or following completion of third level training/courses. This is very important in order to support more permanent employment.
* Increase the numbers of health and social care professionals being trained. This is a crucial priority to ensure that the health workforce is adequately resourced. The approach to training also needs to evolve to prepare the future workforce for interdisciplinary and family centred working.

The NDA has also discussed with the Department the possibility of a pilot project in further and higher education with the aim of developing a policy framework that will support disabled students in transitioning at key educational points. This is likely to be an action in the new National Disability Strategy. Such a framework would have the potential when scaled up and fully resourced to be transformative in increasing employment for disabled students.

Actions in relation to increasing the supply of Irish Sign Language Interpreters are also likely to be included in the Strategy. DFHERIS will have an important role in facilitating and expanding the training available.

## Autism Innovation Strategy

The Department of Children, Equality, Disability, Integration and Youth published an Autism Innovation Strategy in August 2024. The Strategy aims to address the bespoke challenges and barriers facing autistic people and to improve mainstream understanding and accommodation of the needs of autistic people across the public sector and society more generally. The NDA recommends that the Department’s new Statement of Strategy incorporate any actions identified within the Autism Innovation Strategy relevant to its role and remit. This includes:

* To support autistic students and other students with a disability in their college journey, we will progressively expand the scope of the Fund for Students with Disabilities within the further education sector.

## The National Access Plan

The National Access Plan (NAP) for the Equity of Access to Higher Education 2022 to 2028, identifies students with disabilities as one of the three main groups underrepresented in Higher Education. The NAP sets a new participation target of 16% of new entrants with a disability by 2028, with data showing a positive direction towards this target to date. The forthcoming mid-term progress review of the NAP will provide a valuable opportunity to ensure that the needs of disabled people are fully incorporated.

# Statutory Obligations

## Employment of People with Disabilities in the Public Sector – Part 5 of the Disability Act 2005

The NDA has a statutory role in monitoring the employment of persons with disabilities in the public sector, arising from Part 5 of the Disability Act 2005. Part 5 of the 2005 Act details the obligations on public bodies to promote and support the employment of persons with disabilities. This year, the minimum statutory employment target will increase from 4.5% to 6%, as stipulated in the Assisted Decision-Making (Capacity) (Amendment) Act 2022.

The NDA is pleased to note that there was an increase in the number of staff within the Department reporting a disability in 2022, rising from 3% in 2021 to 9.9%% in 2022.[[3]](#footnote-3) The results for 2023 will be available shortly.

We encourage the Department to continue its compliance with Part 5 of the Disability Act and to articulate a commitment to same in the Department’s new Strategic Statement to reinforce its commitment to equality, diversity and inclusion (EDI) in the workplace.

## Accessible Public Services and Information – Part 3 of Disability Act 2005

The NDA also has a statutory monitoring role under Part 3 of the Disability Act 2005, which includes obligations on public bodies to ensure that information and services are accessible to persons with disabilities.[[4]](#footnote-4) Where practical and appropriate, public bodies should ensure that services provided to disabled persons and persons without disabilities are integrated.

In its 2022 Part 3 Monitoring Report, the NDA evaluated public body websites against an indicator relating to information on promoting the role of the Access Officer. The indicator consisted of the following three criteria:

* The promotion of the appointment of an Access Officer
* Information on how to contact the Access Officer
* A variety of communication channels for contacting them

The NDA welcomes that in its 2022 Monitoring Report, the Department met all three criteria of the indicator regarding Section 26(2) - Access Officers.[[5]](#footnote-5) We encourage the Department to continue to maintain its compliance with Part 3 of the Disability Act and to articulate a commitment to ensuring that information and service are accessible to persons with disabilities in the new Statement of Strategy.

Additionally, the NDA’s Centre for Excellence in Universal Design, together with the Department of Public Expenditure, NDP Delivery and Reform, co-developed a **Customer Communications Toolkit for Services to the Public – A Universal Design Approach**, which provides guidance on how to design communications for the public using the simplest and clearest language possible and to ensure that all communications are accessible and meet the diverse needs of all customers.[[6]](#footnote-6) The NDA recommends that the Department utilises this toolkit to ensure the accessibility of its communications, and includes a commitment to same in its new Strategic Statement.

## EU Accessibility Act and S.I 636

Ireland transposed the EU Accessibility Act (EAA) in late 2023 through Statutory Instrument (S.I.) 636. The EAA covers products and services that have been identified as being most important for persons with disabilities. The main focus of the EAA is ensuring that digital goods and services post June 2025 are accessible for persons with disabilities. For the Department, this will mean integrating accessibility as a key requirement in the procurement of digital products and services.[[7]](#footnote-7)

The NDA is responsible for advising relevant market surveillance authority and compliance authorities on matters related to S.I. 636/2023 and recommends the Department to take the necessary measures to ensure that it is sufficiently prepared to assume its responsibilities under the EAA from 28 June 2025.

## EU Web Accessibility Directive

The **EU Web Accessibility Directive**, which came into force in September 2020, requires EU Member States to ensure that the websites and mobile applications of public sector bodies are fully accessible to persons with disabilities and comply with the harmonised standard EN 301 549 (v3.2.1). The Directive further requires public bodies to maintain an Accessibility Statement in a prominent location on all their websites. This must include a clear feedback mechanism for users to ask for assistance with inaccessible content and features as well as the statutory complaints mechanism through which a person can make a formal complaint about the website’s accessibility in line with the Disability Act 2005 or the Equal Status Act 2000-2015, whichever so applies.

The NDA is the National Monitoring Body responsible for monitoring compliance with and reporting on the EU Web Accessibility Directive. The 2023 report included a Simplified Review of the Department’s PDFs, which earned an accessibility score of 4%.[[8]](#footnote-8)

The NDA conducted Simplified Reviews on the main websites of 19 Higher Education Institutions (HEIs) in 2024.[[9]](#footnote-9) The average Accessibility Score for HEIs (45.5%, Range 0% to 93.8%) was slightly lower than that for All Sites (46.1%). The NDA also conducted Simplified Reviews on the main websites of 15 Further Education and Training Boards (ETBs) in 2024. The average accessibility score for ETBs (38.1%) is lower than for all sites (46.1%, Range 15.5% to 77%).

The NDA recommends that the Department engage with NDA to develop a systematic and comprehensive approach to improving the accessibility of its website and that it articulates its statutory obligation to ensure its website complies with the EU Web Accessibility Directive in its Strategic Statement. The NDA further recommends that the Statement of Strategy contain a commitment to developing an action plan to address access issues and that the Strategic Statement itself is published in a fully accessible format. The NDA also recommends highlighting to its aegis bodies the importance of achieving compliance with the Web Accessibility Directive. This is particularly important for HEIs and ETBs.

## Accessible Public Buildings – Section 25 of the Disability Act 2005

Section 25 of the Disability Act 2005 requires all departments and public bodies to ensure that the parts of their buildings which are accessed by the public, apart from heritage sites, are brought into compliance with Part M of the building regulations, which deals with access and use. The requirement is to upgrade older public buildings so that they comply with Part M, within a ten-year timeframe of any amendment to Part M.

Part M 2010 commenced on 1 January 2012 and was subsequently reviewed and replaced again with Part M 2022, which commenced on 1 January 2023. Under Section 25, public bodies were therefore required to bring their public buildings into compliance with Part M 2010 by 1 January 2022 and they are now required to bring them into compliance with Part M 2022 by 1 January 2033. The new requirements under Part M 2022 relates to the provision of Changing Places toilets.

If not already developed, the NDA advises that the Department should commit to developing an action plan within the Strategic Statement, including access audits, planned improvements works, timeframes for implementation and earmarked funding, to work towards achieving compliance with these legal obligations. This may involve engaging with other authorities as appropriate, including for example, the Office of Public Works (OPW).

An Operational Review of the Effectiveness of Section 25 of the Disability Act 2005 was published by the NDA in 2019, providing guidance on how public bodies can comply with Section 25 of the Disability Act. The NDA subsequently developed a draft statutory Code of Practice on Accessible Public Buildings which is awaiting approval from the Minister, informed by the findings of the Operational Review. When approved, the NDA will have a role to monitor compliance with same, and to provide advice to departments and statutory agencies on areas requiring further action or focus.

## Irish Sign Language Act 2017

The **Irish Sign Language Act 2017** places a statutory duty on all public bodies, including the Department, to do all that is reasonable to provide Irish Sign Language (ISL) users with free ISL interpretation when availing of or seeking to access statutory entitlements and services provided by or under statute.

The NDA notes that in its **Report on the Operation of the Irish Sign Language Act 2017**, the Department assessed themselves as compliant with the Act.[[10]](#footnote-10)

The NDA advises that the Department’s new Strategy Statement include a commitment to continue meeting its obligations under the Irish Sign Language Act 2017 and implementing any relevant recommendations arising from the Report on the Operation of the Irish Sign Language Act 2017. A further review of the operation of this Act will take place later in 2025, during which departments may be asked to provide an update on compliance with the legislation.

## Public Sector Duty

Section 42 of the **Irish Human Rights and Equality Act 2014** requires public bodies to promote equality, prevent discrimination and protect the human rights of their employees, customers, service users and everyone affected by their policies and plans. Section 42 of the Act also sets out three core steps to be taken by public bodies, as follows:

* in preparing strategic plans, public sector bodies must assess and identify the human rights and equality issues that are relevant to their functions. These issues must relate to all of its functions as policy maker, employer and service provider.
* public bodies must then identify the policies and practices that they have in place or that they plan to put in place to address these issues. In their annual reports, or equivalent documents, public bodies must report in a manner accessible to the public on their developments and achievement in that regard.
* in their annual reports, or equivalent documents, public bodies must report in a manner accessible to the public on their developments and achievement in that regard.

The NDA advises that the new Statement of Strategy elaborates how the Department will meet its Public Sector Equality and Human Rights Duty, with due consideration to the human rights of disabled persons.

# Other Key Considerations

## Participation and Engagement

Article 4(3) of the UNCRPD requires all government departments and statutory agencies to ensure the effective participation of persons with disabilities in the creation and implementation of policies and legislation that impact their lives. The NDA strongly encourages the Department to effectively and meaningfully engage with Disabled Persons’ Organisations and disabled people as part of this consultation process. The NDA wishes to highlight its **Participation Matters guidelines** as a useful resource in this regard and we are happy to advise further.[[11]](#footnote-11)

## Disability Equality Training for Staff

The NDA suggests that the Department’s Statement of Strategy includes a commitment to provide disability equality training to all staff. The NDA is currently updating its eLearning module on disability equality training, which is aimed at public sector staff in Ireland. It will be available later in 2025.

## Disability Data

It is envisioned that the National Equality Data Strategy will be finalised and published in early 2025. The National Equality Data Strategy promotes data disaggregation, data linking, using a more standardised approach in relation to indicators and targets, and identifying and addressing data gaps. The strategy supports the ‘collect once, use often’ approach and the linking of various administrative databases as much as possible.

The NDA recommends that the Strategy Statement include a commitment to continue to strengthen data collection, address data gaps and enhance the collection of disability disaggregated data. The NDA are willing to provide guidance on any of these issues.

## Universal Design in Education

The Department has the opportunity to play a leading role in supporting and promoting a Universal Design in Education (UDE) approach across further and higher education. UDE involves a whole systems approach as articulated in NDA’s Centre for Excellence in Universal Design paper[[12]](#footnote-12) based on the following four pillars; physical environments, digital environments, educational services, and the teaching and learning. It is only when these four pillars work in unison that a more inclusive environment can be created that can be easily accessed, understood and used, by the widest range of learners and by all key stakeholders.

UDE promotes the inclusion of Universal Design as subject matter in curricula and assessment, to ensure a broader and more widespread adoption across the educational spectrum. A key focus of the Universal Design approach is to prioritise accessibility and usability for people with more diverse capabilities, characteristics and preferences from the earliest possible design stage and throughout all phases in the life of products and services, and their interoperability with assistive technology. The NDA developed advice and guidance in respect of:

* Universal Design in Education as already mentioned as well as:
* The application of the “Design For All Standard” (I.S. EN 17161: 2019)[[13]](#footnote-13) to the process of ensuring that all educational products and services are as inclusive as possible.
* This standard has been adapted in collaboration with the HEA in relation to the Path 4 initiative on how a universal design approach can be applied across all sectors of an organisation ensuring a more inclusive environment for all stakeholders in education.[[14]](#footnote-14)

Universal Design for Learning is often conflated with UDE, but it is a more limited concept, focusing on teaching and learning rather than the more comprehensive approach provided for under UDE. Universal Design for Learning (UDL) is however one of the core elements of Universal Design in Education:

“UDL is a set of principles for curriculum development that give all individuals equal opportunities to learn, including students with disabilities. UDL aims to improve the educational experience of all students by introducing more flexible methods of teaching, assessment and service provision to cater for the diversity of learners in our classrooms.”[[15]](#footnote-15)

The UNCRPD Committee’s General Comment No. Four provides a framework, through which to consider the transformation required to realise inclusive education. This is a “whole systems approach” which embeds “the necessary changes in institutional culture, policies and practices”.

Also, the National Access Plan: A Strategic Action Plan for Equity of Access, Participation and Success in Higher Education 2022-2028 further underpins the focus on UDE with its two overarching ambitions that:

1. higher education student body, at all levels and across all programmes, reflects the diversity and social mix of Ireland’s population, and
2. higher education institutions are inclusive, universally designed environments which support student success and outcomes, equity and diversity.

It identifies students with disabilities, including those with intellectual disabilities, as one of the three main groups who are under-represented in higher education.[[16]](#footnote-16)

This UDE approach is also central to the National Charter for Universal Design in Tertiary Education. The charter’s focus is how the sector can work towards embedding a Universal Design approach across all sectors of the educational system.[[17]](#footnote-17)

# Conclusion

The NDA welcomes the opportunity to input on the consultation to inform the development of the Department’s new Statement of Strategy. We would be happy to engage with the Department on any of the points raised in this submission.

1. [Public Consultation on the Department of Further and Higher Education, Research, Innovation and Science Statement of Strategy 2025-2028](https://www.gov.ie/en/department-of-further-and-higher-education-research-innovation-and-science/consultations/public-consultation-on-the-department-of-further-and-higher-education-research-innovation-and-science-statement-of-strategy-2025-2028/). [↑](#footnote-ref-1)
2. National Disability Authority (2022) Overview of Article 24:Education, [Series of papers on individual United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) Articles - National Disability Authority](https://nda.ie/publications/series-of-papers-on-individual-united-nations-convention-on-the-rights-of-persons-with-disabilities-uncrpd-articles) [↑](#footnote-ref-2)
3. National Disability Authority (2024) Report on Compliance with Part 5 of the Disability Act 2005 for 2022. [↑](#footnote-ref-3)
4. See also National Disability Authority (2006) Code of Practice on Accessibility of Public Services and Information provided by Public Bodies. [↑](#footnote-ref-4)
5. National Disability Authority (2023) NDA Disability Act – Part 3 Monitoring Report 2022- Appendix A. [Monitoring Report on Access Officers - National Disability Authority](https://nda.ie/publications/monitoring-report-on-access-officers) [↑](#footnote-ref-5)
6. National Disability Authority (2023) [Customer Communications Toolkit for Services to the Public – A Universal Design Approach.](https://universaldesign.ie/communications-digital/customer-communications-toolkit-a-universal-design-approach) [↑](#footnote-ref-6)
7. Statutory Instrument 636, <https://www.irishstatutebook.ie/eli/2023/si/636/made/en/print>. [↑](#footnote-ref-7)
8. National Disability Authority (2024) Ireland’s Monitoring Report for the EU Web Accessibility Directive – 2023 Monitoring Period. [Monitoring-Report-EU-WAD-Ireland-2023.pdf](https://nda.ie/uploads/publications/Monitoring-Report-EU-WAD-Ireland-2023.pdf) [↑](#footnote-ref-8)
9. National Disability Authority (2025) Ireland’s Monitoring Report for the EU Web Accessibility Directive – 2024 Monitoring Period. [Ireland’s Annual Monitoring Report 2024](https://nda.ie/uploads/publications/Irelands-Monitoring-Report-for-the-EU-Web-Accessibility-Directive-2024-Monitoring-Period-Final.pdf) [↑](#footnote-ref-9)
10. See Technical Annex 2 on the Public Body Survey: [Report on the Operation of the Irish Sign Language Act 2017 (December 2021) - National Disability Authority (nda.ie)](https://nda.ie/publications/report-on-the-operation-of-the-irish-sign-language-act-2017-december-2021) [↑](#footnote-ref-10)
11. National Disability Authority (2022) Participation Matters guidelines. [↑](#footnote-ref-11)
12. https://universaldesign.ie/publications/universal-design-in-education-and-training-policy-landscape-in-ireland [↑](#footnote-ref-12)
13. https://universaldesign.ie/about-universal-design/products-and-services/standard-i-s-en-171612019-design-for-all [↑](#footnote-ref-13)
14. https://universaldesign.ie/publications/universal-design-in-education-requirements-in-path-4-funding [↑](#footnote-ref-14)
15. <https://ahead.ie/udl> [↑](#footnote-ref-15)
16. The National Access Plan is available at the following link: <https://hea.ie/policy/access-policy/national-access-plan-2022-2028/> [↑](#footnote-ref-16)
17. <https://www.ahead.ie/altitude> [↑](#footnote-ref-17)