

A FAIR RECOVERY FOR JOBSEEKERS WITH **DISABILITIES**

Sinn Féin proposals for
immediate actions from the
Department of Social Protection



May 2015

‘Shifting the focus onto abilities, not the disability’

INTRODUCTION

We’ve seen the harsh statistics.

People with a disability are more than twice as likely to be unemployed compared to the typical population and just 15% of people with an intellectual disability are in employment (CSO).

However, the reality is that many disabled people aspire to engage in appropriate work.

There are approximately 600,000 people with a disability living in the 26 counties according to Census 2011 statistics, 338,208 of whom are of working age.

In 2012, Sinn Féin TD Aengus Ó Snodaigh produced the Joint Oireachtas Committee on Education and Social Protection’s Report on the Single Working Age Payment (SWAP). In his role as Rapporteur he consulted extensively with those who would be affected by the change proposed by the Labour Party Minister for Social Protection Joan Burton – which required everybody of working age to be available for and actively seeking work.

These engagements saw Sinn Féin meet directly with people with disabilities and NGO’s advocating on their behalf.

The SWAP Report which was endorsed by the Committee found that:

there are many people with disabilities who would love to work if the correct and flexible supports were put in place to help them access work and if suitable work and activation programmes in the broader sense existed ... Working is often seen by people with disabilities and their parents as being the key to greater inclusion in the community. It allows the person to make a contribution and to educate the community about disability and shift the focus of society onto their abilities. For people with intellectual disabilities, in particular, having work prevents isolation and in many cases by providing stimulation helps to prevent regression.

In the Report the Committee called on the Minister not to proceed with the SWAP because the “necessary supports, activation opportunities and quality jobs to move onto [were] not in place”. Little if any progress has been made by the government in the intervening years in terms of putting these supports in place.

It has been estimated more recently that some 40,000 recipients of Disability Allowance would like to work if supported to do so. They should be supported to overcome the multiple barriers they face in their efforts to enter the labour force along a career path of their choosing or to remain in employment in the aftermath of an acquired disability or illness.

The desire to work that is deeply held by so many of our fellow citizens with disabilities went ignored and unmet during the so-called boom years and was de-prioritised further again during the recent years of recession and labour market contraction. Successive governments have left this group behind. And if concerted action backed by the necessary resources is not commenced now, there will be no meaningful recovery for people with disabilities in the years ahead either. That prospect is simply not acceptable.

As the Disability Federation of Ireland have rightly put it – people with disabilities are resolved that there will be “No recovery without us”, they will be sidelined no more.

The upcoming, long awaited and overdue Comprehensive Employment Strategy for people with disabilities must include the steps that are necessary, and allocate the resources required, to close the gaps identified and give effect to the new working concepts highlighted in this document.

| *No recovery without us*

CONSEQUENCES OF EXCLUSION

Standard poverty measures that are based on income levels significantly underestimate the extent and depth of poverty experienced by people with disabilities and their families. The additional cost of disability further depletes the standard of living of a household when compared to a household on the same income in which no disability is present. Most poverty measures fail to take account of this.

The CSO Survey on Income and Living Conditions (SILC) data published in January 2015 shows that deprivation amongst this group is starkly high and rising.

53% of people who are not in work due to disability or illness are experiencing enforced deprivation. This means they cannot afford the very basics such as heating in their homes, putting food on the table and appropriate clothing.

Independent research cited by the Department of Social Protection's own Value for Money Review of the Disability Allowance scheme clearly demonstrates that long term absences from work have damaging effects on mental health which further compound the, often multiple, conditions and disabilities that are already prevalent amongst those who depend on the scheme.

EXISTING SCHEMES - SHORTFALLS AND GAPS

A number of schemes exist to support people with disabilities to gain or retain employment but the evidence demonstrates that they lack ambition and have been afforded insufficient priority by this government.

The **Employability Service** is provided by individual organisations contracted for the purpose by the department. It coaches and mentors people with disabilities, it works to match people with employers and then support them while in the job. Participants must be 'job ready' and support is limited in duration to 18 months.

The **Wage Subsidy Scheme** endeavours to promote the employment of people with disabilities in the mainstream workforce. It offers a financial contribution to employers towards the wages of a person whose 'productivity level' is reduced due to disability.

The **Reasonable Accommodation Fund** includes the Workplace Equipment Adaptation Grant Scheme, the Employee Retention Grant Scheme and the Disability Awareness Training Scheme.

The **Workplace Equipment Adaptation Grant Scheme** is available to employers, employees and self-employed people with disabilities who need to adapt the workplace or purchase specialised equipment for staff with disabilities.

The **Employee Retention Grant** scheme aims to assist employers to retain employees who acquire an illness or disability that affects their ability to carry out the job. It provides funding to re-train the employee and other supports so that they can take up another position in the company.

The **Disability Awareness Training Scheme** provides funding for private sector employers to buy in Disability Awareness Training for their staff. The purpose of the training is to deliver clear and accurate information about disability and to address questions or concerns that employers and employees may have about working with people with disabilities.

‘Even at a simplistic numerical level it is clear that the gap between the desire for supports and the delivery of supports is very significant’

GAP BETWEEN THE NUMBERS WHO WANT SUPPORT AND THE NUMBERS BEING SUPPORTED

As stated it has been estimated by DFI that approximately 40,000 disability allowance recipients would like to be supported into paid employment. Figures obtained via parliamentary question in April 2015 show that 1,500 people are availing of the Wage Subsidy Scheme and 3,000 are availing of the Employability Service, presumably with significant overlap between the two. These are the primary activation supports available to people with disabilities who wish to access mainstream employment.

Even at a simplistic numerical level it is clear that the gap between the desire for supports and the delivery of supports is very significant.

GAP BETWEEN THE FUNDING ALLOCATED AND THE FUNDING SPENT

There has been regular and recurring failures to spend the already meagre budgets allocated to Department of Social Protection employment supports for people with disabilities including the Wage Subsidy Scheme, Employability Service and Partial Capacity Benefit. These underspends and the failure to even set Estimates for the Reasonable Accommodation Fund are indicative of the lack of priority afforded to the promotion of equal employment opportunities for people with disabilities by the Minister for Social Protection and government as a whole.

Table 1. Employability Service

Year	Estimate	Actual Expenditure
2010	8.98 million	8.5 million
2011	8.84 million	8.4 million
2012	8.84 million	8.1 million
2013	8.84 million	8.7 million
2014	9.24 million	8.4 million

Table 2. Wage Subsidy Scheme

Year	Estimate	Actual Expenditure
2010	11.61 million	10.87 million
2011	11.25 million	10.06 million
2012	10.85 million	10.57 million
2013	10.85 million	11.04 million
2014	10.85 million	12.59 million

Table 3. Partial Capacity Benefit – introduced in February 2012

Year	Estimate	Actual Expenditure
2012	13.1 million	2.11 million
2013	8.5 million	7.37 million
2014	12.67 million	9.97 million

Last year €8.43 million was spent on the Employability Service. This is €810,000 less than what was provided for in the Budget for that year. There has in fact been a substantial underspend on this Budget line every year for the last five years.

Table 4. Reasonable Accommodation Fund – expenditure only (as no Estimates set)

Year	Employee retention grant scheme	Workplace equipment adaptation grant scheme	Disability awareness training scheme
2012	€4,320	€71,176	€2,430
2013	€0	€81,724	€834
2014	€0	€61,776	€3760

In Switzerland 80% of people who have suffered a spinal injury return to work. Whereas research published by Spinal Injuries Ireland last year showed that 76% of people with a spinal cord injury are *unemployed* here. Concerted, holistic action is badly needed to increase the retention of work by people who acquire disabilities. The pro-active deployment, target setting and maximal use of the relevant schemes that fall under the remit of the Department of Social Protection must be part of that wider action.

The Minister confirmed in response to a parliamentary question in April 2015 that the numbers of people supported by the Reasonable Accommodation Fund are not even collated.

In the years 2013 and 2014 *ZERO* was spent on the Employee Retention Grant scheme.

And spending on the Workplace Equipment Adaption Grant scheme shrunk by 25% between 2013 and 2014, from €81,724 to €61,776.

GAP BETWEEN THE NATURE OF SUPPORTS REQUIRED AND THE SUPPORTS AVAILABLE

Disabilities and the particular support needs to which they give rise are diverse ranging from intellectual disabilities and Pervasive Developmental Disorders present from birth to physical disabilities acquired during the course of a person's working life. A range of supports from specialist to mainstream are required to enable equal access to the labour market.

Opportunities for education, training and support for employment have traditionally tended to involve specialist programmes funded by the Department of Health and delivered in disability service provider centres. These programmes do vital work but they do not meet the needs or allow for the full realisation of the potential, of all of our diverse population of people with disabilities. Particularly those who have come up, and will come up in growing numbers, through inclusive mainstream school settings.

At the other side the Department of Social Protection funded Employability Service which offers a route into employment on the open labour market is available only to those it deems 'Job Ready' and the support that it offers is limited to a maximum of 18 months support.

The need and desire for employment supports are not being met for thousands who fall between these services.

MAINSTREAM SUPPORTS EXCLUDE PEOPLE WITH DISABILITIES

The network of re-branded **Intreo offices** are supposed to act as a one stop shop for social welfare and employment supports.

Anecdotal evidence from multiple sources suggests that a near default response of Intreo officers is to refer everybody with a disability onto the Employability Service or other specialist service providers even where the supports of Intreo itself would actually be more suitable.

If a person with a disability is referred by Intreo to an Employability Service who then in turn deem the person not to be 'job ready', and therefore ineligible for their service, the likelihood of that person seeking further support having been turned down twice already is slim.

New guidance and training should be rolled out across Intreo offices to facilitate a change of mindset and to ensure staff are upskilled to offer appropriate mainstream employment supports.

The European **Youth Guarantee** was supposed to ensure every young person under the age of 24 years would be offered a meaningful job, training or educational opportunity. However, the government chose to limit the Youth Guarantee in this state to young people on the live register thereby expressly excluding young people with disabilities.

Those young people with disabilities who want to take part should be enabled and encouraged to opt into the Youth Guarantee programme. In particular their current exclusion from the MOMENTUM programme should not be allowed to continue. The Momentum programme funds the provision of free education and training projects to allow jobseekers to gain skills and to access work opportunities in identified growing sectors.

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NEW AND EMERGING MODELS OF SUPPORT

The **WALK PEER Programme** was funded for two years under the European Social Fund and Department of Social Protection's Disability Activation Project (DACT) in County Louth. The project is in wind-up phase now with funding due to cease at the end of July.

This programme catered to young people with any disability in receipt of Disability Allowance between the ages of 16 and 24 years. Its objective was to support these young people into paid positions of employment in the open labour market and to provide them with truly individualised supports including supported access to further education or training in mainstream settings along the way.

There was no requirement to be 'job ready' and support provided could potentially continue significantly longer than the 18 month time limit which applies to the Employability Service in recognition of the varying needs of the young people. Work with each young person is highly individualised with the young person's own chosen progression plan being flexible and open to change following their experiences and preferences.

Under the DACT project WALK PEER was staffed by Employment Facilitators working at a ratio of 40:1, which is significantly higher than the standard ratio of 25:1 and was dictated by engagement with the Department of Social Protection. 100 young PEER mentor volunteers were also recruited and trained as part of the project.

The programme was independently evaluated. By the time the programme's funding allocation concluded 49 of the 119 participants progressed into further education or training in a mainstream setting and 21 had progressed into employment. The impact of the programme for the young people, their families, the PEER mentor volunteers, local employers and the wider community extends far beyond those positive outcomes and are in fact immeasurable.

The evaluation concluded that the programme should, with certain changes, be repeated and replicated. Over the longer term the staff to participant ratio should be reduced.

It is vital that the work of this programme is prioritised and funding allocated to ensure not only its continuation in Louth but it's further roll-out elsewhere also.

The WALK PEER programme provided employment supports to a target group whose needs were not being met. It is imperative that the supports offered by the Programme continue into the future. The annual cost of the programme has been estimated at €360,000. This figure allows for 120 participants. In contrast the cost of Day Service for 120 people would be in the region of €1.5 million.

Mental Health Reform are currently leading a pilot project – **Integrated Employment and Mental Health Support** – in which four EmployAbility companies are participating. The Department provided €250,000 to allow each of the companies employ an additional job coach for the two year period.

This pilot is based on a British Individual Placement and Support (IPS) model of supported employment. It espouses an 'employment first' approach in which a persons' vocational skills and work preferences are assessed quickly after coming into contact with mental health services. Being 'job

ready' is not a requirement rather a suitable setting in the workforce is found and support is provided to develop your skills within the work environment.

A report for the British Department of Work and Pensions found that for every pound invested in IPS there was an expected saving to the exchequer of £1.51.

This must not become a permanent pilot nor should it be forced to evaporate at the end of its two year period. Rather the positive lessons and working concepts that emerge from the pilot must be secured and rolled-out for others.

'Unless the medical card system is reformed this will continue to act as the single most significant poverty trap'

GREATER FACILITATION OF VOLUNTARY MOVEMENT ON AND OFF DISABILITY ALLOWANCE

Many disabilities including mental health disabilities can be intermittent in their impact. Fear of the total loss of Disability Allowance may be serving to inhibit some people who wish to try entering work or increasing their hours of work in excess of the means-test cut-off point.

The Jobseekers Allowance scheme includes a special fast-track system which allows claims to be suspended for up to 12 weeks if you find work and reinstated without delay should you cease working within the 12 week period.

Applications for Disability Allowance, as with all schemes involving medical eligibility criteria, can take many stressful months to complete and process. A facility should be developed within the Disability Allowance scheme to allow a person suspend their claim for a period of up to 12 months but have it reinstated promptly should they become unable to work again, without having to make a fresh application.

Associated guidance on this new facility should be developed and circulated to all deciding officers and made known to DA recipients also.

The potential loss of the medical card is an immensely significant barrier preventing people with disabilities and chronic illness entering employment. It has also been suggested by advocates working in the field that during the discretionary medical cards so-called probity exercise some people with disabilities left employment out of fear that they would lose the card on which they heavily depend.

Everybody with serious medical needs should have a secure medical card. Unless the medical card system is reformed this will continue to act as the single most significant poverty trap.

‘The average full year saving from a person with a disability moving into sustained employment is €10,660 per annum’

POTENTIAL FOR SAVINGS

Figures provided to Sinn Féin by the Department of Public Expenditure and Reform in September 2014 demonstrate the significant potential for savings to the Department of Social Protection’s budget that would arise from greater investment in employment supports for people with disabilities.

The average full year saving from a person with a disability moving into sustained employment is €10,660 per annum.

If a person transitions to part-time employment and earns less than €120 then there are no savings as they retain their social welfare payment in full. However if they transition to part-time employment and earn between €120 and €300 per week, then he or she would retain a portion of their social welfare payment and there would be some savings depending on their level of earnings.

In circumstances where employment is attained and sustained with the support of the Wage Subsidy Scheme the average saving figure of €10,660 would be reduced or offset by the cost of the subsidy to employers which varies depending on the hours worked by the employee (a minimum of 21 hours and a maximum of 39 hours with a payment of €5.30 per hour i.e. between €5,788 and €10,748 per annum).

The overall cost differential between life-long dependence on day services and ultimately residential care and the relatively small investment required to support or retain a person with a disability in employment is so great that we can have not afford to let the opportunity pass by. There can be no economic recovery on a two-tier basis. We must invest in equal employment opportunities for people with disabilities across the labour market in a serious way now as growth in the jobs market begins to get underway.

RECOMMENDATIONS

Publication of the whole-of-government Comprehensive Employment Strategy for People with Disabilities has been promised shortly. It is long overdue and will involve multiple actions to be delivered by several Ministers in the years ahead.

What follows is a series of proposals for actions that the Minister for Social Protection could give effect to right now. These actions should be taken so that her Department does all it can within its remit to ensure there is a fair recovery for people with disabilities. These steps must be taken and the necessary funding allocated immediately so that those people with disabilities who aspire to work are not left behind again as growth in the employment market gets underway.

Open mainstream jobseeker supports to people with disabilities on a voluntary basis

- » Issue new guidance and roll-out training to upskill, change the mindset and increase the capacity of staff across all Intreo Offices to better support all those people with a disability who wish to work
- » End the exclusion of young people with disabilities from the Youth Guarantee. The Youth Guarantee should be opened on the basis of voluntary participation and an initial 500 Momentum places for young recipients of Disability Allowance introduced at a cost of €1.5 million.

Increase the capacity and promotion of specialist employment supports

- » The Employability Service should be expanded and lessons from the positive models of support outlined in this document and from the review of the service which is currently ongoing taken on board. Increase the capacity of the Employability Service to support an additional 1000 people with disabilities at a cost of €1.5 million in 2015 and full year cost of €3 million.
- » Set targets that are ambitious and proactively promote the Reasonable Accommodation Fund schemes. In 2014 a total of just €65,000 was spent across the Employee Retention Grant, Workplace Equipment Adaptation Grant and Disability Awareness Training schemes. A target of at least €100,000 should be set for 2015 and a further 50% increase in 2016. Increasing the take-up of the Disability Awareness Training Scheme which accounted for just €3,760 of last year's spend would in turn encourage private sector employers who avail of it to be more open to hiring people with disabilities.

Secure and roll-out good practice

- » Ensure the positive working concepts developed by WALK PEER continue and are replicated by others. Guarantee the future of the Louth WALK PEER Programme and roll-out initially to at least two further locations at a cost of €540,000 in 2015 and €1.1 million full year cost.
- » Take on board the lessons that will be learnt from the Integrated Employment and Mental Health Support pilot project. It is at a relatively early stage but has a strong evidence base from overseas. Commit to ensure that it does not turn into a permanent pilot or disappear altogether at the end of its term.

New facility to voluntarily suspend claim

- » In recognition that certain disabilities can be intermittent in their impact and that fear of the total loss of Disability Allowance may be acting as a barrier for some people who wish to take up work or increase their hours, develop a facility within the scheme to allow a person suspend their claim for a period of up to 12 months but have it reinstated promptly should they become unable to work again, without having to make a fresh application. Thus also saving both the applicant and department significant time and resources.
- » Issue associated guidance to Deciding Officers and ensure these are well communicated to everybody.

NEW SPENDING

Measure	Additional Cost	Beneficiaries
End exclusion from Momentum Programme	750,000 in 2015 (1.5 million full cost)	500
Expand EmployAbility Service	1.5 million in 2015 (3 million full year cost)	1,000
Introduce target for Reasonable Accommodation Fund. 100,000 for 2015 and at least 150,000 for 2016	35,000 in 2015 (85,000 in 2016)	Not possible to indicate
Secure and replicate WALK PEER programme	540,000 in 2015 (1.1 million full year cost)	360