

## Tilburg University

### Integration into work of persons who were already disabled before adulthood

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# **Integration into work of persons who were already disabled before adulthood**

National reports

## **Annex**

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## Foreword

This book is an appendix of the Dutch report. *“Arbeidsparticipatie van jonggehandicapten, Een onderzoek naar Europese systemen en praktijken”*

The study was based on individual national reports submitted by researchers of each country. In this book the individual national reports are compiled. The national reports have not been edited by the Dutch researchers.

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## **National report Belgium**

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# **1 Description of the national system**

## **1.1 Flanders in Belgium**

Flanders is one of the regions of Belgium. There is both a Flemish and a Belgian government. Both have an administration and distinct competences. There is no hierarchy between these two governmental levels, both decide independently over their own competences.

The competences of the Flemish government comprise among other things training and education, the care for people, prevention, and intermediation on the labour market, including the organisation of active labour market policies. The Federal or Belgian government is among other things competent for taxes and social security, defence, the legal system and the regulation of the labour market.

There are policy fields, in particular the labour market, where both governments have competences. As the unemployment insurance is part of social security, the payment of unemployment benefits is on the federal, i.e. Belgian, level. The same holds for the control and the sanctioning of the unemployed. Helping the unemployed, including those with a disability, to find a job, is a Flemish competence. Most active labour market policies are Flemish, but those measures that give the employer a reduction of his social security contribution when he or she hires a person with specific characteristics, again are on the federal level. For our study field, the employment of persons with a disability, this implies that often two kinds of wage subsidies are available : federal wage subsidies, which act through a reduction of social security contribution, and Flemish wage subsidies, which typically will give the employer a given money subsidy when he or she hires someone with certain characteristics.

For the field of the employment of persons with a disability, both governmental levels are relevant and important, but in the end the Flemish level is more important. For instance things like organizing and subsidizing sheltered employment or supported employment are clearly a Flemish competence. How this is done, will of course be subject to labour law, which is Belgian.

## 1.2 The educational system

The organisation of education is a Flemish competence. Most pupils start around the age of 2 or 3. Although the vast majority of the pupils in Flanders remain in full-time education until at least the age of 18, some choose for part-time participation from the age of 16. This is possible because in Belgium education is compulsory full-time only until the age of 16, whereas until the age of 18, education is part-time compulsory. Note that the determination of the compulsory school age is a federal competence.

In secondary (as well as in primary) education, Flanders knows two parallel branches: on the one hand, there is the quantitatively more important ordinary education, on the other hand there is the rather smaller extraordinary education, that caters for pupils with special needs.

A lot of the pupils with a disability are educated in the extraordinary system. Of course there are also pupils with a disability in the ordinary system, as not everybody needs a special approach. In the last years furthermore more and more inclusive initiatives are undertaken, where pupils who formerly would have been sent to the extraordinary system, are integrated in the ordinary system.

The extraordinary system of secondary education to date looks as follows (to date, because a radical reform has been announced).

- Broad target group: Pupils between 13 and 21, with a disability, with learning difficulties, or pupils that are difficult to educate (e.g. because of attitudinal problems).
- There are 7 target groups:
  - type 1: pupils with a mild mental impairment;
  - type 2: pupils with a moderate or severe mental impairment;
  - type 3: pupils with a defective character;
  - type 4: pupils with physical limitations;
  - type 5: pupils with a protracted illness;
  - type 6: pupils with a visual impairment;
  - type 7: pupils with an auditive impairment;
- There are 4 branches, with different objectives.
  - Branch 1: Social adaptation. This branch gives a social education to prepare the pupils for a life in a sheltered environment. This can be organised for types 2, 3, 4, 6 and 7;

- Branch 2: Social adaptation and preparing to (do some) work. Here both general and social education is given, in preparation to a life and work in a sheltered environment. This branch can be organised for types 2, 3, 4, 6 and 7;
- Branch 3: professional education. In this branch pupils learn a profession they can exercise on the open labour market. This branch can be organised for types 1, 3, 4, 6 and 7;
- Branch 4: This branch prepares for tertiary education. This branch can be organised for types 3, 4, 5, 6 and 7.

Table 1 gives a few numbers about the relative importance of the types and the branches in secondary education for school year 2007-2008. Type 5 is not included.

*Table 1: Extraordinary secondary education 2007-2008.*

Type 1	Type 2	Type 3	Type 4	Type 6	Type 7	Total
9629	6742	1643	1211	225	727	18177
Branch 1	Branch 2	Branch 3	Branch 4	Total		
3425	2840	11295	617	18177		

The ordinary secondary system, for the same school year, had 440955 pupils. In other words some 3,9% of all pupils in secondary education are in the extraordinary system. The figures for branch 1 can be used as an estimator of the number of pupils that most likely will never be able to work. This is the case for 0,74% of all pupils in secondary education.

### **1.3 Adulthood**

In Flemish labour market policy the distinction between young disabled persons and the other disabled persons is not really present. There is of course an important boundary between the age when education is still compulsory and the age one no longer has to attend education. At this point one can either decide to go to tertiary education (or to continue secondary education, provided that one has not yet reached the last year), or to look for a job, or to remain inactive.

For those who decide to start looking for a job, basically the situation is comparable to the situation of all youngsters leaving school. Some will relatively

soon find a job, but most will register at the public employment service as schoolleaver who is looking for a job. There is a financial incentive to register, because schoolleavers will, after a waiting period of several months, qualify for the receipt of an unemployment benefit (if they are still unemployed).

Once registered at the public employment service, this service knows that the person is unemployed and will undertake action, taking into account the possible disability status of the person. This procedure is explained in more detail in chapter 3.

#### **1.4 Relevant legislation**

Flanders has adopted rules against discrimination, and for equal treatment (Samoy 2006). Inspiration was found in the Canadian “Employment Equity act” from 1986. The basic principal is proportional participation : specific target groups (such as persons with a disability) ought to be present on all functional levels of a company, in proportion to their share in society. This principle has also been accepted by the social partners (unions and employer federations). In 2002 a decree (the Flemish equivalent of a federal law) about proportional participation on the labour market was announced. It stipulated that the Flemish employment policy must be organized along the principles of *proportional participation* and *equal treatment*. These principles are defined as follows: proportional participation implies that the participation on the labour market is proportional to the composition of the population of active age, and that the proportional participation of all groups at risk is guaranteed. Equal treatment implies the absence of each form of direct or indirect discrimination or intimidation on the labour market.

On the federal level, there is also a law to conquer discrimination. It is comparable to the Flemish regulation. Very important is the introduction of the concept “reasonable adaptation” in Belgian law. The absence of a “reasonable adaptation” for a person with a disability is according to this law a discrimination. An adaptation is called reasonable if the adaptation does not require a disproportional investment, or if the investment is adequately compensated by existing subsidies or measures.

## **1.5 Role of local authorities/municipalities**

The local authorities only have a limited role in the employment policy for disabled persons.

## **1.6 Role of employers**

The role of employers and employer federations has become important. In the first place do they subscribe to the principles underlying the Flemish antidiscrimination policy.

Over and above this, they have in recent years developed several initiatives aimed at the promotion of the employment of persons with a disability. One of these initiatives relates to the development of diversity planning on the level of an enterprise. Another initiative is called 'Jobkanaal', and has as objective to convince employers to make their vacancies open for persons from groups at risk (such as the persons with a disability). Jobkanaal was initiated by several important employer federations.

# **2 Organization of work for the young disabled persons**

## **2.1 Parties and actors involved**

In chapter 3, a description is made of several instruments and supports that are available in Flanders to help the persons with a disability to find and keep a job. Together with the instruments, a description is given of the process a person with a disability is faced with when he or she enters the system. Being eligible for a given instrument or support in practice is often conditional on decisions made somewhere in the process. At the same time, almost all parties and actors involved, play a role in the described process. Therefore we refer to chapter 3 for a description of parties and actors involved. In this section we will treat a few elements that will not be treated in chapter 3 because they are not directly related to the above mentioned process.

One of the actors that is not actively involved in labour policy, yet actively present as observer at the sideline is GRIP, the group that defends the interests of the users of the system ([www.gripvzw.be](http://www.gripvzw.be)).



## **2.2 No labour market possibilities**

The distinction between young disabled persons with and without labour market possibilities is not explicitly made, although there possibly are several stages where this decision implicitly is made. Referring to the educational system, in a sense the decision made by a school, together with the parents, that a pupil can best choose branch 1 is in a sense deciding that the pupil will never be able to work.

## **2.3 Attitude of employers**

Until now, the average employer seems to have some resistance against hiring persons with a disability. We deduce this from the rather low employment participation and the disproportionately high unemployment numbers for persons with a disability. Several indications however give hope for the future:

- the attitude of employer federations, who acknowledge the corporate responsibility and promote this actively;
- the Flemish and Federal anti-discrimination regulation, which sooner or later will have effects (e.g. by convictions before court);
- the announcement that the Flemish PES, the VDAB, will actively promote the existing and new support measures (see chapter 3). Indeed, in the past we often concluded that many employers didn't even know the existence of wage subsidy schemes etc. (Vos & Bollens 2005);
- and last but not least, the demographic evolution which implies an ageing population in Flanders. This inevitably will give rise to shortages on the labour market, which should be an opportunity for the employment prospects of persons with a disability.

### **3 Instruments, support and facilities**

#### **3.1 Introduction**

Until 2003, the policies, instruments and supportive measures with respect to people with a disability in Flanders were administered by a separate institution, the so called VFSIPH, in practice known as "het Vlaams Fonds". The VFSIPH more in particular managed everything concerning on the one hand, the relationship between disability and labour (training centres, sheltered employment, wage subsidies, subsidies for workplace adaptations and adapted work tools, etc.), and on the other hand, everything with respect to the welfare aspects of a disability, including nursing homes, medical aspects and care.

In this system, there was a clear categorical logic : everything related to persons with a disability is isolated and brought together within one system, perfectly shielded from the rest of society. This categorical approach had some advantages. It allows specialisation, and has the (potential) benefit that all instruments and policies with respect to persons with a disability are geared to one another. And the system has one common entrance, which obviously can be of benefit for some persons with a disability. Important for what follows, was the fact that VFSIPH had one standardized procedure to assess persons with a disability, assessment which lead to either a recognition of the disability status, or not. The recognition was/is important, because it forms the basis to decide whether someone is eligible for a wage subsidy, for entrance to a sheltered workplace, etc.

It must be noted that not all Flemish policies with respect to persons with a disability were administered by VFSIPH. As was already noted earlier, e.g. the educational system for pupils with a disability in Flanders was, and still is administered by the department of education. As the system of "ordinary education" is clearly separated from the system of "extra-ordinary education", the categorical logic is nevertheless also present here, although it must be said that more and more initiatives of inclusive education, where pupils with a disability remain in the ordinary educational system, are undertaken.

During 2003, a huge reorganisation of the Flemish administrative system was planned. In this operation, which was called BBB ("Beter Bestuurlijk Beleid"), the two main divisions of the VFSIPH, to wit, labour & disability on the one hand,

and care & disability on the other hand, were separated. The VFSIPH ceased to exist. Its successor, the VAPH, took over all responsibilities with respect to care but was no longer responsible for the labour market related competences the VFSIPH had exercised. Instead, all labour related competences were integrated in the employment department ("Departement WSE", which stand for "Werk en Sociale Economie").

This reorganisation took some time. Initially the existing instruments and measures with respect to labour and disability were transferred in its entirety (including the civil servants) to the employment department and pursued without change. Subsequently, the transferred instruments and measures were integrated within the larger system of Flemish labour market policies. In fact, this last process is still running at this very moment. This makes it a bit of a challenge to describe the actual system, because some measures and instruments of the old system still exist but will cease to exist, other will remain, while at the same time the creation of a lot of new measures, instruments and institutions has been announced.

At the start of the reform operation, on the 2nd of december 2003, the Flemish government, the social partners (unions and employer federations), the organisations of persons with a disability, and all intermediary organisations, came to a mutual agreement that by 2010 the following objectives had to be attained:

- a substantial increase in the percentage of persons with a disability that work;
- removing the overrepresentation of persons with a disability in unemployment and inactivity;
- creating possibilities for persons with a disability to participate on the labour market and to have an equal opportunity to be hired.

In order to realise these objectives, labour market policies were substantially altered. In the next section, we will describe the actual situation, including the policy changes that have been announced to date.

### **3.2 Entrance to the system and preparation for a job**

A disabled person who is looking for a job, will globally follow the pathway that all job seekers in Flanders have to follow. Only when a differentiated approach (i.e. an approach that distinguishes persons with and without a disability) clearly

is to the benefit of the person with a disability, the distinction will be made. The leitmotiv is : inclusive when possible, categorical where necessary.

Thus the job seeker comes in contact with the VDAB, the Flemish public employment service, possibly through one of the local workshop. For some persons with a disability no specific further interventions will be necessary, it is to say that they will be able to find a job making use of the basic services present in the local workshop such as a database with vacancies etc.

It is however clear that for many job seekers with a disability the usual trajectory won't suffice to find a job. They need a dedicated approach in their job search, they need support in their trajectory to work ("trajectbegeleiding").

At the beginning, it is of course important to be able to identify the job seekers with a disability. The following definition is used:

*A disability related to employment is "each long-standing and important problem to participate in the labour market, where this problem is caused by a combination of (a) a functional disorder of mental, psychic, physical or sensory nature, (b) limitations in the performance of activities and (c) personal and external factors.*

In order to identify persons with a "employment disability", a procedure with several stages was developed. To begin with, when the person registers as job seeker, he has the opportunity to indicate that he needs specialized help. This is a signal that one possibly has to do with a employment disability.

More formal indications are the following:

- the person is registered at the VAPH or at the old VFSIPH;
- the person receives an integration benefit;
- the person receives an additional child allowance (for persons younger than 21) or receives the child allowance that is higher than normal (for parents with a disability);
- the person receives an allowance from the fund for occupational diseases, or an allowance for an industrial accident that caused a lasting disablement;
- the person receives an invalidity allowance;
- the highest qualification of the person is of the BUSO or BLO level, i.e. from extra-ordinary education;

- the person has a attestation by GA (see further), or by (certain categories of recognized) medical doctors, stating that he has an employment disability.

For those who are identified as persons with an employment disability, there is a possibility to get specialized support in their trajectory to work ("trajectbegeleiding"). This specialized support will be given by GTB ("Gespecialiseerde Trajectbepaling en Trajectbegeleiding", specialized service with respect to the determination and support of the trajectory to work, formerly, i.e. in the VFSIPH-era, known as ATB). GTB is also present in the local workshop where the job seeker normally starts his search.

It is important to note that the identification as a person with an employment disability not necessarily implies that GTB will be involved. When there are no special needs, the person can be helped by the support services the VDAB offers to all unemployed, including the support in the trajectory to work.

During the determination of the trajectory, it will often become apparent that the person needs more or other competences, in which case a training is preferable. If it is not clear whether participation in a training course is necessary or meaningful, a specialized screening by GA ("Gespecialiseerde Arbeidsonderzoeksdienst", formerly known as CGVB) can give a decisive answer.

There are specialized training centres (specialized in the sense that they only give training to persons with a disability), the so called GOB ("Gespecialiseerde Opleiding en Begeleidingsdiensten", specialized training and coaching services, formerly known as CBO, "Centrum voor beroepsopleiding"). These GOB offer training in the centre and on the job, job coaching and job hunting services.

In both trajectory approaches, i.e. the specialized trajectory supported by GTB and the "ordinary" trajectory supported by VDAB, often use is made of additional services such as training, etc. Here nothing is excluded. Within the special trajectory, use can be made of specialized services offered by the GOB, but equally one can use the ordinary services (such as a training in a regular VDAB training centre for the unemployed). The same goes for the "ordinary" trajectory.

Innovations that soon will be introduced are (1) “oriënterende stages op de werkvloer”, which organises the apprenticeship on the shop floor and gives it a clear legal status, and (2) the GIBO (“Gespecialiseerde individuele beroepsopleiding”). GIBO is a special form of the more regular IBO-formula. IBO is used when an employer is looking for someone who needs a training that is not present in the catalogue of the existing training centres. In that case the employer can organise the training in the company and can use an unemployed person who will receive his unemployment benefit during six months. The only cost for the employer is that he will have to pay a productivity fee above this unemployment benefit. When the training is over, the employer is supposed to hire the trainee. GIBO is comparable to this formula, but it is aimed at persons with a disability, and therefore an intensive specialized coaching is available. Another difference is that the employer has no cost at all during the training period.

### **3.3 When a job has been found**

Often the integration on the labour market will only succeed when special support is offered to the employee or the employer. Four forms of special support can be distinguished:

- in the first place there are subsidies for workplace adaptations, for adapted and special tools, for the interpreter for people with a hearing impairment, for accommodation expenses and travelling expenses;
- there are wage subsidies;
- coaching subsidies will be introduced;
- and lastly, there is the segment of sheltered employment, catering for the weakest groups.

The decision whether someone is eligible for a specific type of special support, is made by labour specialists from the VDAB. They will assess the functional limitation in relation to the given job and decide about the type and the intensity of special support that is needed. The same procedure is used for persons who don't pass through the trajectory to work system. If someone e.g. finds a job without outside help, and needs a wage subsidy, the labour specialists will decide.

In what follows, the 4 types of special support will be treated in more detail.

### *Adaptations*

This relates to subsidies that are available for:

- workplace adaptations, the employer receives a compensation for investing in adaptations of the workplace. When the employment contract is terminated, the adapted workplace remains in the company;
- adapted and special tools. These stay with the employee, i.e. if the employee terminates the employment contract and finds another job, he/she can take the tools along;
- interpreting for people with a hearing impairment;
- accommodation expenses and travelling expenses.

It is important that all involved, especially the person with an employment disability and also the employer, are aware that these adaptations are possible. Special attention will be devoted to these aspects during the trajectory to work phase. The decision relating to the subsidy for a work place adaptation will be made once a job has been found. If a subsidy is granted, the employer is supposed to employ the person for whom the subsidy was obtained for a period of at least six months. The subsidy for special tools can be obtained before one has found a job, e.g. because these tools often are also needed during the training phase and can be helpful when someone applies for a job.

The persons with a hearing impairment receive a given number of hours during which they can make use of the services of an interpreter. Persons who, due to the nature of their disability, need help to be mobile, can get a subsidy for commuting between home and workplace, for commuting from and to a training center, and for accommodation expenses.

### *Wage subsidies*

Until recently, there were simultaneously two wage subsidy systems, “CAO26” and VIP (“Vlaamse inschakelingspremie”). Both systems were rather similar. An employer who hired a person who was recognised by the VFSIPH as a disabled person, could obtain a wage subsidy. The subsidy, which could be substantive (in some cases 50% of the total wage), was paid monthly to the employer, who had no further obligations. Although the subsidies theoretically were temporary, in practice they were often awarded on a permanent basis. We made an evaluation of these subsidies (Vos & Bollens 2005), and recommended that the two system ought to be merged to one system. Moreover, we recommended to make the

subsidy digressive over time. Of course, for some persons the productivity gap, as compared to workers without a disability, will permanently be there. In that case it can be argued that a constant and permanent wage subsidy makes sense. However, often it will be the case that at the start of a new employment there indeed is a productivity gap, which, however, gets smaller as time passes by, e.g. because the employee gets accustomed to the job, or because useful adaptations have been made, or, because the gravity of the disability diminishes. In these cases, a permanent and constant wage subsidy is difficult to defend. It should be digressive, with the possibility that at a given moment the wage subsidy no longer is paid. Therefore it is necessary to assess regularly whether the person for whom the wage subsidy is paid, still needs it.

Recently, a new wage subsidy system was announced. It will be called VOP (“Vlaamse Ondersteuningspremie”, Flemish support subsidy). It replaces the two former systems.

During the first year of employment, the VOP accounts for 40% of the wage cost. Afterwards the basic level of the VOP will be 30% of the total wage cost, with however the possibility to have additions if the employer can show that the productivity gap is larger. In this way, the subsidy can maximally grow to 60% of wage cost, if the labour specialist of the VDAB accepts. Wage cost is really defined as the total wage cost. In Belgium, the gross wage cost is equal to the net wage plus the income taxes plus the social security contribution of the employee. If gross wage is equal to 100, the total wage cost for the employer is somewhere around 135, where the additional 35 relates to the social security contribution of the employer. For some categories (long term unemployed, persons with a employment disability, etc.), the employer can obtain a reduction on his social security contribution, in which case the total will be lower than 135. The percentage of the VOP subsidy is calculated on the gross wage plus employer contribution minus employer reductions.

For persons for whom no additional subsidy was asked or was obtained, and who have a VOP-percentage equal to 30% after one year, the % will become 20% after five years. At the start of the VOP, the labour specialist indicates whether or not it is necessary to assess the situation after a given period. He also determines the duration of this period (he can e.g. determine that after 5 years the situation has to be reassessed).



For people for whom additions were obtained, there will always be such a reassessment, since the addition is only awarded for a certain period.

The subsidy is given to the employer. The subsidy can be asked as a person with a recognised disability is hired, but can also be asked for employees who were already working for the employer. Someone for whom ever a wage subsidy has been paid (be it VIP, CAO26 or VOP), remains eligible permanently. With change of employer, the cycle starts all over again, with 40% in the first year and 30% plus possibly additions afterwards, until the fifth year.

In exceptional cases, the additions can be obtained in the first year, if the labour specialist accepts it.

The VDAB will make sure that everybody who is eligible for the wage subsidy, will be told. This is important, as we concluded in Vos & Bollens 2005 that a lot of the eligible persons didn't know that the wage subsidies existed.

VOP will also be possible for temporary work agencies. Twelve months after the start, the VOP will be 40% for all days that have been worked in this period. Afterwards the subsidy decreases to 30% without the possibility to obtain additions. The temporary work agency must pay 50% of the subsidy to the employer who makes use of the temporary work. Then it is always more interesting for the employer to hire the employee permanently, at least if he needs someone additional permanently. Instead of 50% of 40 or 30%, he can obtain 100% of 40%.

Another important change, as compared to VIP/CAO26, is the fact that the VOP will apply to employment in the educational system and also will apply to local authorities.

It will also be possible for self-employed persons to make use of VOP. The subsidy can be given to someone who starts or restarts with self-employment. The eligibility will be dependent on the acceptance of the project (feasibility, chance of survival), to prevent that the subsidy becomes the only or major source of income. The subsidy will be equal to 40% of a legally determined minimum income (the GMMI) in the first year and 30% later, without the possibility to

obtain additions. At the end of the first year, it will be checked whether the project is economically sound.

VOP can be combined with the subsidies for adaptations.

### *Subsidies for coaching*

Until now, there existed forms of individual coaching on the shop floor in case of training and within the system of sheltered employment. In the near future this will be generalized. It will become possible to obtain a subsidy to pay for coaching in an ordinary work situation, i.e. for an employment on the open labour market. It is again the VDAB labour specialist who will judge whether coaching is necessary.

In preparation for the introduction of this scheme, some experiments with supported employment were initiated. In fact, one of the good practices described in chapter 6 is an experiment with supported employment. The lessons of that experiment will be used to fine tune the new subsidy for coaching.

### *Sheltered employment*

The inclusive philosophy demands that persons with a disability be employed on the open labour market. However, there will always be persons for whom this aim will be difficult or even impossible to reach, even though they are able to work. In this case, sheltered employment can be a good solution. In chapter 6 a description is given of the sector of sheltered employment in Flanders. Besides the sheltered workshop, who cater for persons with a disability, there are also social workshops, who cater for long term unemployed. In the near future, the regulation with respect to sheltered and social workshops will be harmonized. This will probably entail substantial modifications compared to the existing situation.

## **4 Facts and figures**

### **4.1 Introduction**

Recently, a lot of statistics with respect to the population of persons with a disability in Flanders have become available. Samoy 2006 gives an overview. Unfortunately, the age distinction is not always made. The same goes for the distinction between a congenital disability and a disability that developed later, let

alone the distinction between a disability that was present before adulthood and a disability that developed during adulthood.

## 4.2 Participation on the labour market

According to the European Labour Force Survey 2002, some 16,2% of the Flemish population between 15 year and 64 year was disabled or suffered from a long-lasting illness. For 12,3 % of the same population, there are functional limitations when it comes to participation on the labour market.

Still according to the same source, whereas 63,5% of the total Flemish population between 15 and 64 was working in 2002, for the sub-population of those with a functional limitations, only 45,7% was working.

Table 2 gives more details about the population of persons with a functional limitation as compared to the population without a functional limitation. The numbers are for 2001, for age group 15-64 (and not from the European Labour Force Survey, and therefore can not be compared with the above-mentioned numbers).

*Table 2: Population aged 15-64, status according to functional limitation (Samoy 2006, Sociaal Economische Enquête 2001)*

	With functional limitation			Without functional limitation
	Severe	Mild	Total	
Student	2.7	3.7	3.3	11.7
Working	24.8	48.0	39.6	68.4
Unemployed	5.4	6.5	6.1	4.1
Inactive	67.1	41.8	51.0	15.8
Total %	100	100	100.0	100
Total in numbers	175000	300000	475000	3400000

The share of working persons with a functional limitation is almost 30% lower than the share of the working within the group of persons without a functional limitation. This gap is 20% for those with a mild functional limitation, but accrues to 44% for those with a severe functional limitation. Here only 1 in 4 is working. Table 3 distinguishes age groups. The percentages are rowpercentages, and refer to the share of the four categories on top in each age group.

*Table 3: Employment situation by age and disability status, Flanders 2001  
(Samoy 2006, Sociaal Economische Enquête 2001)*

Age	Working, no disability	Working & disability	Not working & disability	Not working & no disability	Total
20-24	56.8	2.5	2.4	38.3	100
25-29	85.5	3.9	1.9	8.7	100
30-34	85.1	4.7	2.4	7.8	100
35-39	82.2	5.2	3.3	9.3	100
40-44	78.3	6.6	4.7	10.4	100
45-49	71.5	7.8	7.5	13.3	100
50-54	58.5	7.8	11.6	22.1	100
55-59	34.8	5.4	17.7	42.2	100
60-64	8.7	1.4	23.9	66.0	100
Total	60.1	4.8	7.3	27.8	100

As age increases, the share of persons with a disability increases. From the age of 50 onwards, there are much more disabled persons, and not many among them are working. Other sources confirm this: whereas 9,2% within the age group 20-49 do have a functional limitation, this number increases to 22,4% for the age group 50-64.

### **4.3 The working situation of persons with a disability**

Facts and numbers regarding the working situation of persons with a disability are scarce, and especially the distinction between young and older disabled, or between the development of the disability before or during adulthood, can not be readily made.

In Fripont & Bollens 2003 some information can be found regarding the working situation of Flemish persons with a disability in general. As the aim of that study was in the first place to come to grip with all the factors that are of influence on the development of a career on the labour market for someone with a disability, the sample used for the survey need not really be representative for the population of working persons with a disability. As we were interested in the career and its development, it was for instance important to have enough older persons in the sample since the career duration of a young person is by definition short.

Because this reasons, we chose not to give numbers from this study here. The report can however be consulted making use of the electronic address added in the references page.

## **5 Examples of best practice**

### **5.1 Introduction**

In this chapter we describe 5 practices/approaches that in our opinion can be considered as good candidates for the status of "good/best or promising practice".

### **5.2 ABO-projects in special education**

Although the vast majority of the pupils in Flanders remain in full-time education until at least the age of 18, some choose for part-time participation from the age of 16. This is possible because in Belgium education is compulsory full-time only until the age of 16, whereas until the age of 18, education is part-time compulsory.

In secondary (as well as in primary) education, Flanders knows two parallel branches: on the one hand, there is the quantitatively more important "ordinary" education ("gewoon onderwijs"), on the other hand there is the rather smaller "special" education ("buitengewoon onderwijs"), that caters for pupils with special needs.

Now, in ordinary education there exist for some time projects which are called "alternating learning" ("alternerend leren"). These projects aim for the pupils who at the age of 16 decide to opt for part-time education. The objective is to give those pupils the possibility to gain professional experience in the part-time when they are not at school.

Something comparable has in the mean time been organized for pupils from special education schools under the heading ABO-project ("Alternerende Beroepsopleiding voor jongeren uit het BuSo, opleidingsvorm 3", i.e. alternating professional training for youngsters in special education, type 3<sup>1</sup>).

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<sup>1</sup>Type 3 is the branch within special education that is oriented towards professional education. For a description of the distinctive parts of the special education system in Flanders and the respective target groups, see (in Dutch) [http://nl.wikipedia.org/wiki/Buitengewoon\\_basisonderwijs](http://nl.wikipedia.org/wiki/Buitengewoon_basisonderwijs).

In the ABO-projects, during one year the pupil gets alternately professional education in the classroom, and gains professional experience on the floor in fields related to the education being followed.

More information can be found here : <http://tinyurl.com/2rxrqy>

### **5.3 Supported employment for people in sheltered employment**

Supported employment is an approach in which disabled persons receive coaching and support so as to make sure that they can find and hold a job in the open competitive market. In the absence of the coaching this would not have been the case. Supported employment as such does not (yet) exist in Flanders, but there are approaches that are very akin to, or show great resemblance to the classic approach of supported employment. Two examples will be given, in this section and in the next section.

A first example relates to an experiment set up by several sheltered workshop. People in sheltered employment in Flanders (approximately 15 000 employees) optimally should sooner or later exit towards a job on the open labour market. In practice this seldom happens. The experiment gave people in sheltered employment the option to choose voluntarily for a transition to a job outside, and were supported and coached throughout this process. The experiment learned some very interesting lessons about the psychological, legal, and financial thresholds and obstacles related to such transitions.

For more information, see <http://www.vlab.be/html/esfINDEX.htm>

### **5.4 CBO**

Traditionally, the CBO ("Centrum voor Beroepsopleiding") were classic suppliers of professional training for people with a disability. Over time, recognizing the fact that training probably was necessary, but not sufficient to get the disabled persons into employment, the approach of the CBO changed. Training remained important, but was coupled to a second phase, to wit, an apprenticeship training of the trainees in enterprises in the neighbourhood. The apprenticeship period, and consequently, the period during which support and coaching on the workfloor can

be given, is limited to a few months. However, one strives to find apprenticeship places that offer the potential to become a more stable and enduring job.

More information can be found here:

<http://vdab.be/personenmeteenhandicap/cbo.shtml>

### **5.5 Passwerk**

A recently started, yet promising project is called Passwerk. The basic idea is that people with autism have some characteristics which could be used to their advantage. In fact, in this project people with autism will be engaged to test new software. One of the elements of the project that could turn out to be one of the critical success factors is the involvement of several commercial software companies.

More information can be found here : <http://www.passwerk.be/>

### **5.6 Werkbank KVG**

The werkbank, with several branches all over Flanders, aids both school leavers with a disability and young unemployed with a disability in their search for a job. This is done through a mix of diverse instruments such as specific (individual) training of search skills, by informing, by advising, and by support and coaching in the trajectory to work.

More information can be found here : <http://www.werkbank.be/>

### **5.7 Selection of 2 examples of best practice**

The list of five above-mentioned practices was submitted to the Dutch coordinators. They proposed case 5 (Passwerk) and case 3 (Supported employment for people in sheltered employment) as best practices to the steering committee, which accepted the proposal. These two cases will be further elaborated in chapter 6.

## **6 Further elaboration of two best practices**

### **6.1 Passwerk**

#### ***General information***

##### *Title best practice*

The name of the best practice is Passwerk.

##### *Name organisations and persons involved*

See below: process.

##### *Name and function interviewees*

The Passwerk-initiative was only recently started, somewhere in the middle of the year 2007. Therefore, in what follows the main focus will be on the process of the start-up of the initiative . Although a new director was appointed recently (to wit, Nico De Cleen, who started the first of March 2008), we deemed it more relevant to interview Dirk Rombaut, who as starting-up coordinator was closely and actively involved in the entire starting-up process. Although Dirk Rombaut as of the first of March is no longer responsible for the day-to-day management of the project, he remains involved as a member of the board.

##### *Date and format of interview*

The interview took place on Wednesday the 19<sup>th</sup> of March 2008 in Leuven. It was a oral face-to-face interview.

#### ***Description of the best practice***

##### *Problem and context*

The group of people who suffer from an autism spectrum disorder in Flanders is estimated to comprise some 35000 persons. Although a non-negligible share of this group (more or less 50%) is known to have normal to high intellectual abilities, still the very nature of the disorder results in the fact that for this group it is in general rather difficult to find and to keep a job in the open labour market. This results in a huge societal deficit, both because people who are willing and able to work, due to the inherent difficulties of their situation, often end up remaining idle and inactive at home, and because an important source of



productive capacity is not adequately made use of. This last element is of particular importance for the Flemish labour market, where, due to an ageing population, labour supply shortages are increasingly becoming problematic.

A segment of the labour market where supply shortages are very striking concerns the segment of software testing. Software companies find it increasingly difficult to find suitable candidates for software testing, and consequently had to lower the demanded qualifications, to little avail. The lack of suitable candidates for these jobs is wage-related (software testing is obviously one of the lesser paid segments in the ICT-sector) but more importantly also has to do with the substance of the job. Software testing often involves going through repetitive cycles where only very small changes occur from cycle to cycle. After going for the  $n^{\text{th}}$  time through a scarcely changed environment, the attention and punctuality of most people will wane, resulting in errors. Moreover, due to normal psychological processes, most people are inclined to filter incoming signals, by making a distinction between more important signals, which are followed up, and less important signals, which are neglected. In software testing this is a particularly unwanted feature, as even small details can lead to substantial malfunctions.

Adding one and another, and taking into account that (some) persons with an autism spectrum disorder have difficulties with filtering signals, think and work very procedural, are punctual and can remain focused on tiny details for a longer time, the segment of software testing seemed to offer outstanding job opportunities for the target group of persons with an autism spectrum disorder. The Passwerk-initiative was undertaken to bring this into practice.

### *Process*

The idea to take an initiative for the target group of persons with an autism spectrum disorder came originally from De Ploeg vzw and Ergasia vzw. De Ploeg vzw is a centre for the labour market orientation and -training, job finding, job coaching, labour market mediation and aftercare for persons with a disability. Ergasia vzw is a supportive project for adult persons with an autism spectrum disorder with normal intellectual abilities. They support some 50 adults and run both a social workshop (akin to an ordinary sheltered workshop, but with a somewhat different target group) and a day centre. Together with De Ploeg vzw, the Ergasia vzw earlier set up a training programme for persons with an autism spectrum disorder that are not yet ready for the labour market. The objective of

this intensive training programme is to prepare the participants for a job in the social workshop.

As it became clear that some people with an autism spectrum disorder can also work on the open labour market (at least if the necessary coaching is given, because the autism will never disappear), the need for an additional initiative became apparent. At this stage collaboration with the VDAB, the Flemish public employment service, was sought, and Dirk Rombaut, an VDAB-employee, was introduced.

Inspiration for a initiative on the open labour market came in the first place from abroad. In the Netherlands, a project was found where the target group was active in a digitalisation project of an old archive (<http://www.autitalent.nl>). In Denmark, inspiration was found in the Specialisterne project ([www.specialisterne.dk](http://www.specialisterne.dk)). In this project several activities are developed for the target group of persons with an autism spectrum disorder, such as inter alia software testing. An important and stimulating observation was that the employees of Specialisterne seemed to be better, faster and more accurate in software testing as compared to the usual standard.

On the 24<sup>th</sup> of August 2007 Dirk Rombaut, who formerly had been a HRM-manager for an insurance company, was nominated as start-up coordinator, and started to elaborate a business plan. It was soon recognised that collaboration of the ICT-sector would be very important for a successful implementation of the initiative. Therefore a lot of contacts were made with ICT-companies, in order to explore the market potential of the original idea, and to fine tune the specific activities for which members of the target group could be expected to have a comparative advantage. At the same time this was an opportunity to look for ICT-companies willing to commit themselves both morally (i.e. commit themselves to make use of the services offered by Passwerk) and financially (i.e. commit themselves to participate in the capital of the Passwerk-initiative).

At the same time it was recognised that besides the contribution of the commercial sector (market know how, know how about testing, financial capital, etc.) it was equally important to incorporate the know how of the non-profit sector regarding the coaching and support of members of the target group, as it was

evident that without a coaching structure the initiative was bound to fail rather sooner than later.

To equilibrate the interests of these two poles, eventually one opted for the juridical vehicle of the “CVBA met sociaal oogmerk” (a cooperate association with limited liability and a social objective), which has as important characteristic that the balance of power is not related to the input of (financial) capital. Several participants from the profit sector initially rather preferred the choice for the more ordinary “NV”-structure (limited liability company), but eventually accepted the proposed structure.

Important considerations when choosing for this equilibrium were (1) having enough guarantees that the main objective of the initiative is, and remains, the employment prospects of the target group; (2) that when profit is made, this will be reinvested in the target group and not channeled away.

When raising capital, four type of shareholders were distinguished. The A-type is open for companies. Two IT-companies have both paid a share of 125000€. On the one hand there was a contribution of Management & Methodology to Quality (M2Q), a company specialised in testing and software quality. On the other hand there was a contribution from Ordina, a company active in the areas of consulting, ICT and outsourcing.

The B-type is reserved for associations and organisations that are active in the areas of support and coaching for persons with an autism spectrum disorder. They pay a share of 5000€. Participants are de Ploeg vzw, Ergasia vzw, Auticura vzw and the Dutch organisation Dr. Leo Kannerhuis. Auticura vzw is an organisation found by parents of persons with an autism spectrum disorder, together with some professionals from the field of welfare. The aim of the organisation is to support all initiatives that are undertaken with respect to autism spectrum disorder. Dr. Leo Kannerhuis, on the other hand, is a foundation specialized in medical aspects of autism spectrum disorder, comprising i.a. a specialised child- and juvenile psychiatric hospital for the treatment of persons with an autism spectrum disorder, and also a knowledge pool regarding consultation, advice and counseling, training and research with respect to autism.

The C-type shares are reserved for employees, once they have successfully completed their trial period.

The last type, the D-type, is open to all other persons and organisations. Until now, 3 business angels have been found willing to invest 60000€ (2 times 25000€ and one time 10000€). Also the city of Antwerp has devoted itself to pay a premium for each citizen that will find a job in the Passwerk-initiative. There are several other organisations that have shown interest to participate in the capital. The expectation is that the available capital for the initiative will eventually reach an amount of more than 500000€.

Together with the business plan, a mission statement was formulated. It runs as follows: *“The objective of Passwerk is to accompany persons with an autism spectrum disorder and with a normal intellectual ability, starting from their specific qualities and taking into account their possibilities, to fitting and regular jobs. Moreover, these jobs will have to be found in fields where the persons from the target group can perform first-rate. The starting point is that every individual has a right to participate in the open labour market, taking his competencies into consideration. Passwerk judges that the integration and involvement in society should be an obvious right for everyone. Passwerk will do anything to ensure that her collaborators will be able to find their rightful place in the economic and social order. Passwerk offers excellent services in the field of software testing. Passwerk is appreciated by its customers because of the quality (punctuality, thoroughness and accuracy) of the tests delivered.”*

#### *Description of the solution*

*“Is it charity? No. ... Is it community affairs? No. ... So, what is it then? It is business!”*

The business model developed for Passwerk has two layers. The Passwerk-layer relates to attracting, selecting, training and coaching employees from the target group of persons with an autism spectrum disorder. The second layer relates to the commercial aspects, such as attracting customers for the supplied services. This aspect is entirely taken care of by the IT-companies, the so-called A-type shareholders.

Originally, the aim of the start-up coordinator was to make global contracts with the shareholding IT companies, stipulating that they would absorb the capacity that would become available (i.e. the number of hours supplied by the Passwerk-workforce). This was however not accepted. Instead a reservation system came into being: a few days in advance the IT-companies can book a certain share of the available capacity, and will be sure that they will get this. The share that was not reserved, remains in the pool, in is allocated though a first come first served system.

The IT-companies take over the commercial part of the business. When attracting customers, they explicitly do not mention anything about the special characteristics of the Passwerk-workforce. The supplied testing service have to be competitive in their own right (price/quality). Only after a potential customer has agreed to buy the services, one will tell about the disability of the employees. This is necessary, since all testing activities are carried out on site, i.e. on the premises of the customer. Since the outsourced employees most likely will need some specific coaching, the nature of their disability would anyhow have to be revealed, to some extent. In agreement with the employee, beforehand is determined what exactly will be revealed.

Coaching is done by a job coach. The average stay at a given customer takes three months. This may look short, since it implies that the employee with an autism spectrum disorder will have to adapt regularly to a completely changed environment. Apparently this need not be a problem, the persons with an autism spectrum disorder can adapt to change, as long as the change was announced beforehand, is structured and can be prepared. Of course there are always personal idiosyncrasies, but then again there is the job coach who has to know the persons she coaches and can look for specific solutions. Every job coach will be responsible to follow up 7 employees. Recently the Passwerk-initiative did obtain the status of “Invoegbedrijf”, which gives some scope to obtain (temporarily) a degressive wage subsidy for certain employees.

Attracting and selecting employees is a responsibility of Passwerk. As use will be made of the GIBO-subsidy (see chapter 3), exclusively unemployed candidates are eligible. For the intake, one will make use of the ATB/GTB-services (see chapter 3). An existing series of screening tests will be adapted to take into

account both the specific nature of the autism spectrum disorder, and the fact that one is looking for persons who eventually will be deployed in software testing.

In a next phase, remaining candidates will be referred to an assessment center where a further assessment will be made, using the Halm method. This will take approximately 3 weeks.

As the initiative is just starting, initially one is a bit more restrictive in the acceptance policy, in the hope that sooner or later it will be possible to relax some of the following requirements:

- candidates have to possess adequate intellectual abilities, comparable to a bachelor level;
- the behaviour of candidates must be manageable at a reasonable cost;
- the behaviour of candidates must be acceptable for third parties, both in a training context and in the working context;
- candidates must be prepared to work minimally 19 hours/week;
- candidates must possess a minimal mobility;
- candidates must be eligible for the subsidy that compensates for a lower output (CAO26/VIP/VOP, see chapter 3);
- candidates must be eligible for being an “invoegwerknemer”, i.e. an employee who in the context of an “Invoegbedrijf“ is eligible for the (temporary and digressive) wage subsidy;

The aim is to offer the employees a permanent contract.

### ***Results***

The initiative only recently became operational. At present, there are 4 test engineers, two part time job coaches and a director, with a further 10 to 15 person somewhere in the waiting line. The target is to get 100 employees after 5 years.

Given the recent start, efficiency, effectiveness and durability effects still will have to be shown in practice. The least one can say is that the combination of a labour market segment (software testing) where there are manifest manpower shortages with a target group whose disability can be turned into an asset or advantage when it comes to software testing, offers a lot of scope to obtain a successful solution that could prove to be durable.

## *Discussion*

It remains to be seen whether this initiative in the long run could become self-sufficient, i.e. no longer dependent on wage subsidies or other forms of subsidies. On the one hand, the employees will permanently need some form support, which is a competitive disadvantage. On the other hand, if persons with an autism spectrum disorder really are better and faster in software testing, this higher productivity may in the long run be sufficient to compensate for the coaching cost.

However, given that the members of the target group in the absence of specific initiatives such as Passwerk, have rather limited chances to find a decent employment, it can be argued that an employment initiative for this target group of persons should not necessarily be completely break even, at least if the initiative is effective, i.e., succeeds in finding jobs for the target group. Especially for persons who in the absence of this project would not have found a job, chances are great that the social cost-benefit ratio will be positive, i.e. that the cost of wage subsidies, training and coaching bore by society, will eventually be outweighed by fiscal and social security contributions that otherwise not would have existed. And this argument does not even take into account additional social and individual benefits such as the reduction of shortages on the labour market, and the effects of being able to work on individual well being.

It is not yet clear whether the project will be able to offer its employees much scope for career development and promotion. One could state that in the absence of such projects, the career development prospects for the target group most certainly would have been even worse. This probably is true, but is not relevant once one has found a job. Earlier research pointed out that working persons with a disability in general are satisfied with the diverse aspects of their employment situation (job conditions, job circumstances, etc.) with one big exception : they often see little possibilities for personal career development, and are a bit frustrated about that (Fripont & Bollens 2003).

A possible threat for the Passwerk-initiative could be that, once it will have been shown that the business idea is commercially viable, other companies will try to capture their share of the market. As this possibly can further the employment prospects of persons with an autism spectrum disorder, this need not be a problem. A problem could occur if the newcomers are more concerned with profits than with the specific situation of the persons from the target group.

Given the dimension of the target group, it is of course obvious that the segment of software testing will not suffice if one does want to find employment prospects for a substantial share of the target group. It remains to be seen whether other segments can be found that show the same “ideal mix” of capacity problems and shortages on the one hand, and on the other hand a job content that is specifically suitable and adapted to the nature of an autism spectrum disorder. Here one has to look for jobs that are rather procedural, but still can not be automated and thus need human intervention.

### ***Conclusion and recommendations***

Can the Passwerk-approach be transferred to other countries and different settings? An important and exogenous factor that made the approach possible, is that there are manifest shortages and capacity problems with respect to software testing in Flanders. Therefore one can safely assume that the approach can be transferred to countries that also are confronted with similar shortages.

Possibly the approach would have been possible even in the absence of this shortages. If members of the target group indeed are better and faster with respect to software testing, this competitive advantage possibly can offset or even outweigh their need of adapted coaching.

Another country specific element that can differ seriously between countries, is the set of existing labour market instruments and provisions, such as wage subsidies, subsidies on the level of the organisation, training subsidies, etc. In the starting up phase, Passwerk has certainly made use extensively of all existing provisions in Flanders and Belgium. In our opinion, there is a fair chance that once departed, the initiative should be able to survive without these provisions.

## **6.2 Supported employment for people in sheltered employment**

### ***General information***

#### *Title best practice*

Supported employment for people in sheltered employment.



*Name organisations and persons involved*

VLAB, Vlaamse Federatie van Beschutte Werkplaatsen (Flemish Federation of Sheltered Workshops).

*Name and function interviewees*

Karen Lauwers, employee of VLAB, is the person who coordinates the supported employment experiment.

*Date and format of interview*

The interview took place on the 20<sup>th</sup> of March 2008 in Tienen, where VLAB is located. It was an oral face-to-face interview. Together with the supported employment experiment, VLAB published a book with reflections about the experiment (Seys 2007). The description that follows, will be based both on the material in that book, and on the input from the interview.

***Description of the best practice***

*Problem and context*

Since the 1960s a lot of sheltered workshops were created in Flanders. Essentially, these sheltered workplaces bring together in one place several employees with a disability, to perform a given task, under supervision of a job coach. In 2006 there were 68 sheltered workshops in Flanders, that employed some 15076 disabled employees (Samoy 2006). There are some rather small workshops (19 had less than 100 employees), a lot of medium size (another 19 workshops had between 100 and 199 employees, 17 workshops had between 200 and 299 employees), and a few larger ones (13 workshops employed 300 or more employees). In 2005 these 68 workshops together received a government subsidy of 188,6 million €, or approximately 12500 € for each disabled employee. This subsidy is used as wage subsidy for the disabled employees, and to finance supervising and coordinating staff. However, the activities of the workshop are supposed to be economically profitable. At the same time, the workshops are supposed to do their best to let disabled employees exit to jobs in the open labour market. These last two goals are clearly conflicting : workers with the best chances to make it outside the workshop are often also the most productive workers, and obviously the workshop has an incentive to keep the most productive workers in order to realise its economic goals.

From the 15076 employed workers in 2006, in fact only 13635 effectively worked (the other were absent because of illness, etc.). The numbers that follow apply only to this subset of 13635. Table 4 gives an overview by sex and age. There is a clear male majority of 61%, and all ages are represented. Within the target group of disabled employees, one distinguishes a subgroup of so called weaker workers, for whom an higher wage subsidy can be obtained. In 2006 for 60% of the disabled workers this higher wage subsidy was received. When comparing the age distribution of this so called weaker workers with the one that applies to the entire population, little differences are present. Apparently the status of weaker worker is not something that relates to age.

*Table 4: Disabled employees in sheltered employment, by sex and age (Samoy 2006)*

	Male		Female		All	
	Number	Row %	Number	Row %	Number	Row %
19-24	605	7.3	380	7.1	985	7.2
25-29	938	11.3	652	12.2	1590	11.7
30-34	943	11.4	701	13.1	1644	12.1
35-39	1157	14.0	861	16.1	2018	14.8
40-44	1506	18.2	995	18.6	2501	18.3
45-49	1382	16.7	847	15.8	2229	16.3
50-54	998	12.1	579	10.8	1577	11.6
55-59	588	7.1	287	5.4	875	6.4
60+	161	1.9	55	1.0	216	1.6
Total	8278	100	5357	100	13635	100

The information with respect to the type of disability of the workers unfortunately is only known for some 39% of the workers. It is absent for those workers that were already working in the workshop when one started to register this information. Therefore one can assume that this sample of 39% relates to the younger segment of the workshop population. Table 5 gives an overview.

*Table 5: Type of disability, employees in sheltered employment, 2006 (relates to 39% of the total population of disables employees) (Samoy 2006)*

Hearing impairments	5.2%
Visual impairments	6.4%
Mental retardation	65.2%
Limited intelligence	10.2%
Physical impairments / chronic illness	37.1%
Psychical impairments	25.0%

As the numbers indicate, there are some workers who have multiple impairments. The group of workers with a mental retardation is clearly the greatest, together with the persons with a limited intelligence, they make up 3 out of 4 of the disabled employees. Within the group of persons with a mental retardation, 50% has a mild form and 15% are moderately mentally retarded.

In recent years, the sector of sheltered employment has been confronted with several challenges. Back in the 1960s, when the sector was first developed, it only seemed natural and even efficient to put the persons with a disability together in a specialised and protected environment with a dedicated staff and excluding the dangers of the outside world. Today, this approach increasingly is questioned, and more often is chosen for an inclusive instead of an exclusive approach. It is now believed that a workforce that reflects the diversity inherent in society in the end is better for all concerned.

There are also economic reasons that put the workshop model under pressure. Back in the 1960s the main activities of the workshop were typically pretty standardized, large scale activities outsourced by industry. This type of activity was yet another reason why it made sense to organise the work in one place. Nowadays the importance of industry is waning, and the large standardized activities that easily can be outsourced, have long been transferred to low wage countries. Therefore the workshops are more or less obliged to reorient their way of proceeding. For several years, they have been experimenting with the enclave model, where “an enclave is a group of workers who collectively accomplish a set of work tasks at a specific place of employment” (Hanley-Maxwell e.a. 2003). The enclave typically is on site of the customer, and while it can be argued that in this way the enclave model is more inclusive than the traditional sheltered workshop model (that remains dominant), an enclave remains a special, often

separate setting within a wider context, and more often than not the enclave workers have little contact with the regular employees of the customer company.

The logical next step is to help (through coaching etc.) individual workshop employees to find a job on the open labour market, which essentially boils down to a kind of supported employment (remark that the Passwerk solution also can be considered as a kind of supported employment).

### *Process*

At the end of 2003 the Flemish government together with unions and employer federations, and all other stakeholders involved, came to the mutual agreement that by 2010 the employment rate of disabled persons in Flanders had to be substantially higher. In the text that accompanied this agreement, explicitly reference was made to the possibility of forms of supported employment as one of the means to the goal. This was taken up in a call for tender of the Flemish programme cofinanced by the European Social Fund: the 2005 call made it possible for promoters to make proposals to introduce, in an experimental setting, forms of supported employment. VLAB made a proposal, together with 7 sheltered workshops. The general set up was that each of the 7 sheltered workshops would inform its employees about the possibility to find a job outside with support, and then the total number of available places would be divided among those 7 workshops. VLAB on the other hand, would take a coordinating role, give methodological support and would bring job coaches from the 7 workshops together on a regular basis in order to exchange information and interchange experiences. Although all workshops were supposed to use the same methodology, from the outset it was planned that locally there could be different approaches. For example, one of the 7 workshops did not offer the possibility to start a supported employment trajectory to its employees, but instead took those who were on a waiting list to enter the sheltered workshop as target group. Given the experimental approach, this local variation is interesting, since the confrontation of different approaches possibly could lead to new insights.

It is stressed by the initiators that before starting with the supported employment initiative, in each organisation (i.e. in each participating sheltered workshop) a broad basis had to be found. Both management and all coaching staff had to believe in the formula of supported employment, and more in particular, had to be convinced that for the target group there indeed are opportunities to find (and

keep) a job on the open labour market. This is not always easy, because as someone leaves the workplace, his or her place has to be filled, which could cause some resentment and at the same time scepticism.

### *Description of solution*

Experience learned that running a supported employment initiative, including the coaching and follow up, did ask a lot of different competences, knowledge and time. Therefore it was judged preferable to have within each sheltered workplace a multidisciplinary internal team, with the involvement of people from the HR-department, from the commercial department, from the social service, from production, etc. This multidisciplinary approach was deemed necessary because at the start of a support employment trajectory, a lot of quite diverse questions need to be answered : what are the professional choices of a candidate, what are his or her specific problems, limitations, possibilities, strengths? What are the consequences of a transition to supported employment on wage, legal status, family, mobility etc.?

One of the more peculiar observations was e.g. that, by analogy with the more famous unemployment trap, sometimes also a sheltered workshop trap can exist : for an employee still living with his/her parents a (higher than normal) child allowance can be obtained, and after leaving the workplace to work on the open labour market, this allowance will disappear, giving a clear disincentive to leave.

Over and above the need for a multidisciplinary team, for each supported employment trajectory there is a need to have a coordinator who follows the process from start to end. It is the responsibility of this coordinator to make sure that the distinct stages (see below) of the trajectory follow one after another without large gaps in between. Moreover, together with the candidate he/she draws up the trajectory plan, is responsible for the follow up of this plan and for later adjustments. As key player, he/she divides the distinct tasks among the members of the disciplinary team. He/she assesses the coaching need of the candidate, and determines the corresponding coaching intensity. He/she gives advice to the candidate and makes sure that the candidate can make well informed choices. The coordinator has also an important role as psychological coach of the candidate. People working in sheltered employment have, apart from their physical or mental limitation, often a lot of other problems related to housing, family situation, mobility, or have financial, social or psychic problems. Although

not directly related to the supported employment, all these contextual problems can become dominant and hamper the supported employment process. The coordinator must be acquainted with this context, and must act accordingly, either by referring the candidate to the relevant assistance services, or even by halting (or not starting) the supported employment trajectory.

In what follows, we will describe the distinct stages that VLAB distinguishes in the supported employment trajectory.

Before the start of the trajectory, in a kind of preamble, there is the important stage of what can be called *information and motivation*. In most workshops this was done through collective information sessions open to all potential participants. One workshop chose to send an individual letter with information about the supported employment initiative to all employees. In addition, often posters with information were hung in well-attended places.

One workshop preferred not to address the information to all employees, and selected a target group of persons who earlier in one way or another had made it clear that they were willing to exit to the open labour market (this information can be found in the personal development plans). One workshop combined the selective approach with the collective approach. And, as already has been said, one workshop chose not to inform its employees, and instead addressed the persons on the waiting list to enter the workshop.

After this first, more general, information round, the employees got the opportunity to get more information in a personal conversation with a trajectory coordinator. This is not yet a real intake, although the information is already adapted to the specific situation of the employee. Experience shows that a lot of potential candidates for supported employment drop out after this first conversation. Globally some hundred people had this first conversation. Afterwards, only some 40 people were interested to continue with the supported employment process.

It was noted that the family/parents of the employees played an essential role in the decision whether to participate or not. When parents, partner or other persons in a position of trust had questions about, or objections against the initiative, the candidate typically dropped out. One of the objections was the experimental

nature of the initiative, which implied that no guarantee could be given that support and coaching would be continued after the end of the experiment.

People willing to participate have several reasons for this choice. Many just want to get a higher wage, others want to learn new things and new people, want to extend their horizons. A lot just want to get rid of the stigma that in their eyes is related to working in a sheltered workshop. They feel undervalued and underrated, and hope that with a job on the open labour market they will get more respect from the outside world. This is in particular the case for those who are not yet working in the workshop, i.e. the persons on the waiting list. Others have a bad relationship with their supervisor or colleagues and hope that things will be different in another job.

These reasons are very similar to the arguments that other people on the labour market use when they consider to look for another job. There is however one difference : people who leave sheltered employment, leave a known and well protected harbour and have to give up some advantages. Therefore, it soon became apparent that if one wanted to convince people in sheltered employment to choose for supported employment, some kind of temporary comeback guarantee had to be offered. for cases where the outside job turns out wrong. We will return to this point later.

Once the preliminary stage of information and motivation is done, and one has candidates willing to go further, the supported employment trajectory can start. The following stages can be distinguished.

- (1) Intake.
- (2) Assessment.
- (3) Preparatory training.
- (4) Job finding.
- (5) Preparation for the job.
- (6) Placement in the job.
- (7) Coaching and ongoing support.

We will treat the different stages consecutively.

#### *(1) Intake*

During the intake, the candidate gets further personalised information about supported employment, his or her motivation will be further analysed and mutual

expectations will be geared to one another. Mutual confidence and straightforward communication are essential conditions for the intake and for the remainder of the trajectory. The coordinator has to be alert to this. He must approach the candidate in an open and positive way, yet may not shun a confrontation when necessary. It is e.g. of utmost importance that the candidate is aware of his/her own limitations, and to get there, sometimes a form of "soft confrontation" is necessary.

The candidate gets the opportunity to raise questions and objections. At this stage it can be beneficial to involve the close relatives of the candidate in the process (although only when the candidate agrees). Here often the point of the come back guarantee is raised. Ultimately, it was decided that all concerned would be offered the opportunity to return to the state they were in before starting supported employment, until 6 months after the end of the experiment. Who was working in a sheltered workshop and found an outside job with supported employment, thus can return to the workshop until the end of september 2008.

Using the information exchanged during the intake, and taking into account the wishes of the candidate, a first version of the trajectory plan is drawn up. This plan is a kind of road map for the immediate future, and stipulates the engagements and agreements of both parties. As it is important that both parties back all the steps of the trajectory, often the trajectory plan is signed by both and becomes a kind of contractual agreement. It is however important to note that the plan has to be of a dynamic nature, and can be supplemented, adapted and adjusted throughout the entire supported employment trajectory.

## *(2) Assessment*

The assessment stage is necessary to obtain a good insight in the possibilities and limitations of the potential supported employment candidate. It is important to stress that the assessment in the first place is aimed at the possibilities of the candidates and to prevent that the candidates perceive the assessment more negatively as something that is primarily focused on their limitations.

Several assessment techniques have been used. The combination of various divers techniques is said to give a richer and more complex personal profile.

A first technique, observation on the job, is quite an efficient in the context of a workshop. It gives a realistic view on competences, reactions, on the way the



person deals with problems etc. Moreover, the person is assessed in his natural context, whereas other test techniques in a simulated lab context in one way or another are less natural, more artificial and therefore perhaps less reliable. An additional advantage is that the natural work context is also known to the coordinator who makes the assessment. He/she knows the work, knows what the expectations are, knows the tasks that are more or less difficult.

Another technique is the interview. In conversations with the person, with his/her coaches and with his/her relatives, a more complete view on the person can be obtained.

Also interesting is to consider the files with respect to the person and his/her history. In files of the Public Employment Survey, schools that he/she attended, hospitals, etc. often some additional insights can be obtained. It is of course mandatory that the person authorises the use of this personal files.

Besides these more general assessment techniques, also some more specific techniques were used. We enumerate some of these techniques:

- MELBA, a system for professional rehabilitation and integration ([www.melba.nl](http://www.melba.nl)).
- IDA, a job competence test.
- INVRA Arbeid (*Inventarisatie van Redzaamheids Aspecten*), an observation list of competences that are necessary in work situations ([www.invra.nl](http://www.invra.nl)).
- Ergokit, to test some physical capabilities, like strength, speed, endurance, locomotion coordination and agility.
- KIT (*Korte beroepeninteresseset*), a (still) experimental tool to check the professional preferences of the candidate.

A the end of the assessment stage a global report is made that describes the interests, possibilities and limitations of the candidate. This report is strictly confidential.

### *(3) Preparatory training*

Sometimes during the assessment stage it becomes clear that the candidate lacks some basic skills necessary to make it on the open labour market. In this stage one can try to remedy the problem with an adapted training. Note that here we are not yet talking about training that prepares for a specific job.

It e.g. soon became apparent that a lot of the employees in sheltered employment had no experience with applying for a job. They never had to do it, don't know what to expect, and have never talked about their own strengths and weaknesses. After some disappointing experiences with job interviews, several workshops decided to introduce at this stage, before the job finding stage, a training about how to apply for a job.

#### *(4) Job finding*

##### Looking for an employer

One tries to involve the candidate actively in the process of job finding. The coordinator stimulates the candidate to undertake independent action, inasmuch as is possible. Empowerment is the key word. Active involvement in the job finding process enhances the insights in the possibilities of the labour market, gives a sense of reality, and often has as effect that the candidates adjust their somewhat unrealistic expectations and sanguine hopes about the open labour market.

A good knowledge of the local labour market is very important. Often the network of the workshop, and the informal contacts of the coaches seemed to offer very interesting opportunities. The commercial division of the workshop more in particular often could play an important role at this stage. The commercial people have a lot of experience in approaching employers and in negotiating with employers (because their usual job is to find economic activities for the workshop).

Several success factors for job finding were identified. Companies that have a connection with the sheltered workshop, because they know one of the employees or because they have already made use of the services of the workshop, are more receptive to the idea of supported employment. The same goes for companies that already have employees with a disability. Also companies that face very hard to fill vacancies, show some interest. Municipal authorities wanting to start new project are also keen supporters. Here, however, the introduction of supported employment conflicts with legal obligations about application procedures. Most of the companies that reacted positively, were SME. Whether a match between employer and candidate is made, to a large extent depends on the characteristics of the candidate. In general, the success ratio is higher for jobs that are clearly structured, with a lot of repetition. Success is generally lower for jobs that demand flexibility in working hours or in mobility (most candidates do not have a drivers licence). The same goes for jobs where the employee has to

organise his work himself, for jobs that are stressful, where there is a lot of contact with customers, and where reading, writing of arithmetic are important.

On the other hand, there are a lot of employers looking for an employee who stands by an agreement, who is present when he is supposed to, who comes in time, who can do his activity independently, is meticulous, reliable and has some social competences. For motivated candidates, these requirements often are attainable.

Employers often at the start don't want to make a permanent engagement and instead want a kind of apprenticeship period to make sure that a good match is made. In that case the workshop can use the legal vehicle of the "Terbeschikkingstelling", where the workshop legally remains the employer of the supported employee, and lends out the employee to the first employer, in exchange for the wage paid.

#### Finding an employer

When an interested employer is found, the candidate is introduced for a first time. This introduction in a sense can be compared to an application. Candidates have to be prepared for this first encounter. During this preparation, the coordinator gives information about the company and then runs through the things that typically are discussed during an application such as:

- information about the company;
- information about the job;
- first impression of the company (hierarchy, colleagues, safety, working hours);
- elements about the job (nature, difficulties);
- possible questions of the employer;
- determining what the candidate is willing to say about himself;
- desired attitude of the candidate.

It is preferable that the candidate himself tries to do the conversation. The coordinator will be present too, and can give additional information about the more technical aspects of supported employment and about the organisation of the coaching.

### Job preparation

During the stage of job preparation, there are more profound contacts between the coordinator and the employer. The coordinator learns about the company and the job, and can deduce what is required to prepare the candidate (e.g. specific training) and what has to be altered on the level of the work place. Three substages can be distinguished : job analysis, job matching and job re-design.

### Job analysis

Job analysis is related to what has already been done during the stage of job finding : Essentially one tries to get a good grasp of the job responsibilities. The distinct job responsibilities are itemized into smaller components. This analysis is not limited to the job responsibilities in the narrow sense, but also other elements that determine that one job is different from another are taken into account : company ethics, culture of the organisation, structure of the organisation, the place of the job within the organisation, the atmosphere, the hierarchy, the conventions, the wage structure, coaching, working hours, etc.

### Job matching

Once the job analysis has been made, one can determine to what extent the fit can be made between the supported employment candidate and the job. This will make clear where remedial action is required. In practice job matching and job analysis are done simultaneously.

### Job (re-)design

The stage of job redesign comprises everything that is needed to make employment feasible and optimal. Either the job is adapted to the possibilities of the candidate, either the candidate adapts oneself to the requirements. In practice, often both possibilities are combined.

Adaptation of the job can refer to a change of the job tasks, an adaptation of the workplace, but also broader, such as making an agreement about commuting, or with regard to the home situation (e.g. day nursery for the children).

Often a rather small intervention can make an impossible task feasible. Some examples are adapted tools or a more elaborate instruction set. For some

candidates it e.g. can be helpful to obtain the instruction set with photos or pictograms.

Another possibility is known as job carving : a lot of jobs also include tasks that are rather simple and repetitive. By removing this simple tasks from several jobs and combining them together, a new profile arises that is feasible for persons with a disability.

It is essential to make all decisions in the job (re-)design process together with the employer, she of course has to agree. Some changes will have a cost. For adaptations of the workplace or for special tools, subsidies can be obtained. The cost of other changes will have to be bore by the employer, who must be convinced that this investment is worthwhile.

Besides the involvement of the employer, it is equally important to actively involve the future colleagues. They have to understand and accept that some adaptations are necessary in order to make employment feasible for the candidate. It is important that they do not perceive the adaptations as a kind of benefit, neither that they perceive the adaptations as preferential treatment.

Job redesign also has to do with special training for the new job, which can take place in the workshop or elsewhere. Noteworthy is the fact that a fundamental characteristic of a supported employment approach is that training takes place only when a job has been found, and is geared with the requirements of that specific job. The more generic training such as learning how to apply (see earlier) is an exeption to this rule.

A last form of job redesign relates to the changes a supported employment candidate has to implement in his/her life in order to make the transition to the open labour market. Jobs in the open labour market often demand a higher degree of flexibility than what is usual in a sheltered workshop. Persons from the target group on the other hand often have a rather limited degree of flexibility. This makes it often difficult to adapt the candidate to the job.

#### *(6) Placement in the job*

After all the preparations have been made, it is time to start the actual employment. Two stages can be distinguished, the stage of the introduction,

which often takes place before the official employment relation starts, and the stage of effective employment.

#### Introduction on the shop floor

Before the official start of the employment relation, employers often want to have a short period (one or two days) to check whether both parties will find each other.

Another possibility in order to get acquainted without a formal employment contract, is the "Terbeschikkingstelling", we already introduced this earlier.

It is not always necessary to have these introductory stages, some employers start immediately with giving a employment contract, either for a determinate or an indeterminate duration.

The need to have a introductory stage during which nothing definitive possibly is associated with the employers having "cold feet" when confronted with a new situation. The experiment shows that employers who have had a successful experience with a supported employment recruitment, come back when they need to make a supplementary recruitment, and show less restraint the second time.

#### Effective employment stage

The transition to a situation with an employment contract on the open labour market is both legally and psychologically an important event for the candidate. It is also a period during which a lot of administrative actions have to be undertaken.

The candidate receives a employment contract from its new employer. The conditions of this contract will be the result of the bilateral negotiations between employer and employee. The coordinator will be present to aid both parties. If the candidate was working for a sheltered workshop, the employment contract of the sheltered workshop has to be terminated first.

There are several labour market measures that aim to promote the employment of persons with certain characteristics (see also chapter 3). In case of supported employment, often use is made of the wage subsidy measures CAO26 or VIP, measures that in the near future will be combined to a new measure called VOP.

Another wage subsidy is called Activa. With Activa, the social security contribution the employer has to pay is reduced substantially, but only temporary and in a digressive way. Activa is a general Belgian measure aimed at certain categories of unemployed when they are offered a job (general : not only for people with a disability. CAO26/VIP/VOP, in contrast are Flemish measures, that only apply to persons with a recognized disability. In case of CAO26/VIP/VOP, there is a cash transfer from the Flemish government to the employer. In case of Activa, there is no such transfer, the employer has to pay less to the federal (Belgian) social security than what normally would have been the case). The persons whose disability is recognised by VAPH, are eligible for Activa, i.e. they are treated as if they were unemployed, even if this was not the case (e.g. because they were working in a sheltered workshop).

#### *(7) Coaching and ongoing support*

Coaching relates to the rather intensive coaching that often must be given at the beginning of a new employment. As the employee gets to know his/her job, the need for intensive coaching diminishes and an ongoing support can come in place. Both coaching and ongoing support have as ultimate goal the preservation of the employment and of the well-being of the employee, in a long term perspective.

#### Coaching

At the beginning of the employment it is important to make clearly visible what everybody expects from the coordinator who will do the coaching, and to make clear arrangements about this. This arrangements are formalised in a coaching agreement, a written document signed by the three parties involved, to wit the supported employee, the employer and the coordinator.

The coaching can relate to several activities: coaching on the shop floor, giving advice, etc. The coordinator gives coaching during the first period when the employee starts with the new job. As the coaching does not have a permanent nature, it is advisable to find another employee who is willing to give some support when necessary in the absence of the coordinator.

The coordinator plans regularly follow-ups and evaluations. If problems or frictions emerge, it is best to act rapidly in order to avoid that situations develop that are hard to change. The critical phase comes after 3 to 6 months. The initial

euphoria is over, and the neighbourhood will be less lenient towards mistakes made by the supported employee.

Usually the frequency and intensity of coaching moments decreases as time passes by, dependent on:

- the way the integration of the employee on the shop floor develops;
- the way the social interaction between the employee and his/her colleagues develops;
- the effect of the employment on the general functioning of the employee;

### Ongoing support

Typically the coaching phase can be ended after 12 months. The employee more and more becomes a part of the company and is not longer perceived as new. From this point onwards coaching can be replaced by ongoing support. If employee or employer need help, they can contact the coordinator. The coordinator regularly keeps in touch by phone.

As the experiment is only two years old, it is impossible to assess the long term consequences of employment in the open labour market. It is clear that changes in the social context or in the family context of the candidates can have an important impact on the stability and durability of the employment (as, we hasten to add, is the case for everybody)

### *(8) Termination of the employment relationship*

Coaching and ongoing support cannot prevent that there are cases where the employment comes to an end. Who returns to a sheltered workshop often is disappointed. There are several reasons that explain the premature termination of the employment relationship:

- the wage expectations didn't come true;
- the candidate, the coordinator or the employer misjudged the competences of the candidate or the job description;
- the candidate felt short of the employers expectation;
- the integration on the shop floor is no success, the candidate is not able to adapt him/herself enough;
- the candidate fails on perseverance or lacks self-confidence;
- the medical condition of the candidate deteriorates;



It is important that the candidate is taken care of by the coordinator, that they try to analyse the situation and search for points on which they can do better in the future. Ultimately, they have to decide whether or not it is a good idea to start a new supported employment trajectory.

### ***Results***

The VLAB-supported employment project had an experimental character. The objective was not really to reach a vast amount of people. The objective rather was to gain experience with a methodology that had not yet been applied in a systematic way in Flanders.

As to date 14 persons have found (and kept) a job thanks to the supported employment initiative. There are an additional 20 persons for whom still some actions have to be undertaken, most are in the job finding stage. 6 persons who had found a job have made use of the come back guarantee. The initiative is in its last months. In the mean time, VLAB together with other organisations (ATB/GTB, several GA, 14 sheltered workshops and 4 social workshops) have recently introduced a new proposal in the ESF-program in order to be able to continue on a larger scale. It is however not yet known whether the proposal will be accepted.

### ***Discussion***

Already a lot is known about the methodology of supported employment. In several countries around the world many experiments and even full-fledged systems of supported employment have been organised (Heylen & Bollens 2007). But still it remains the case that each country is different, has its own history, and more in particular, has its own institutions : labour market measures (such as measures of wage subsidy), labour market intermediary organisations (e.g. training suppliers, sheltered workshops, etc.), and labour law. The first important contribution of the VLAB initiative was that it examined if and how a fit could be found between the known approach of supported employment and the Flemish labour market context. The experiment showed that supported employment can succeed, although there are still some smaller problems that need to be solved. The most important relates to the need of a structurally financed subsidy to pay for coaching and ongoing support (structurally as opposed to the project character of a ESF-subsidy, that by definition, is temporary).

Another innovative contribution of the initiative is that it started with the target group of employees of sheltered workshops. Supported employment indeed could be a good solution to have (finally) some exit out of the workshop towards the open labour market. At the same time, one can wonder whether persons who can find a job on the open labour market through supported employment, should have been in sheltered employment in the first place. Several cost-benefit analyses suggest that supported employment is not more expensive, and probably even less expensive than sheltered employment. This combined with the fact that supported employment is more inclusive and leads to higher diversity on the workforce, it seems better that, at least from now on, everybody who is fit for supported employment is immediately directed towards supported employment, without the sheltered workshop roundabout. Sheltered employment then can be reserved for those who are not (yet) fit for supported employment, or indeed, as a place someone can go to temporarily after an unsuccessful supported employment experience. Probably this will require that the business economic requirements for sheltered workshops must be relaxed.

On the other hand it is clear that sheltered workshops do have some characteristics that make them an interesting partner in a supported employment trajectory (knowledge of the target group, a vast business network, commercial attitude, etc.). So, even if we don't see much scope for supported employment trajectories out of sheltered employment in the future, there certainly is scope for the presence of sheltered workshops in the supported employment system.

### ***Conclusion and recommendations***

The supported employment initiative for people in sheltered employment is still rather young, yet a lot has been learned. More in particular, we think that the elaboration of the supported employment trajectory, distinguishing several stages and sub-stages, offers a lot of useful tips and recommendations, and in a sense is an overview of the do's and don'ts that have to be taken into account when one is planning to initiate a supported employment initiative for the target group of (primarily) persons with a mental disability.

There is still a lot of work to do as to the motivation of companies and employers to hire people with an employment disability, but gradually things are moving in the good direction. One of the attractive aspects of a methodology of supported employment is that, in contrast to the more narrowly specified Passwerk concept,

it potentially can be of use for a substantive share of the target group it was developed for.

## **7 Conclusion**

In this report, primarily a lot of attention was devoted to the description of two good practices that help persons with a disability to find a regular job. In the Passwerk-initiative, persons with an autism spectrum disorder are given the opportunity to do software testing, something they can do particularly good and fast, and which moreover is something they like to do. The VLAB-initiative on the other hand, used the methodology of supported employment to give employees of sheltered workshops, primarily persons with a mental disability, the opportunity to leave the workshop and to find a job on the open labour market.

Apart from everything that already has been said in the preceding sections, these two initiatives learn above all that persons with a disability, even in severe cases, can find a job on the open labour market, as long as one is willing to invest in the power of imagination and innovative ideas, and as long as one persists in the belief that persons with a disability can and must find a job, just like everybody else.

Yet both examples also show that aiding persons with a disability to find and to keep a job, often will require an additional investment by society, since most will require some kind of support, temporarily or permanently. The fact that the reformed Flemish employment policy for persons with a disability explicitly mentions the possibility of a support subsidy, is certainly an interesting development.

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## List of Abbreviations

ATB:	Arbeidstrajectbegeleiding (predecessor GTB)
BBB:	Beter Bestuurlijk Beleid
BLO:	Buitengewoon Lager Onderwijs (Extraordinary Primary Education)
BuBao:	Buitengewoon Basisonderwijs
BW:	Beschutte Werkplaats (Sheltered Workshop)
BUSO:	Buitengewoon Secundair Onderwijs (Extra-ordinary Secondary Education)
CAO26:	Wage subsidy for disabled persons (predecessor VOP)
CBO:	Centra voor Beroepsopleiding (Centre for professional education)(predecessor GOB)
CGVB:	Centrum voor Gespecialiseerde Voorlichting bij Beroepskeuze (Centre for specialised counseling and advice with respect to occupational choice) (predecessor GA)
CLB:	Centrum voor Leerlingbegeleiding
ESF:	Europees Sociaal Fonds (European Social Fund)
EVA:	Extern Verzelfstandigd Agentschap
GA:	Gespecialiseerde Arbeidsonderzoeksdienst (formerly CGVB)
GIBO:	Gespecialiseerde Individuele Beroepsopleiding in de Onderneming
GOB:	Gespecialiseerde Opleidings- en begeleidingsdiensten (formerly CBO)
GMMI:	Gemiddeld Minimum Maand Inkomen
GTB:	Gespecialiseerde Trajectbepaling en -begeleiding (formerly ATB)
IBO:	Individuele Beroepsopleiding in de onderneming
ILO:	International Labour Organisation
LKC:	Lokaal Klanten Centrum
NEC:	Normaal Economisch Circuit
PEC:	Provinciale Evaluatiecommissie
SAEW:	Subsidieagentschap Economie en Werkgelegenheid
SME:	Small and medium sized enterprises
SST:	Samenwerkingsverband Sociale Tewerkstelling
SWP:	Sociale Werkplaats
VAPH:	Vlaams Agentschap voor Personen met een Handicap
VDAB:	Vlaamse Dienst voor Arbeidsbemiddeling en Beroepsopleiding (The Public Employment Service in Flanders)
VESOC:	Vlaams Ecomisch Sociaal Overlegcomité
VFSIPH:	Vlaams Fonds voor de Sociale Integratie van Personen met een Handicap

VIP: Vlaamse Integratiepremie, wage subsidy (predecessor VOP)  
VLAB: Vlaamse federatie van Beschutte werkplaatsen  
VOP: Vlaamse Ondersteuningspremie, wage subsidy (formerly CAO26 and VIP)  
VZW: Vereniging zonder winstoogmerk (Non for profit organisation)  
WSE: Departement Werkgelegenheid en Sociale Economie (Flemish employment administration)



## **National report Czech Republic**

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## **Preliminary remark**

In the Czech Republic social systems and public employment policies do not distinguish between young and adult disabled people. The only exception to this rule is in the Act no.155 of 1995 Coll., On pension insurance. According to this act, the right to an invalidity pension may also be claimed by a person,

- who is 18 years old,
- is fully disabled
- his/her disability occurred before the date of his/her 18<sup>th</sup> birthday and
- this person did not participate in the pension insurance system for the required qualifying period.

According to article 42 of the Act no.155 of 1995, as amended, a full invalidity pension shall also be awarded to persons who are classified as

- i) fully disabled,
- ii) live in the territory of the Czech Republic and
- iii) have attained age 18, regardless of whether they were insured.

Their pension equals to 45% of the assessment basis, as defined in the Act.

There are social services for young disabled persons, but these are not subject to this report. They will be, nevertheless, mentioned, where appropriate, as they always include an element of education and preparation for employment.



# **1 Description of the national system, schemes, legislation and policies regarding access to, and retention of employment for young disabled people**

In the Czech Republic there are no particular schemes, policies and legislation for the integration of the target group of young disabled persons.

There are general schemes for (re)-integration of disabled persons, which are also accessible to the target group of young disabled persons. These schemes are governed by the provisions of the Act no.435 of 2004, *On employment* and Act no.108 of 2006, *On social services*.

“Adulthood” is defined by age, the limit being 18 years. Young persons enjoy limited legal capacity at age 15; they may, at age 16, enter employment, dispose of their earnings and, if economically active, are compulsorily insured under all the existing social insurance schemes.

## **1.1 Employment policy**

In Act no.435 of 2004, on Employment, interdicts employment of children under age 16. Exceptions to that rule are foreseen for children artists (theatre, cinema, circus, etc.), but disabled children seldom qualify for the exception.

***Part 3 of the Employment Act***, as amended, is dedicated to employment of people with disabilities, provided the disability or handicap<sup>2</sup> has been assessed by the competent social security expert committee acknowledged by the competent labour office (Article 67). The competent labour office may declare physical persons handicapped if they are capable of continuous employment or other economic activity but their capacity, both physical and educational, are substantially limited due to long-term unfavourable changes in the state of their health; long-term means longer than one year. These persons are registered as disabled and offered special services that include

- (1) Vocational rehabilitation (article 68) on the basis of a contract concluded between the handicapped person and the labour office; the Ministry of

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<sup>2</sup> The Act in article 67 distinguishes between disabled persons and handicapped persons, the latter suffering from a handicap that does not necessarily reach the intensity of disability. The former are entitled to a full or partial invalidity pension, the latter only to social assistance and special regard in employment.

Labour and Social Affairs (hereinafter *MoLSA*) defined by regulation the content of individual plan of vocational rehabilitation, costs to be involved and methods how to provide the services for them; professional training may be organized as

- a) preparation for a future profession according to the legislation on education;
- b) training for employment;
- c) special prequalification courses.

On completion of the training the handicapped person is issued a certificate by the training institution.

According to articles 39 to 57 the participants of requalification courses organized by labour offices are entitled to an allowance for the whole duration of the training, provided the participant is not entitled to a pension or sickness benefit.

The amount is 60% of average net wage or the assessment basis, subject to a maximum of 65% of the average wage in the national economy in the first three quarts of the preceding year.

**Article 69<sup>3</sup>**

- (1) Disabled persons shall be entitled to vocational rehabilitation. Such vocational rehabilitation shall be arranged by the locally competent labour office (according to the disabled person's permanent residential address), acting thereby in cooperation with vocational rehabilitation centres. The labour office may also commission a legal entity or an individual to provide vocational rehabilitation on the basis of a written contract (agreement).
- (2) Vocational rehabilitation is an ongoing activity aimed at a disabled person's acquiring and maintaining a suitable employment. Vocational rehabilitation shall be arranged on the basis of a disabled persons application, by the competent labour office that shall also bear the costs of vocational rehabilitation. A disabled person's application for vocational rehabilitation shall include the person's identification data and, as an enclosure, a document certifying that the applicant is a disabled person.
- (3) Vocational rehabilitation shall in particular include job guidance aimed at the choice of an occupation, employment (a job) or other gainful activity, theoretical and practical training for a job or other gainful activity, job placement, maintenance of a job, or change of a job or occupation, and the creation of suitable conditions for performance of a job or other gainful activity.
- (4) In co-operation with the disabled person concerned, the labour office shall draw up an individual vocational rehabilitation plan, taking regard to the person's health, capability to perform an ongoing job or other gainful activity, and qualifications, and with regard to the labour market situation; the labour office shall thereby proceed in accordance with the opinion of the expert working group [article 7(5)].

On the recommendation of the relevant attending medical doctor, and issued in the name of the health care establishment, a person who is recognized as temporarily unable to work may be included in vocational rehabilitation. However, inclusion (participation) of this person in vocational rehabilitation may not be contrary to his/her condition of health; the labour office is obliged to report

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<sup>3</sup> All the translations of the Employment Act are taken from the publication: Labour and Employment, translated by Zuzana Pošustová, Trade Links, Praha 2007. All the other laws were translated by Igor Tomeš.

in writing the person's inclusion in vocational rehabilitation to the competent district social security administration, stating the date of commencement, the place of performance, the daily scope and the total length of work rehabilitation, and to report in writing its termination within 5 calendar days.

- (2) Vocational training, which is a part of vocational rehabilitation (article 73) may be provided by the employer with the financial support of the labour office, if the conditions set out in article 72 are fulfilled.

#### **Article 72**

(1) Training for work (job training) shall be an activity aimed at training a disabled person for a suitable position (a suitable job) and at the level of the person's acquired knowledge, skills and practice required for performance of a chosen job or other gainful activity. Such training may last for not more than 24 months.

(2) A disabled person's job training shall be undertaken:

- (a) at workplaces of the person's employer where the workplaces are adapted to the person's condition of health; job training may be conducted with an assistant's support;
- (b) in sheltered workshops and sheltered jobs created by a legal entity or an individual; or
- (c) in educational (training) establishments (facilities) owned by the State, regions, churches and religious associations, civic associations and other legal] entities and individuals.

(3) The competent labour office shall conclude with a disabled person a written agreement on job training and the agreement shall contain:

- (a) the identification data of the parties to the agreement;
- (b) the content of job training;
- (c) the place and time of job training;
- (d) the method of arranging such job training and the method of verifying the knowledge and skills acquired;
- (e) the clause on repudiation of (withdrawal from) the agreement.

(4) A certificate issued by the legal entity or individual in whose establishment (workplace, workshop) job training took place shall be used as a document on the relevant job (vocational) training.

(5) A disabled person who is not a recipient (beneficiary) of a sickness insurance benefit, old-age pension benefit or wage (salary) or compensatory wage (salary) shall be entitled to a retraining benefit for the period of job training on the basis of the labour office's decision (ruling). A disabled person shall be entitled to a retraining benefit even if this person is not included in the registry of job seekers.

### **Article 73**

(1) The labour office may reimburse the costs of job training to an employer who undertakes job training of disabled persons in his workplace. The labour office shall conclude with the employer a written agreement on job training in the employer's workplace [article 72(2)(a)]; the agreement (contract) shall contain

- a) the identification data of the contracting parties;
- b) the identification data of the disabled person for whom such job training is determined;
- c) the content and length of the job training;
- d) the method, amount and conditions (terms) of settlement of the job training costs;
- e) the period for which job training is to be undertaken with an assistant's support;
- f) the method of checking compliance with the agreed conditions;
- g) the conditions and time-limit for presenting final account and settlement of the job training costs;
- h) the method of verifying the knowledge and skills acquired;
- i) the employer's commitment to refund the payments, or their proportionate part, received for covering the costs if the employer has not fulfilled the agreed conditions (terms) of the agreement or if, through the employer's fault, a certain payment has been made to him{her unjustly or in an amount higher than due, and the time-limit for the refund



j) the clause on termination of the agreement.

(2) The agreement on job training concluded by with a legal entity or an individual in whose establishments such job training is going to be undertaken [article 72(2)(b) and (c)] shall contain, in addition to the data pursuant to sub-article (1), the following:

- (a) the title (description) of working activity (job) for which training is undertaken;
- (b) the basic qualification and health prerequisites required for such job training;
- (c) the place and method of training;
- (d) the scope of theoretical and practical training.

(3) Sheltered employment position (article 75); a sheltered employment position is a position offered to a handicapped persons in accordance with a contract concluded between the labour office and the employer, and lasts for at least two years; the labour office may subsidise its creation by an allowance subject to a maximum of 8 times or 12 times the average wage (the latter in cases of heavily disabled persons)<sup>4</sup>, provided the employer has met all his tax and social security contribution obligations; the labour office may, on the basis of a contract, also contribute to the operational costs of such an work position up to a maximum of three times the average annual wage; conditionalities for a sheltered employment position are defined by a MoLSA regulation

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<sup>4</sup> The average is calculated on the basis of the average as identified by the Czech Statistical Office for the first three quarters of the preceding year.

## **Article 75**

(1) A sheltered position (sheltered job) shall be a position (a job) created by an employer for a disabled person on the basis of a written agreement with the labour office. A sheltered work position (job) must be filled by a disabled person for at least two years as of the date agreed in the agreement. The labour office may provide a financial subsidy to the employer for creating a sheltered work position (sheltered job).

(2) A subsidy for creating a sheltered work position for a disabled person may amount to a maximum of eight times the average wage in the national economy for the first to the third quarter of the previous calendar year and a subsidy for creating a sheltered work position for a person with a severe disability may amount to a maximum of twelve times the average wage in the national economy for the first to the third quarter of the previous calendar year. Where on the basis of one agreement (contract) with the labour office a certain employer creates 10 or more sheltered work positions, the subsidy for creating one sheltered work position for a disabled person may amount to a maximum of ten times the said average wage and the subsidy for creating one sheltered work position for a person with a severe disability may amount to a maximum of fourteen times such average wage.

(3) A subsidy shall be provided under the condition that the relevant employer has no tax arrears (underpaid taxes) and no debts and unpaid penalties relating to public health insurance, social security or state employment policy contributions, with the exception of cases where the employer has been permitted to repay them in instalments and he is not in default with their repayment.

(4) Sheltered workshop (article 76); a sheltered workshop is defined as a workshop for disabled and handicapped persons, in which at least 60% of the employees are officially declared as disabled or handicapped (annual average); it is created on the basis of a contract between the labour office and the employer and has to operate for at least 2 years; the labour office may – on the basis of the contract – provide an allowance to the creation of such a workshop and to its operations; the labour office may subsidise its creation by an allowance subject to a maximum of 8 times the average wage (or 12 times

in cases of heavily disabled persons), provided the employer has met all his tax and social security contribution obligations; the labour office may, on the basis of a contract, also contribute to the operational costs of such a work position up to a maximum of four times (maximum six times in case of heavily disabled persons) of the average annual wage; conditionalities for a sheltered workshop are defined by a MoLSA regulation;

There are specific sheltered employment places, as described above. In 2007, e.g. some 330 sheltered workshops have been established offering some 790 new working places to handicapped. They are active in several areas – especially production of easy objects and some types of services.

#### **Article 76**

(1) A sheltered workshop shall be an employer's workplace that is determined on the basis of an agreement with the labour office and that is adapted for employing disabled persons and where 60% of the average annual (adjusted) number of employees are disabled persons. A sheltered workshop must be operated for a minimum period of 2 years as of the day agreed in the agreement. The labour office shall provide a subsidy to the employer to establish a sheltered workshop.

(2) A subsidy for establishing a sheltered workshop will be related to the number of sheltered work positions (jobs) created for disabled persons in such workshop; at the utmost the subsidy may amount to eight times the average wage in the national economy (for the first to the third quarter of the previous calendar year) per each work position for a disabled person and it may amount to twelve times the said wage per each work position created for a person with a severe disability. Where on the basis of one agreement with the labour office, an employer creates 10 or more work positions in a sheltered workshop, the subsidy per one work position (job) created for a disabled person may amount to a maximum of ten times the said wage and the subsidy per one work position created for a person with severe disability may amount to a maximum ' of fourteen times the said wage.

(3) A subsidy shall be provided on the condition that the employer concerned has no tax arrears recorded by the financial office and no mature arrears in

respect of public health insurance contributions and penalties or no mature arrears in respect of social security and state employment policy contributions and penalties, with the exception of the situation where the employer was permitted to repay them in installments and he is not in default with repayment.

- (5) Government allowance to support employment of disabled and handicapped persons; in accordance with article 78 every employer with at least 50% employees from among disabled and handicapped persons may apply for and receive from the competent labour office a monthly allowance (payable by the quarter), which equals to the actual salary of the disabled and handicapped, including social and health insurance contributions, subject to a maximum of
- a) 9000.- Czech crowns per person with a heavy disablement, and
  - b) 6500.- Czech crowns for other disabled and handicapped person.
- (6) Obligation of employers with more than 25 employees to employ 4% of their staff from among disabled and handicapped persons (article 81); this obligation may be met by purchasing goods and services from employers with over 50% of employees being disabled and handicapped or from NGOs<sup>5</sup> employing such persons<sup>6</sup>; employers that do not meet this obligation shall surrender an allocate specified sums to the state budget for support of employers under letter (e). The last alternative (payment to the state budget) does not apply to public/state employers.

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<sup>5</sup> This is the case of a public-private mix. The Non-governmental organizations organize activities of various groups of disabled and handicapped persons as independence entities of private law, and may be subsidised by the governmental structures. Both central and local governments annually issue such subsidies.

<sup>6</sup> The act enumerates in great detail the adequate substitutes for such employers and NGOs.

## **Article 81**

(1) Each employer whose workforce is over 25 employees (employed in employment relationship) is obliged to employ a certain mandatory quota of disabled persons. The mandatory quota of disabled persons in the employer's total number of employees shall be 4%.

(2) An employer fulfils his duty pursuant to paragraph (1):

(a) by employing disabled persons in an employment relationship;

(b) by taking products or services from employers whose workforce includes more than 50% employees who are disabled persons, or by placing orders with such employers, or by taking products from sheltered workshops operated by a civic association (Note 47), a state-registered church or a legal entity that is registered under the statutory provisions regulating the status of churches and religious associations (Note 48) or a public service company (Note 49), or by placing orders with the said entities (establishments) or by taking products or services from disabled persons if they carry on independent gainful activity without employing other staff, or by placing orders with these persons; or

(c) by paying a levy to the state budget;

(d) or by a combination of the methods pursuant to (a) to (c).

(3) Employers who are organizational establishments of the State (Government), or have been established by the State (Government), may not fulfill the mandatory quota in the manner pursuant to (2)(c).

(7) Obligation to inform; employers have the right to request and receive from labour offices whatever information they need to create and operate employment for disabled and handicapped persons; employers are obliged by law to provide labour offices the information defined by law; the labour offices are obliged to provide whatever information the disabled and handicapped persons require to make a choice of a suitable profession and choice of a suitable employment.

Young disabled persons who work in a sheltered workplace may move up to regular workplaces provided the employer offers regular employment to such persons. This rarely happens in practice, also because it is more advantageous

for an employer to employ a disabled and handicapped person in places, which are contracted with the competent labour office, and receive public financial support.

In many private firms sheltered workplaces are parts of the employer's establishment and thus provide employment competitive to regular jobs. The wages are publicly subsidized and thus employment of such persons is competitive to regular employment.

As already mentioned above all employers with more than 25 employees are obliged to provide disabled and handicapped persons facilities and possibilities to work in regular jobs or to make adequate alternative arrangements.

According to articles 39 to 57 unemployed persons who have worked for 12 months in the last 3 years in an insured employment or self-employment and are not entitled to a pension or a short-term benefit, receive an unemployment benefit of

- a) 50% of the assessment basis for the first 3 months;
  - b) 45% of the assessment basis for the rest of the benefit period;
- subject to a maximum of 58% of the average wage in the national economy in the first three quarters of the preceding year.

The benefit period depends on age. It is 6 months for people under age 50.

**Article 39**

(1) The entitlement to an unemployment benefit pertains to a job seeker who: (a) was employed for at least 12 months in the decisive period (article 41) or who performed other gainful activity giving- rise to the duty to pay (mandatory) old-age (retirement) pension contributions and state employment policy contributions (hereafter referred to as "previous employment"),

(a) has filed an application with the labour office, where he is entered (included) in the registry of job seekers, asking for the payment of unemployment benefit, and

(b) at the day as of which an unemployment benefit is to be granted to him he is not the recipient (beneficiary) of an old-age (retirement) pension.

(3) The entitlement to unemployment benefit shall not pertain to a job seeker who has become entitled to service benefit (for his previous service) pursuant to other statutory provisions (Notes 33 and 34) where such service benefit is higher than unemployment benefit which would be due to the job seeker if he were not entitled to his service benefit.

**Article 43**

(1) Upon fulfilling the prescribed conditions, unemployment benefit is granted to a job seeker for a benefit period. Such benefit period shall last:

(a) 6 months, in the case of a job seeker of the age of up to 50 years;

(b) 9 months, in the case of a job seeker of the age of between 50 and 55 years;

(c) 12 months, in the case of a job seeker who is over the age of 55 years.

(3) The age of a job seeker attained at the day when he files his application for unemployment benefit shall be decisive for determining the length of benefit period.

**Article 44**

(1) A job seeker shall not be granted unemployment benefit or retraining benefit for a period:

(a) when he is the recipient of old-age pension;

(b) when he is the recipient of a sickness insurance benefit;

(c) when he is in custody,

(2) The labour office shall suspend the payment of unemployment benefit or

retraining benefit on the basis of its decision (ruling).

(3) A job seeker shall not be provided with unemployment benefit for the period for which he is paid retraining benefit

#### **Article 45**

(1) The entitlement to unemployment benefit shall terminate:

- (a) on expiry of the support period;
- (b) on termination of registration of the job seeker concerned in the registry of job seekers (article 29); or
- (c) on exclusion (withdrawal) of the job seeker concerned from the registry of job seekers

#### **Article 50**

(1) The amount of unemployment benefit (per month) and retraining benefit shall be calculated as a percentage from a job seeker's average net monthly earnings that were computed for the decisive period [under the relevant provisions of the labour law)] in the job seeker's last terminated employment and that were used for the labour-law purposes; in the case of a job seeker whose last terminated job was subject to other than labour statutory provisions, for the purposes of unemployment benefits and retraining benefit, his average net monthly earnings shall still be computed, as appropriate, under the relevant labour statutory provisions (Note 38).

(2) In the case of a job seeker who prior to being entered in the registry of job seekers performed independent gainful activity, his unemployment benefit shall be determined as a percentage of his last assessment base (Note 21) for the relevant decisive period, recalculated per one calendar month.

(3) In the first 3 months of the support period, a job seeker shall be entitled to receive unemployment benefit equal to 50% of his (previous) average net monthly earnings or assessment base and in the remaining time of the support period he shall be entitled to be paid 45% of his (previous) average net monthly earnings or assessment base. Retraining benefit shall be provided in the amount of 60% of his (previous) average net monthly earnings or assessment base

#### **Article 51**

(1) Unemployment benefit shall be fixed for a job seeker in the first 3 months in the amount of 0.12 multiple and in the remaining months in the amount of 0.11 multiple of the average wage in the national economy for the first to the third



quarter of the calendar year preceding the calendar year in which an application for unemployment benefit is filed if:

- (a) the job seeker has fulfilled the condition of previous employment [article 39(1)(a)] by inclusion of the substitute period and this period is considered as his last employment;
- (b) without his fault, he is unable to verify the amount of his average net monthly earnings or assessment base; or
- (c) it is impossible to determine his average net monthly earnings or assessment base.

(2) A job seeker's retraining benefit in the cases laid down in paragraph (1) shall be fixed as 0.14 multiple of the average wage in the national economy in the first to third quarter of the calendar year preceding the calendar year in which the job seeker starts retraining. The same procedure shall apply to cases when, before retraining, a job seeker performed gainful activity not giving rise to the duty to pay statutory pension (social security) insurance contributions and state employment policy contributions.

(3) In the instances laid down in article 50(4) the procedure under paragraphs (1) and (2) shall not be followed if at least one of the average net monthly earnings or the assessment base is known.

The main job of promoting public employment policies lies with the labour offices. Long-term unemployed (exceeding the benefit period to receive unemployment benefits) receive an minimum existence allowance<sup>7</sup>, which is 2020.- Czech Crowns. They may receive and higher minimum living allowance of 3126.- Czech Crowns<sup>8</sup> provided they make an evident effort to get a job, evidently cooperate with the labour office (e.g. participate in requalification courses), work on public works or volunteers for a minimum of 20 hours in public works, provided they also make an evident effort to get a job.

Labour offices are institutions of the central government, reporting to MoLSA, and do not cooperate systematically with local/municipal authorities.

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<sup>7</sup> Act no. 110 of 2006, On Living and Existence Minimum, as amended

<sup>8</sup> This amount is for people living alone. If living in a household the allowance is 2880.- for the first adult, 2600.- for all other persons over age 15, if not dependent children, 2250.- for dependent children age 15-26, 1960.- for dependent children age 6 to 15 and 1600.- dependent children under age 6.(article 3 of Act 110/2006)

Local authorities organize such public works and volunteer engagements<sup>9</sup>. Some local authorities support financially sheltered workshops and NGOs, which provide social services to disabled people in addition to central government support.

### **1.2 Protection of disabled in labour relations**

There is some protection of disabled and handicapped employed persons in case of dismissal. According to article 48 of the Labour Code<sup>10</sup>, *as amended*, if an employer intends to dismiss a disabled or handicapped person, he/she must consult the competent labour office. This does not prevent dismissal but enables the labour office to act in favour of the disabled and handicapped person.

### **1.3 Integrating social services**

Local authorities/municipalities are not involved in employment policies. They may, however, provide social services (Act no. 108 of 2006, On social services, as amended). Such services generally include

- a) Consultations, providing advice what to do,
- b) Social assistance – a service which may be used also for integration activities  
(article 39)

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<sup>9</sup> Act no.111 of 2006, On material need, as amended. Under this act social assistance is provided.

<sup>10</sup> Act no. 262 of 2006

### **Article 39**

#### **Personal assistance**

(1) Personal assistance is a field service offered to people who have limited capacity to care for themselves due to age, chronic disease or disabled and their condition requires the help of another physical persons. The service is provided without a time limit, in the natural social environment of the person and to the extend needed.

(2) The service in accordance with paragraph 1 includes the following basic activities:

- a) to assist the person to manage routine activities in taking care of one's personal needs;
- b) to assist with personal hygiene;
- c) to assist with catering;
- d) to assist with running the household;
- e) to promote educational and activation activities;
- f) to promote contacts with social environment,;
- g) to assist with exercising legal rights, defending legitimate interests and promoting personal affairs.

- c) Support of independent housing, which may have also an integrating role (article 43)

### **Article 43**

#### **Support to independent living**

(1) Support to independent living is a field service offered to persons with limited capacities due to disablement or chronic disease, including mental disorder, which requires the assistance of another physical person.

(2) The service in paragraph 1 includes the following basic activities:

- a) assistance with running the household;
- b) promotion of educational and activating activities;
- c) promotion of contacts with social environment;
- d) social therapeutic activities;
- e) assistance with exercising legal rights, defending legitimate interests and promoting personal affairs.

- d) Day centres and homes for disabled children that also provide education and vocational training (articles 46 to 48)

**Article 46**

**Day centres (wards)**

(1) Day centres (wards) offer out-patient care to persons, who have a limited capacity to care for themselves due to age, disability or chronic mental disease, whose state requires the assistance of another physical person

(2) The service in accordance with paragraph 1 offers the following basic activities:

- a) to assist the person to manage routine activities in taking care of one's personal needs;
- b) to assist with personal hygiene or to provide the facilities for personal hygiene;
- c) to provide food;
- d) promotion of educational and activating activities;
- e) promotion of contacts with social environment;
- f) social therapeutic activities;
- g) assistance with exercising legal rights, defending legitimate interests and promoting personal affairs.

**Article 47**

**Week centres (wards)**

(1) Week centres (wards) offer outpatient care to persons, who have a limited capacity to care for themselves due to age, disability or chronic mental disease, whose state requires the assistance of another physical person

(2) The service in accordance with paragraph 1 offers the following basic activities:

- a) lodging;
- b) catering;
- c) assistance with personal hygiene or to provide the facilities for personal hygiene;
- d) assistance with management of routine activities in taking care of one's personal needs;
- e) promotion of educational and activating activities;
- f) promotion of contacts with social environment;
- g) social therapeutic activities;

- h) assistance with exercising legal rights, defending legitimate interests and promoting personal affairs.

#### **Article 48**

##### **Homes for disabled persons**

(1) Homes for disabled persons offer lodging and catering to persons who due to their disability have a limited capacity to care for themselves, and whose state requires the assistance of another physical person

(2) The service in accordance with paragraph 1 offers the following basic activities:

- a) lodging;
- b) catering;
- c) assistance with personal hygiene or to provide the facilities for personal hygiene;
- d) assistance with management of routine activities in taking care of one's personal needs;
- e) promotion of educational and activating activities;
- f) promotion of contacts with social environment;
- g) social therapeutic activities;
- h) assistance with exercising legal rights, defending legitimate interests and promoting personal affairs.

(3) Dependent children in homes for disabled persons receive personal equipment, small items of daily personal need and some services with respect to their needs. Personal equipment means underwear, clothes, and shoes; items of daily personal need mean haircutting, raising and pedicure. Dependent child is for the needs of this Act defined in accordance with the Act on state social support.

(4) Homes for disabled persons may offer education in accordance with special legislation. The homes for disabled persons apply regulation of rights and obligations, which apply to children in children's educational institutions in conformity with special legislation.

- e) Sheltered housing which may include developing abilities to live independently (article 51).

**Article 51****Protected lodging**

(1) Protected lodging is a resident service offered to persons, who have a limited capacity to care for themselves due to age, disability or chronic mental disease, whose state requires the assistance of another physical person. Protected lodging takes the form of group or individual lodging

(2) The service in accordance with paragraph 1 offers the following basic activities:

- a) catering or acquisition of food;
- b) lodging;
- c) assistance with running the household;
- d) educational and activation activities;
- e) promotion of contacts with social environment;
- f) social therapeutic activities;
- g) assistance with exercising legal rights, defending legitimate interests and promoting personal affairs.

- f) Social therapeutic workshops for handicapped with severe disability (article 67), developing abilities to work and live independently,

**Article 66****Socio-activation services for seniors and disabled persons**

(1) Socio-activation services are out door and field services offered to persons in pensionable age or disabled persons in danger of social.

(2) The service in accordance with paragraph 1 offers the following basic activities:

- a) promotion of contacts with social environment;
- b) social therapeutic activities;
- c) assistance with exercising legal rights, defending legitimate interests and promoting personal affairs.

**Article 67****Socio-therapeutic workshops**

(1) Socio-therapeutic workshops are outpatient services offered to persons with a limited capacity due to disablement, who due to their health status are unable to be placed in the open or protected labour market. The aim to provide long-term and regular support to improvement of work habits and capacities through socio-vocational therapy.

(2) The service in accordance with paragraph 1 offers the following basic activities:

- a) assistance with personal hygiene or to provide the facilities for personal hygiene;
- b) catering or acquisition of food;
- c) training capability to care for one self, independence and other activities leading to social inclusion;
- d) training of creating and developing basic vocational habits and capacities.

- g) Social rehabilitation (article 70), which includes developing abilities and training for employment.

## **Article 70**

### **Social rehabilitation**

(1) Social rehabilitation is a complex of specific activities aimed to achieve autonomy, independence and self-sufficiency of persons through development of their specific abilities and capacities, strengthening habits and training of routine activities, which are necessary for an independent life, that exploit in an alternative manner the remaining capacities, potentials and competencies. Social rehabilitation of offered by outpatient and field services, or in-patient centres of social-rehabilitation services.

(2) The service in accordance with paragraph 1 offers the following basic activities:

- a) training abilities to care for oneself, self-sufficiency and other activities leading to social inclusion;
- b) promotion of contacts with social environment;
- c) promotion of educational and activating activities;
- d) assistance with exercising legal rights, defending legitimate interests and promoting personal affairs.

(3) The service in accordance with paragraph 1 offering in-patient services in centres of social-rehabilitation centres provides apart from activities mentioned in paragraph (2) also the following basic activities:

- a) lodging;
- b) catering;
- c) assistance with personal hygiene or to provide the facilities for personal hygiene.

These services are generally provided free of charge (article 72).

As already mentioned there are NGOs that operate in this field, but they have to be authorized to do so and registered with the regional office – local administration (article 78). They have to meet certain requirements, including employment of professional social workers (articles 79), accredited in conformity with articles 109 to 117.



### **Article 78**

- (1) Social services may be provided only on the basis of authorization, unless otherwise stated in article 83 and 84; authorization is acquired through registration.
- (2) Registration is decided by the regional office in the place of permanent or temporary residence of the physical person or the seat of the juridical person, or in the place of placement of the organizational unit of an international organization within the territory of the Czech Republic; if the flounder is a ministry, this ministry decides on the registration (hereinafter the „registration organ“).

### **Article 79**

- 1) Conditionalities for registration.
  - a) Submission of request in writing, which includes information requested in paragraph 5.
  - b) No criminal record and professional capacity of all physical persons, who will provide social services.
  - c) Securing hygienic conditions, if social services will be offered in the social services establishment.
  - d) Ownership or other right to the facility or space in which social services will be provided.
  - e) Securing material and technical conditions needed to provide the social service.
  - f) Fact that the property of the physical or juridical person, that has filed the request, was not subject to bankruptcy or bankruptcy procedures was not launched or bankruptcy procedure was not dismissed for lack of property.
- (2) A person is considered to have no criminal record according to this law if he/she was not condemned by a court for
  - a) Intentional crime, or
  - b) Unintentional crime committed out of carelessness in performing social activities connected with provision of social services or other comparable activity, or who was condemned for these crimes but the record was cleared or for other reasons is considered as not having been condemned.
- (3) The „no criminal record“ is proven by evidence from the Register of crimes and evidence form the countries in which the person was resident in the last three years for more than 3 months on one spell . Such evidence should not be older

than three months. The evidence issued by another EU Member State is recognized in a procedure rules by a special act.

(4) Professional capacity is evaluated in accordance with Art. 110, paragraph 4 and 5, article 116, paragraph 5 and article 117.

(5) The request for registration shall include the following information and evidence:

- a) in case of a juridical person, its name and type of commercial firm, seat or placing of its organizational part, identification number and statutory organ,
- b) in case of a physical person, his/her name or names, surname, permanent residence or registered place of dwelling and date and place of birth,
- c) in case of an organizational part of the state of self-governing public entity in whose name the social service shall be provided, its name, identification number of its founder, eventually name and surname of the responsible chief,
- d) Information on services to be provided, which includes
  1. Name and place of the facility or place where the service shall be provided.
  2. Kind of service to be provided.
  3. The group of persons for whom the service is to be provided.
  4. Description of the manner in which the service shall be provided.
  5. Description of the personnel which shall provide the service.
  6. The time in which the service shall be provided.
  7. Capacity of the offered social services.
  8. Financial budget for operations.
  9. The manner in which health services shall be secured if the service to be provided is that defined in article 34, paragraph 1, letters c) to f).
- e) Evidence of no-crime of the persons mentioned in paragraph 1, letter b)
- f) Evidence or official certified copies of documents confirming the professional capacity of the personnel, mentioned in paragraph 1, letter b)
- g) Decision of the approval of the organizational regulation of the social service issued by the organ of public health protection,
- h) Evidence of ownership or other legal right to the facility or space, in which the social services shall be provided, which prove the right of the one who submitted the request to use this facility or space,
  - i) in case of a juridical person, authorized copy of the founding documents and evidence of registration in conformity with special legislation, or copy of the Commercial Registrar or other evidence in line with special legislation,
  - j) Evidence that the one who files the request has no taxes due and has paid all

contributions and fines to public health insurance and to social insurance and contribution to state employment policy,

k) Declaration of Honour concerning items enumerated in paragraph 1, letter f).

(6) If any of the documents, requested above are in a language other than the Czech language the one who filed the request is obliged to have an official translation of that document into the Czech language, unless the Regional Office, competent in matter of registration, waves this condition in special cases of concern.

The public-private mixed institutional structure, as a whole, is adequate to the needs of the disabled persons in the country. The legislation in force provides a reasonable framework. The institutional frame recognizes physically handicapped and mentally handicapped children and for both the groups the social services slightly differ.

However, there is no finer breakdown. There are no special public institutional structures for special groups of children. Some services are provided for people suffering autism and for ADHD (Attention-Deficit/Hyperactivity Disorder) provided by specialized NGOs, sometimes with public financial support. In some schools there are special classes for children with those special needs. In some other schools the disabled child attends an integrated class where there is a social worker as assistant to the teacher.

## **2 Organization of the work for the young disabled in practice**

The parties involved include labour offices, schools, paediatric health care providers and specialized social services, both public and private (NGOs).

Local authorities/municipalities are not involved in employment policies at all. They may, however, provide or financially support social services for disabled children, which include educational programs (see above).

There is no cooperation between labour offices and local self-governing authorities (municipalities) in employment of disabled. The major role in education for and employment of disabled lies with the labour offices.

Disabled, including young disabled may:

- join sheltered workshops;
- join cooperatives of handicapped persons;

- take up sheltered employment positions;
- work at home as home workers (with work being delivered to them at home);
- participate in teleworking jobs (through internet connection);
- work as family members of self-employed persons;
- work as self-employed persons.

Labour offices may subsidize sheltered workshops and sheltered employment positions, if the employer concludes a contract with that office, provided the employment lasts at least for two years (see above). Other activities are organized by NGOs, often with the financial support of the local governments (a public-private mixed organization).

The employer or the licensed self-employed family members (generally parent or other close relative) organize the work of the young disabled over age 15.

NGOs that work with the target groups have developed some small projects to sell the products of people they care for. These are sold in auctions organized by the NGOs and the gains go to the benefit of the institution and/or its clients. Private foundations and funds often subsidize such activities.

There are no specific sheltered employment places or sheltered workshops for young disabled.

In quite a few private firms sheltered workplaces are parts of the employer's establishment and thus provide employment competitive to regular jobs. The wages are publicly subsidized and thus employment of such persons is competitive to regular employment. They may move to regular employment on the decision of the employer, which seldom happens, because the positions of handicapped persons are subsidized from public funds, while the work of disabled in regular positions is not.

There are facilities and possibilities for disabled persons to work in regular jobs such as telephone operator, guardian, receptionist, information provider, etc., but these are generally contracted to labour offices as places for disabled persons.

Naturally there are young disabled persons who have some capacity to work, but for whom the level of working in a sheltered workplace is still too high. That is

one of the reasons why there is a high rate of unemployment of disabled and handicapped persons.

Distinction between young disabled people with and without labour market possibilities does not apply for the Czech republic, because the definition of full disability does exclude all remunerated activities. Therefore there is no need to distinguish between young disabled who are able to work and those who are not able to work. The only distinction is for entitlement to an invalidity pension – between disability (over 66% incapacity for full pension), partial disability (33% to 66% incapacity for partial pension) and handicap (less than 33% incapacity for compensation of industrial accidents and occupational diseases). This classification is entrusted to the medical expert committees of the Czech Social Security Administration and in case of entitlement for social services and social allowances to the labour offices.

As regards the attitude of employers, they want to make profit and their attitude to employing young disabled persons depends on government policies in tax exemptions and subsidies for these activities. Employers are willing and prepared to offer young disabled persons a job if it pays to do so. The concept of their corporate social responsibility is new and one may find such feelings with multinational and western firms operating in this country.

There is no need to introduce new legislation, but to improve implementation of the existing one by improving monitoring, supervision and inspection.

On the whole there are little suitable jobs available. The country is highly industrialized and work in factory halls on continuous processes leaves little room for social considerations and concerns. However, recently there is a gradually increasing demand for teleworking and homework, which gives more occasions for employing disabled persons.

Negative practice: employers generally restrain from employing handicapped mainly because this

- involves a lot of additional paper work to obtain a subsidy;
- represents uncertainty of regular performance due to frequent sick leave of the disabled;

- represents low productivity and lower wages, on the one hand, and discontent of the health majority caused by positive “discrimination”, on the other hand, which both may trigger social unrest.

Therefore employers prefer other solutions

- buying goods and services from sheltered workshops and employment positions;
- creating formal sheltered employments that produce nothing, and the employer transmits to them product of other departments and workshops and declares it as their product; the handicapped person is on the payroll but comes only once a month for his/her salary;
- creating fictive sheltered workshops to fulfil the quota of compulsory employment of handicapped persons and to obtain the government subsidy.

### **3 Instruments, support and facilities in practice in order to obtain access to, and retention of employment for young disabled people**

The instruments foreseen by law have been described in part 1.

The crucial instrument in support of employment and retaining employment of disabled persons is the public subsidies offered for sheltered employment. As it is conditional on employment for two years, this causes certain stability in the employment of disabled persons. These apply to all disabled persons and there is no distinction as to the age of the disabled person (see above).

Retraining organized by the labour office is free and the disabled person receives an allowance which is higher than the unemployment allowance. For details see above.

For labour market participation possibilities for the target group e.g. subsidized work, regular jobs, sheltered employment, sheltered workshops, see above.

Whatever work that can be done by the target group, is organized as mix of public-private practice (see above).

There are also specific sheltered employment places, established by some employers, with public financial support, provided according to the Act on

Employment. Currently, there are some 450 people working in new sheltered working places established in 2007. These sheltered working places are being established in all areas of activities.

Young disabled persons who work in a sheltered workplace may move up to regular workplaces on the request of the employer (see above part 1), This happens seldom.

Sheltered workplaces are mostly competitive to regular jobs. There are facilities and possibilities for disabled persons to work in a regular job. There are young disabled persons who have the capacities to work, but for whom the level of working in a sheltered workplace is still too high. They prefer home working or teleworking. For details see above Part 1.

#### **4 Facts and figures regarding access to and retention of work for young disabled people**

Because of the lack on legal distinction between young and other disabled (see above), also the number of young disabled people is not statistically followed as a special data. The only relevant data on young disabled comes from Czech Social Security Administration (hereinafter CSSA), which disposes on data regarding young invalidity pensioners – people, who are entitled to an invalidity pension, even though they have never worked, because their disability appeared until their 18.th year of life.

The number of pensions for young disabled has been following in the year 2007.

*Table 1: Invalidity pensions for young disabled according to WHO diagnosis groups and age groups*

Age group	0-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65+	total
Diagnosis groups <sup>11</sup>												
1. group	2	3	3	11	2	2	1	0	1	0	4	<b>29</b>
2. group	19	41	47	32	12	5	4	6	0	0	0	<b>166</b>
3. group	1	7	9	6	4	0	0	2	0	0	0	<b>29</b>
4. group	4	22	14	24	5	6	4	1	0	2	0	<b>82</b>
5. group	705	2570	3196	3229	2431	1896	1234	1108	545	367	472	<b>17753</b>
6. group	252	754	563	1147	705	421	276	238	103	66	79	<b>4604</b>
7. group	34	104	100	65	36	48	18	4	3	0	6	<b>418</b>
8. group	13	39	52	17	13	16	8	6	2	0	0	<b>166</b>
9. group	10	55	39	37	39	20	13	9	12	6	8	<b>248</b>
10. group	1	5	3	6	2	3	1	3	3	1	1	<b>29</b>
11. group	2	6	1	2	4	1	0	2	0	0	0	<b>18</b>
12. group	0	4	13	8	3	0	0	1	0	0	0	<b>29</b>
13. group	15	40	53	43	35	15	5	10	4	0	7	<b>227</b>
14. group	1	2	6	2	1	3	0	3	0	0	0	<b>18</b>
15. group	1	3	0	1	0	0	0	0	0	0	0	<b>5</b>
16. group	1	3	4	8	1	2	1	0	0	0	0	<b>20</b>
17. group	70	184	197	172	105	87	49	40	4	1	1	<b>910</b>
18. group	0	3	1	1	0	0	0	0	0	0	0	<b>5</b>
19. group	12	31	40	31	12	10	8	5	1	0	1	<b>151</b>
Not classified	7	8	32	59	53	592	705	999	741	258	221	<b>3675</b>
<b>Total</b>	<b>1150</b>	<b>3884</b>	<b>4373</b>	<b>4901</b>	<b>3463</b>	<b>3127</b>	<b>2327</b>	<b>2437</b>	<b>1419</b>	<b>701</b>	<b>800</b>	<b>28582</b>

Source: CSSA<sup>12</sup>

<sup>11</sup> According to WHO, there are following groups of diagnosis:

Certain infectious and parasitic diseases

Neoplasms

Diseases of the blood and blood-forming organs and certain disorders involving the immune mechanism

Endocrine, nutritional and metabolic diseases

Mental and behavioural disorders

Diseases of the nervous system

Diseases of the eye and adnexa

Diseases of the ear and mastoid process

Diseases of the circulatory system

Diseases of the respiratory system

Diseases of the digestive system

Diseases of the skin and subcutaneous tissue

Diseases of the musculoskeletal system and connective tissue

Diseases of the genitourinary system

Pregnancy, childbirth and the puerperium

Certain conditions originating in the perinatal period

Congenital malformations, deformations and chromosomal abnormalities

Symptoms, signs and abnormal clinical and laboratory findings, not elsewhere classified

Injury, poisoning and certain other consequences of external cause

<sup>12</sup> Data have been provided upon a special request of the national reporters.



The statistical data is followed also according to sex of the young disabled entitled to the invalidity pension. The data are shown in following two tables.

*Table 2: Invalidity pensions for young disabled according to WHO diagnosis groups and age groups (women)*

Age groups	0-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65+	total
Diagnosis groups												
1.group	0	1	0	4	1	1	1	0	0	0	4	<b>12</b>
2.group	13	14	23	16	5	3	2	4	0	0	0	<b>80</b>
3.group	0	2	2	3	0	0	0	0	0	0	0	<b>7</b>
4.group	2	9	8	9	3	5	3	1	0	2	0	<b>42</b>
5.group	283	1017	1304	1375	1050	867	594	537	313	219	326	<b>7885</b>
6.group	88	319	236	523	333	191	126	120	64	42	54	<b>2096</b>
7.group	16	40	45	32	15	23	9	2	2	0	6	<b>190</b>
8.group	5	24	18	5	5	10	2	4	2	0	0	<b>75</b>
9.group	5	17	13	15	14	10	8	4	6	3	6	<b>101</b>
10.group	1	2	2	4	1	2	1	3	2	1	1	<b>20</b>
11.group	1	2	0	1	2	1	0	0	0	0	0	<b>7</b>
12.group	0	0	8	4	1	0	0	1	0	0	0	<b>14</b>
13.group	8	22	24	21	19	11	3	6	2	0	7	<b>123</b>
14.group	0	1	3	1	0	2	0	2	0	0	0	<b>9</b>
15.group	0	1	0	0	0	0	0	0	0	0	0	<b>1</b>
16.group	0	2	2	3	1	2	0	0	0	0	0	<b>10</b>
17.group	40	72	93	88	50	43	27	18	3	0	1	<b>435</b>
18.group	0	1	1	1	0	0	0	0	0	0	0	<b>3</b>
19.group	1	7	9	6	3	1	4	2	1	0	1	<b>35</b>
Not classified	4	4	7	24	29	257	317	498	362	125	129	<b>1756</b>
<b>Total</b>	<b>467</b>	<b>1557</b>	<b>1798</b>	<b>2135</b>	<b>1532</b>	<b>1429</b>	<b>1097</b>	<b>1202</b>	<b>757</b>	<b>392</b>	<b>535</b>	<b>12901</b>

Source: CSSA<sup>13</sup>

<sup>13</sup> Data have been provided upon a special request of the national reporters.

*Table 3: Invalidity pensions for young disabled according to WHO diagnosis groups and age groups (men)*

Age groups	0-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65+	total
Diagnosis groups												
1.group	2	2	3	7	1	1	0	0	1	0	0	<b>17</b>
2.group	6	27	24	16	7	2	2	2	0	0	0	<b>86</b>
3.group	1	5	7	3	4	0	0	2	0	0	0	<b>22</b>
4.group	2	13	6	15	2	1	1	0	0	0	0	<b>40</b>
5.group	422	1553	1892	1854	1381	1029	640	571	232	148	146	<b>9868</b>
6.group	164	435	327	624	372	230	150	118	39	24	25	<b>2508</b>
7.group	18	64	55	33	21	25	9	2	1	0	0	<b>228</b>
8.group	8	15	34	12	8	6	6	2	0	0	0	<b>91</b>
9.group	5	38	26	22	25	10	5	5	6	3	2	<b>147</b>
10.group	0	3	1	2	1	1	0	0	1	0	0	<b>9</b>
11.group	1	4	1	1	2	0	0	2	0	0	0	<b>11</b>
12.group	0	4	5	4	2	0	0	0	0	0	0	<b>15</b>
13.group	7	18	29	22	16	4	2	4	2	0	0	<b>104</b>
14.group	1	1	3	1	1	1	0	1	0	0	0	<b>9</b>
15.group	1	2	0	1	0	0	0	0	0	0	0	<b>4</b>
16.group	1	1	2	5	0	0	1	0	0	0	0	<b>10</b>
17.group	30	112	104	84	55	44	22	22	1	1	0	<b>475</b>
18.group	0	2	0	0	0	0	0	0	0	0	0	<b>2</b>
19.group	11	24	31	25	9	9	4	3	0	0	0	<b>116</b>
Not classified	3	4	25	35	24	335	388	501	379	133	92	<b>1919</b>
<b>Total</b>	<b>683</b>	<b>2327</b>	<b>2575</b>	<b>2766</b>	<b>1931</b>	<b>1698</b>	<b>1230</b>	<b>1235</b>	<b>662</b>	<b>309</b>	<b>265</b>	<b>15681</b>

Source: CSSA<sup>14</sup>

The tables indicate that in the Czech Republic, there are in total 28582 young disabled, from which 12901 are women and 15681 are men. This is probably the most accurate statistic on numbers of young disabled people, as actually every young disabled claims an invalidity pension. This number, however, does not include those young disabled, who work and therefore are not entitled to an invalidity pension.

As for the numbers, there is yet one other statistic – coming from the Ministry of Health, regarding children born with a handicap.

<sup>14</sup> Data have been provided upon a special request of the national reporters.

*Table 4: Children born with handicap 2005*

	Absolute number			for 10000 born children		
	total	boys	girls	total	boys	girls
2005	3805	2257	1548	373,27	430,29	311,11
2004	3723	2229	1494	381,2	443,48	315,18
2003	3837	2206	1631	409,56	458,33	358,04
2000	3768	2212	1555	414,48	470	354,65

Source: [www.uzis.cz](http://www.uzis.cz)

There are no statistics on for employment activities and employment integration of young disabled. The only statistics regularly followed are those on so called “active employment policy” (see above). Data are available on establishment of sheltered working place and sheltered workshops, sheltered working places established as a self-employment job of a disabled person and state contribution to operating such places. Each year, the Ministry of Labour and Social Affairs, records the newly established places and employed disabled people, unfortunately not distinguishing between young disabled and other disabled. Nevertheless, we offer some of those statistics.

Table 5: Active employment policy 2007

region	Sheltered workshops - establishment		Sheltered working places - establishment		Sheltered working place – self- employment	State contribution to running of integration instruments
	Established places	Placed disabled	Established places	Placed disabled	Placed disabled	Placed disabled
Prague	0	0	2	2	0	345
South Bohemia	44	116	14	30	2	959
Plzeň	8	0	4	4	4	306
Karlovy Vary	20	60	5	6	1	273
Ústí nad Labem	92	276	57	139	9	1317
Liberec	30	40	12	49	3	336
Hradec Králové	1	10	7	6	4	686
Pardubice	33	93	47	63	3	693
Vysočina	6	7	12	13	3	82
South Moravia	10	58	2	2	1	784
Olomouc	7	14	25	35	0	372
Zlín	33	46	28	53	10	489
Moravia and Slezia	33	61	16	34	11	1108
<b>Total Czech Republic</b>	<b>332</b>	<b>785</b>	<b>237</b>	<b>444</b>	<b>55</b>	<b>8235</b>

Source: <http://portal.mpsv.cz/sz>

The table indicates that some 8235 disabled people are placed in a sheltered working place or sheltered workshop. If we compare this number with the number of young disabled (some 28 000) and bear in mind that among the 8235 employed disabled are evidently not only young disabled, then the number seems to be quite low.

In the area of employment of disabled people, data regarding retraining are also available. Unfortunately, again without distinguishing young and other disabled.

Table 6: Retraining 2006 - 2007

	Total in retraining program	Continuing from the last year	Started in the year
Retraining participation total			
2007	48 275	6 384	41891
2006	59 048	5 531	53517
Participation of people with disabilities on retraining courses			
2007	4 603	424	4173
2006	5 314	335	4979

Source: <http://portal.mpsv.cz/sz>

From the table it is clear, that disabled people participate on retraining courses and they represent some 10-12% of retrained people.

Unfortunately, these statistics are the only available. It is clear, that the situation of young disabled is not sufficiently monitored and therefore, it is difficult to conceptualize some special programmes focused on this target group.

## 5 Description examples of best practices/ case studies

While preparing this part of this study, several important examples of best practices in the Czech Republic have been chosen. These examples of best practices in the area of integration of disabled or young disabled people may be divided into following groups:

1. Projects, within which disabled people are directly and systematically employed
2. Projects where the cooperation with a certain employer is used as a method of employing a disabled person
3. Specialized work rehabilitation and retraining courses
4. All other projects

## 5.1 Employment of disabled

### 5.1.1 Disabled - project managers

The civic society<sup>15</sup> *TRIANON*, an NGO oriented on international cooperation in favour of integration of people with reduced ability of movement and orientation. *TRIANON* aims at introducing new ways and programs of integration.

One of its main aims is to create a flexible and effective team of project managers, who are disabled and are in productive age or students. Such a team works on realisation of programs aimed at better working of integration measures for seriously disabled.

Within its project “*One Manger in Collective of Disabled*”, *Trianon* educates disabled people in middle management activities, focused especially at donations and grant policy, including capacity of claiming financial support from EU structural funds.

### 5.1.2 Sheltered employment

Another interesting project is “*Separation for Recyclation*” – a *Trianon* project of sheltered working places aimed at ecological liquidation of used electro-appliance.

A similar project is also run by *Caritas* Opava. The project, which employs disabled people, is aimed at dismantling old electro-appliance. *Caritas* Opava also runs some sheltered work (sewing, ceramics, weaving, silk painting, joinery etc.)

### 5.1.3 NGO “*Máme otevřeno*”<sup>16</sup> With its coffee house “*Vesmírna*”<sup>17</sup>

The coffee house *Vesmírna* (Ve Smečkách 5, Praha 1) is a job training facility with a program for the mentally challenged people. This program enables the individuals with a disability to gain the most realistic work experience. It also trains their working and social abilities and skills. They are being taught effective working habits too, mainly how to get to know their work environment. All of this training is provided on-the-job in the coffee house (cleaning, waiting on tables, tending the bar). Their goal is to train each client for a period of two years to prepare them socially and for work to able them to enter the regular employment.

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<sup>15</sup> Civic societies are organizations of citizen (people) founded under the Act no. 38 of 1990, On associations of citizens, as amended

<sup>16</sup> In English - *Are we open* (accessible)

<sup>17</sup> In English :”*The Universe*”

#### **5.1.4 Handicapped people's production cooperatives**

In the Czech Republic, there is the *Union of Czech and Moravian Production Co-operatives* - a union of legal persons with common interests. Membership in the union is voluntary. Presently the union has 270 members.

A significant task of the *Union of Czech and Moravian Producer Co-operatives* is to assist Co-operatives in finding domestic and foreign producer and trade contacts. On the other hand, if a trade partner looking for commercial co-operation with producers co-operatives contacts them, they recommend a suitable partner from among their members. The *Union of Czech and Moravian Producer Co-operatives* also assists its members to organize exhibitions, fairs and to arrange contracts. Visitors can see exhibitions of co-operatives' products at fairs and exhibitions in the Czech Republic and abroad.

Presently the *Union of Czech and Moravian Producer Co-operatives* includes 42 co-operatives of disabled persons that employ nearly 7 thousand disabled persons, As these co-operatives do not merely do business, but also have social functions, the union pays special attention to the creation of suitable conditions for their success, in the interest of an active employment policy of handicapped persons.

"*Handicapped People's Industrial Cooperative*" (DiPRO) is a quite big and effective cooperative. Its history starts as early as 1957. Its original range of products increased and new production lines of different nature including various handicrafts were introduced.

The production was later transferred to *Prosec* where the space gradually extended. In the 80s the number of staff reached 300 and this triggered a new phase in the life of the cooperative. Between 1980 and 1993 the company underwent a major facelift with all the premises being extended and modernised. Part of the *Prosec* production got specialised in woodworking and the other located at *Krouna* in the manufacture of cardboard.

In recent years, they have modernised their equipment and found new customers locally as well as abroad.

At the moment they are concerned with the manufacture of small wooden objects and flat as well as corrugated cardboard. They keep the production environmentally friendly.

## **5.2 Cooperation with employers**

### **5.2.1 Project: IBM creating working places for disabled**

During last two years, IBM collaborated with the *National Council of Handicapped People* (NCHP) on a project, where IBM created some new working places and offered IT and English courses. The NCHP then helped to find suitable future workers among disabled and contributed to developing suitable changes of the work place, so that the work place fits perfectly to the special need of the worker. Those places are occupied by good disabled employees and the company thinks of creating some further places and recommending this experience to other employers.

### **5.2.2 Project: Development of social firms**

Project of an NGO called *FOKUS* reacts on need of alternative placement of people with employment difficulties in the labour market and tests social firm as a feasible model for various target groups. The project is co-financed by the State budget and by European Social Fund, within the *EQUAL* program.

Social firm standards were created based on the need to assess and recognize social firms in the Czech environment and distinguish them from other employment models for disadvantaged people.

The standards should help clarify the key characteristics of a social firm and help understanding of their elementary values.

A social firm is a firm, an employer, which employs for indefinite term mentally handicapped people or people who are otherwise disadvantaged on the labour market. These people become employees, not clients, they gain the experience of being a regular employee and they are so enabled to remain on the free labour market as long as they wish.

The project:



- is implemented in terms of *Equal Initiative Programme* whose aim is verification and assertion of new means against all forms of discrimination and inequality on labour market;
- reacts on need of alternative placements on labour market for people with placement difficulties.

Aims of this project are:

- to create a theoretical model of a social firm applicable in the Czech Republic, i.e. define basic principles and values of a social firm;
- to create two social firms and verify theoretical model of their operation;
- to inform about social firms (publication concerning social firm, conferences, seminars for people interested in this topic of social enterprise, open days in newly created social firms, web sites, social firm leaflet);
- to gain know-how from abroad ;

Its outputs are:

- two working social firms as good practical examples;
- theoretical social firm model – publication;
- web- sites [www.socialnifirmy.cz](http://www.socialnifirmy.cz) .

### **5.3 Work rehabilitation and retraining courses**

#### **5.3.1 Work rehabilitation courses for blind people organised by Dědina**

**o.p.s.**

The NGO *Dědina, o.p.s.* runs a rehabilitation and retraining centre, where clients (including young blind people) participate in following courses:

- training in orientation and moving in space;
- training in writing and reading in Brail;
- training in communication and social contacts;
- teaching PC literacy, etc.

There are specialised courses, including the above-mentioned activities, aimed at qualification in the following professions:

- Massager.
- Call centre worker.
- Using of PC.

Production of:

- Ceramics.

- Wicker-work.
- Weaving.

If a client suffers a combined handicap, *Dedina* centre may produce a fully individualised program aimed at training those capacities, which are useful for the follow-up employment of the disabled person. The program may be conceptualised in cooperation with the future employer of the person. In this respect, the *Dedina* centre collaborates quite closely with some employers, especially with regard to creating specific working conditions for blind employees and counselling in employment policy incentives and tax reduction.

### **5.3.2 Project: “Máme Otevřeno?”, o.s.: Tranzit [“The Transit Program”]**

There are two goals of the transit program. First, to teach a client how to get around the job market, i.e. gaining the knowledge and skills necessary for getting and keeping a job. Second, to help the clients in the most extensive way to find an appropriate start in a working position. For example, in the case of their clients participating in the coffee house project this translates into: finding them a position in a regular business sphere. Using the services of the transit program enables their own clients to re-enter the regular work force and to join with others and thus hopefully gaining a sense of their own value and self-satisfaction.

## **5.4 Further integration projects**

### **5.4.1 Project: Employment service network for long-term mentally ill people**

Project aim is to prepare long-term mentally ill people for alternative and open job market and reduce prejudice and misunderstandings of employers related to employment of long-term mentally ill people.'

It is run by “*Máme otevřeno?*”, o.s., which supports both the children and the adults with special needs, mostly mentally challenged and autistic individuals, in the process of re-socialization and integrations into the society. They help the disabled people to expand towards their total independence. They also enable their contacts with people without disability.

#### **5.4.2 Studio OAZA (Oasis)**

Studio *Oasis* is a cultural centre for mentally disabled people, is a non-profit organization dedicated to providing cultural and social activities to people with mental disabilities.

It organizes continuing classes, interest groups and other activities that encourage and facilitate the integration and involvement of these individuals in mainstream society.

Its activities developed under the leadership of specialists in four areas: music, dance, drama and art. There was immediate interest in the centre's activities and the classes were soon filled with participants from Prague and the surrounding areas. In response to the high level of interest, the range of offers broadened and new classes were added, including ballet, ceramics, piano, guitar, flute and instruction in the English and German languages. Today there are 16 offers, held from Monday to Friday in the afternoons and evenings.

More than 65 mentally disabled individuals participate regularly in these classes and the other activities of *Studio OAZA*, which include very popular social gatherings and cultural programs that take place four times a year on Saturday afternoons.

### **6 Elaboration/description 2 examples of best practice according to attached format – analysis + discussion**

The contractor selected following three examples of best practice:

- Co-operatives of handicapped people
- IBM creating working places for handicapped
- Transit project of “*Máme otevřeno?*”, *o.s.*

A detailed description and elaboration of the selected examples of best practices follows. National reporters visited and interviewed co-ordinators of all three projects above mentioned.

## 6.1 Handicapped people's production cooperatives

### General information

Title "best practice/case study	<b>Union of Czech and Moravian Production Co-operatives – Department of Social Co-operatives</b>
Name organizations and persons involved	42 co-operatives of disabled
Name and function interviewees	Karel Rychtář – Director of Department of Social Co-operatives
Date interview, telephone/face to face	Face to face interview, 15.2.2008

### *Description of best practice*

In the Czech Republic, there is the ***Union of Czech and Moravian Production Co-operatives*** - a union of legal persons – cooperatives - with common interests. Membership in the union is voluntary and presently the union has 270 members. The Union is to assist co-operatives in finding domestic and foreign producer and trade contacts and also assists its members to organize exhibitions, fairs and to arrange contracts,

Presently the Union of Czech and Moravian Producer Co-operatives represents altogether **42 Co-operatives of disabled that employ nearly 7 thousand disabled persons**. As these Co-operatives do not engage only in business, but also have social functions, the union pays special attention to the creation of suitable conditions for their success, in the interest of an active employment policy of handicapped persons.

Co-operatives of disabled have been established already before World War Two. In the 1950s all entities of private law were nationalized and became state property, including co-operatives of disabled. Very big co-operatives of disabled existed in the 1970s to 1990s. During 1990s some of them were unable to survive and were dissolved, whereas many others split into smaller entities and survived in the conditions of a free market economy as smaller, but effective organizations. Today, the co-operatives of disabled may be divided in two groups:

- Co-operatives with big economic success, more oriented on economic activities, employing mostly less heavily handicapped people (e.g. *Orlík Česká Třebová, Obzor Zlín*)
- Co-operatives with more emphasis on solidarity and their social role – these have joined the Union more recently and are functioning more like a sheltered employment/social service. (e.g. *Znovos, Ergotep*)

There are also few co-operatives, which act in both roles – they are quite economically successful on one hand and on the other hand they are financially supporting their social role by employing some handicapped employees with e.g. 10% productivity.

All the co-operatives of disabled are members of the association of employers that employ more disabled at a rate of more than 50% of their employees.

The company **ORLÍK-KOMPRESORY, výrobní družstvo** (production cooperative) has been active on the Czech market since 1954 when the production cooperative of the disabled ORLÍK-KOMPRESORY was established. In 1956, the company assumed production of three types of piston compressors previously manufactured by ČKD Žandov, which was the beginning of a new backbone production program. In the 1990's, the company began to develop its own screw compressors. Today it offers screw compressors with a very big capacity. If a customer requires a compressor with even greater capacity, they are able to process such a requirement to his full satisfaction. In addition, the *Orlík – kompresory* offers all compressed air-related goods - i.e. compressed air driers, filtration, accessories, pneumatic tools, etc. Our own development activities and technical consulting enable us to process high-quality one-of-its-sort job orders and air distribution solutions. The cooperative has its representation in Germany, Poland, Hungary and Bulgaria.

**Obzor**, production cooperative, was established in *Zlín* in 1965. The very beginning is dated on July 1st 1965. At that time, based on the government decree, the premises of the Czech Association of Handicapped People were transferred under activity of the Central Association of Production Cooperatives. *VDI Obzor* acquired during the transfer Moravian facilities and up to 600 employees (57.6 % serious handicap, 32.5% medium handicap and 9 % non handicapped).

*Obzor's* function was to help to the state to apply social policy toward handicapped people. By transferring into production cooperative, there were set better conditions for capital development as well as general cooperation development.

The first building was built in *Zlin-Louky* shortly after the cooperation was established. During *Obzor's* activity it obtained many buildings and offered working opportunities for handicapped all around Moravia and during the 1990s the *Obzor* continued to grow. In 1992, the cooperation has transformed in accordance with the law nr.42/1992 Sb., On cooperatives. In terms of the organization changes, some plants were sold during the 1990s and the cooperative concentrated its development to Zlin. At the present, the cooperation has its plants in *Zlin, Uherske Hradiste, Olomouc and Sumperk* with c. 380 employees.

There is an endeavour in *OBZOR* to increase the quality of products, and that is why *OBZOR* established a very demanding Quality System and gained so many quality certificates.

The production is mainly focused on manufacturing small electrotechnical appliances, mechanical sprayers and dispensers, metal components, automotive industry, gasket cutting and injection moulding. *Obzor* is the exclusive representative of an Austrian company *Kraus&Naimer* producing cam switches.

One of relatively big and effective cooperatives is the "*Handicapped People's Industrial Cooperative*" (***DiPRO***). Its history started as early as 1957. Its original range of products increased and new product lines of different nature including various handicrafts were introduced.

At the moment they are concerned with the manufacture of small wooden objects and flat as well as corrugated cardboard. *DiPRO* keeps the production environmentally friendly.

***Ergotep***, a relatively new and successful cooperative of disabled has been established in 2003. Handicapped people founded it with the aim of helping each other to work and to solve daily problems. The main scope of the cooperative is the integration of handicapped people, especially a working integration with the aim at integration into free labour market after a complex working rehabilitation.

At its very beginning, the cooperative focused on producing instruments to increase the mobility of handicapped people. Today the cooperative is more specialized on the production of simple electric equipments. The cooperative provides with such activity some 20 handicapped with daily work. In 2004 they started to increase the quality of their services and in the same year they started also to collaborate systematically with the Czech Post Savings Bank (*Poštovní spořitelna*). Today *Ergotep* is a marketing partner of this bank, providing it with direct marketing services. This collaboration brought to a new product of the bank called Handicap and it is further growing.

In 2005 *Ergotep* expanded to another city and employed some further 50 handicapped people. *Ergotep* has become an important employer of handicapped people in Easter Bohemia, employing some 100 handicapped employees. In recent years they started to organise working rehabilitation. In 2007 *Ergotep* built a centre of administrative activities – a well equipped IT working place for people able to work with PC. This part of *Ergotep* cooperates closely with marketing services and distribution services. In 2007 *Ergotep* started also to bring every day its employees to work from hardly accessible localities in Eastern Bohemia.

#### *Process*

The initiator of the co-operatives of disabled are mostly disabled themselves or people who want to support in some manner employment of disabled people and establish a co-operative as a for-profit or quasi for-profit entity. The co-operative then begins to run the business as all other entrepreneurs do. As there are many co-operatives, the “director” of each of them is the president of the co-operative. No co-operative is run as a classical “social project”.

There are no other parties, just other firms and commercial partners and their role is the same as in all other commercial relationships. Planning and finance of each co-operative depends on future desires and capabilities of each co-operative.

#### *Description of solution*

The most important positive of the co-operatives of disabled people is that they are a fully commercial entity and therefore they act on the free market. So, all employees, all employed disabled, participate in the free market and need to face competition as anybody else. On the other hand, there is the Union, which offers assistance when problems arise (it is possible also to borrow money from the

Union) and lobby for better conditions of its members. In the area of employment policy towards handicapped people, the main challenge for the Union is to contribute to a stable and rational legislation in order to support effectively and on a long-term basis the employment of disabled people.

*Conclusion and recommendation regarding the example of best practice*

The co-operatives of disabled are a historically verified practice of employing handicapped people and of integrating them effectively into the labour market. This form of employment is more independent than sheltered work. The co-operatives are quasi-normal commercial entity and they fully integrate handicapped people into the labour market.

The co-operatives are lasting (some of them exist some 50 years). They are efficient (many of them are economically successful, some of them play a dominant role on the market in a certain area) and effective (their employees are stabilized).

**6.2 IBM creating working places for disabled**

General information

Title “best practice/case study	<b>Working places for disabled in IBM</b>
Name organizations and persons involved	IBM, National Council of Handicapped People (NCHP), Foundation Charta 77 (project Computers against Barriers), Microsoft
Name and function interviewees	Bohumila Miškovská, NCHP – coordinator of the project, Václav Krása – director of NCHP
Date interview, telephone/face to face	Face to face interview, 18.2.2008

*Description of best practice*

In 2006 and beginning of 2007 IBM offered to NCHP the possibility of creating 20 working positions for handicapped people. The IBM Company created the positions and presented them and the future working tasks to a number of candidates selected by the NCHP<sup>18</sup>. Some 30 people applied for the courses. For 6

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<sup>18</sup> National Council of Handicapped Persons is a civic society gathering several civic societies aimed at assisting and activating handicapped people. It is a lobbyist organization.



months 20 disabled persons were trained in language (the working language in IBM is English) and basics of MS Windows and other IT capabilities. Microsoft provided the software and IT courses, whereas the Foundation Charta 77 offered space and computers. The whole the project and the English courses were coordination by NCHP.

At the end, IBM employed 11 people in two types of positions – help desk-customer support and computer operator – first level.

#### *Process*

The initiator of the whole project was *IBM*, which also fully funded the project. Parties and actors involved were *IBM*, *NCHP*, Foundation *Charta 77* and Microsoft. The aim was to employ all 20 people, but unfortunately, some 9 candidates did not pass the English exam at the end of the courses.

Currently, the *NCHP* is preparing a new similar project, which should last for 1,5 year (just 6 month were too little especially for learning English) and should be extended to the whole region of South Moravia (not just to Brno as in the previous case).

Following the courses, *IBM* organized in 2007 a conference, inviting big and important employers and presenting own experience wit the project.

#### *Description of results*

There are three types of results of this project:

Full time employment of 11 handicapped people by an international and well-known company.

Positive experience of *IBM* with the project and willingness to continue.

A good possibility to involve other big employers.

#### *Conclusion and recommendation regarding the example of best practice*

In general, the experience with the project is positive. The employees who participated in the courses are very brave, precise and reliable workers. Because of the positive experience, there is a good chance not only to continue the project, but also to extend it to further employers and other regions in the Czech Republic.

The only problem seems to have been the duration of the project. The original project lasted just for 6 months and during this time the candidates had to learn English on a communicative level and at the same time they had to learn IT and software basics. This time frame turned out as too tight and in fact, 9 of 20 candidates were not employed just because they did not pass the English exam. The prolongation of the duration of the whole project is therefore recommendable.

### 6.3 “Máme Otevřeno”, o.s.: Tranzit [“The Transit Program”]

#### General information

Title “best practice/case study	<b>The Transit Program</b>
Name organizations and persons involved	“ <i>Máme otevřeno?</i> ”, o.s. (Are we open?), employers
Name and function interviewees	Jakub Tichý - coordinator of the project, Filip Budák – coordinator of the information and consultation centre of “ <i>Máme otevřeno?</i> ”
Date interview, telephone/face to face	Face to face interview, 18.2.2008

#### *Description of best practice*

The project started in 2003 as tentative to react to the desire of the clients of “*Máme otevřeno?*”, who worked in sheltered work in Café Universe (*Vesmírna*) and wanted to pass to the free labour market.

There are two goals of the transit program:

- to teach a client how to get around the job market, i.e. gaining the knowledge and skills necessary for getting and keeping a job.
- to help the clients in the most extensive way to find an appropriate initial working position.

#### *Process*

The initiator of the Transit project is the NGO “*Máme otevřeno?*”, o.s., which supports mentally handicapped people. All clients of “*Máme otevřeno?*” are young disabled. Through Transit project some 10 handicapped people a year find a suitable job.

If a client desires to participate in the Transit project, he/she concludes a contract with “*Máme otevřeno?*” concerning the provision of social rehabilitation services, according to the Act on Social Services (see part 1 and 2 of the report). The activities with the client are divided in two parts: In the first part, the client is being taught to write a CV, to go through a concourse and interview and is helped also to recognize, which job he/she would like to search for. In the second part, the client is helped to find a suitable job, he is accompanied to the first interview and the future employer is offered assistance to administrate properly that he/she assumed a new employee. The client has then possibility to be accompanied to work for up to 3 months and to be followed, supported and assisted in case of problems or difficulties.

The project is financed from grants and donations and also by the MoLSA, the Municipality of Prague and through beneficiary activities of “*Máme otevřeno?*”

#### *Description of solution*

The employer selected by the client is contacted and offered a possibility to employ a handicapped person. All advantages of employing a handicapped person are explained to the employer. “*Máme otevřeno?*” claims that there is a good cooperation with the employers, as soon as they accept the idea of employing a handicapped employee.

To employ some 10 people each year seem to be a very good achievement.

#### *Conclusion and recommendation regarding the example of best practice.*

The Tranzit project seems to be a very good solution. Of course, it is designed just for slightly handicapped or people with a middle mental handicap. However, its main advantage is that young mentally disabled people are able to enter into free labour market and thanks to previous training are able to keep their job.

## **7 Conclusion and recommendations**

This study gives basis for certain conclusions and recommendations:

Generally speaking the legislation may be considered as a good one. There are enough legal instruments for integration of disabled, including young disabled, into the labour market – be it through a sheltered work, be it through supported employment in free labour market. The obligations of employers are also sufficiently defined to encourage and motivate employers to employ handicapped people.

However, application of the legislation above mentioned seems to create some problems. Some employers try to get around their obligations, others who are willing to employ handicapped people are facing administrative extra-work, which is nevertheless compensated with quite generous financial support.

In the Czech Republic, there is still lack of information and the level of the available information in the society is of low standard. It is therefore recommendable to intensify public information and support raising public awareness of the problems of disabled people.

The Czech long-term experience with cooperatives of handicapped people is a positive experience. Cooperatives provide not only employment but also the feeling of integrity as people working in the cooperative are members and participate in the profit. It seems to provide more advantages to less an medium handicapped persons than mere sheltered workshops and employments.

On-the-job training is more effective than mere classroom training, because it offers, especially to mentally handicapped, to acquire practical employment competencies by repetition.

Training of handicapped needs more time than training of able-bodied and minded people. This must be respected in the duration of projects and their financing. Short-term projects may be less expensive but definitively produce less value in the long run.

It is more effective to invest in the younger generation, which is more flexible and capable to learn and acquire necessary competencies for employment.

Employers must be effectively motivated by the government to cooperate in training and employment of handicapped persons. There must be coordination of effective cooperation between central and local governments and NGOs.

It is evident that public-private-mix projects are more effective than separate activities of the three possible partners.

## **National report Denmark**

Bent Greve

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## **Executive summary**

Danish policies towards integration of disabled persons into the labour market are using a very broad variety of instruments. The aim being that disabled should be able, as far as possible, to have a life as all others in the Danish society.

Disabled is a very diverse group, and, thus covers many different types and situations. Disability can be due to both physical and/or psychological reasons. Therefore, it is not surprising that many with disabilities is not receiving any public support, and already have a job at the labour market. However, it is also so that for some the economic living condition is dependent on the social security system, and options for being on the labour market is solely dependent on economic support to employers, including especially help to service making it possible to have a job. Barriers for integration, real and perceived, will be described as they also inform on what to do in order to improve the integration at the labour market.

Focus in this report will be on how to integrate especially young disabled people into the labour market. Given that, the group is relatively small, and, also due to lack of coherent data and overview of the situation as data stems from a broad variety of sources, it has been difficult to establish cases of best practices. Furthermore, in recent years many new initiatives have been taken from which no evaluation so far exist. However, based upon existing evaluation, including both quantitative and qualitative data, and knowledge on how the Danish labour market functions, the best practice, which can be recommended, seems to be:

- a. ensure knowledge of existing types of support and form where to get it;
- b. ice-breaker economic support for disabled persons with a new education of at least 18 months to start at the labour market;
- c. pedagogical support to ensure that education is possible;
- d. co-ordination to support the transition between childhood and adulthood;
- e. flex-jobs as they make it possible to have a job as close as possible to ordinary labour market conditions.

A broad variety and often changing set of instruments needs thus to be used. Instruments need to be changed also over the life-course as the requirements for the individual can change. This includes also information and continuously information on available support, which seems to be very important, as many



disabled, companies and authorities are not always fully familiar with the support options available. This implies an increased risk of that more disabled than necessary is outside the labour market than if the, in fact, already existing and possible support is used. So knowledge on how to ensure that information reach the target group is seemingly of utmost importance.

Corporate Social Responsibility is also part of what can help in ensuring integration at the labour market. A more capacious labour market will be able to remove or lower the barriers for entering the labour market. Barriers can further be both the employers and the employees view upon having disabled to work at the workplace. A special problem seems to be that many companies mainly are aware of how and willing to keep persons who get a disability, than to integrate those outside.

# 1 Introduction

This report will follow a common format for the description and analysis of how to integrate, especially young, disabled persons at the labour market. However, as the instruments, with a few exceptions, covers all with disabilities the description will also be of use for a more general understanding of the labour market policy towards disabled in Denmark. Information with regard to the number of disabled is limited especially when it comes to detailed data in relation to different types of disabilities. The information in the report has to be seen in the light of the, for the time being, in Denmark very low level of unemployment, which, *ceteris paribus*, should and has made it easier for persons with disabilities to enter and stay at the labour market.

The structure of the report will be as follows:

In the next section, a short presentation of the national system including schemes, law and legislation in relation to disabled and the labour market will be presented. Focus will be on the legal structure for supporting disabled in Denmark, although detailed elements in the individual instruments are left to Section 4.

Section 3 will be dealing with the organizational structure of the policy and organization of the work for the disabled, including actors and their role and attitudes. In Section 4, instruments available in the activities are described, especially with a focus on policies available for young disabled. Other policies will only more limited be presented, but as some have an impact for all disabled they are useful tools to be aware of.

Section 5 inform, as far as possible, on the number of people with disabilities including a distinction between physical and psychical disabilities. So far as data permits there will also be a distinction between those born with the disabilities and those occurring during life (such as cerebral haemorrhage). Part of the problem with regard to data is the, in principle, good story that many with only more limited disabilities are at the labour market working on normal conditions without any support from the public sector. They are thus not necessary included in data except for the surveys, cf. later, which tries to capture by question the position, based upon individual's own perception on disability, on the situation for disabled at the labour market. This also raises the principal issue what a disabled

is and how disability can be understood in relation to the labour market. Furthermore, disability and its impact can vary between different sectors of the economy. This implies that having one type of disability might make it difficult to get a job in one sector, but perhaps more easily in another, cf. the example in the report of the establishment of a call centre.

Section 6 gives a description of what appears to be good cases and practical examples of initiatives with regard to integration of young disabled. This will be combined with stories presented, as for example, told in various publications in order to highlight important aspects of the policies towards disabled at the Danish labour market. In section 7 a more elaborated presentation of cases of best practice will be given. This will be using qualitative data and by this it is not representative, but indicates why they can be understood as best practice.

Section 8 sums up and gives recommendation for what might be used in other countries and what has seemingly been helpful in the Danish context. Still, with the caveat that it can be difficult to transfer system from one welfare model to another and, that historical and structural differences needs to be taken into consideration when and if making a policy transfer.

## 2 The Danish national system

The Danish national system builds upon a general principle that disabled as far as possible should be able to live a life as other Danish citizens. This is labelled the principle of equal opportunities. This implies that different kind of help remedies and support shall be available in order to ensure the best possible integration. Principles are further based upon the compensation principle and the environment based perception of disability. Adulthood is in the Danish system understood as having reached the age of 18, which also is the time for being independent of parents and having the right to vote.

The last principle is also an indication of that there is no clear and single definition in the Danish context of what should be understood as being a person with disabilities. In a publication from the Danish Disability Council, the following definition is presented:

“Being disabled means that the person has a physical, mental or intellectual impairment requiring compensation in order that the person can function on equal terms with other citizens” (Danish Disability Council, 2006).

In a more broad sense, a person is defined as being disabled or with a reduction in the abilities to function if there is a loss or limitation of opportunities. This implies that the group covered can be very broad and having a need for a variety of measures ranging from relatively simple technical types of support to more integrated solutions including support from persons to the individual in order to be able to work. Compensation support is further, in principle, free of charge in the Danish model as it is part of how to achieve the goal of equal opportunities.

Disability can thus be within a very large variation ranging from different types of physical reductions in abilities to work (deaf (complete or partial), blind or weak-sighted, carrying, walking etc.), but it can also be developmental disorders or psychical problems of different kinds and with different level of reducing working abilities.

A core aspect of the disability policy is what is labelled a “sector responsibility”. Sector responsibility implies that it is in the sector the individual handicapped is

that should take responsibility and help the disabled as best as possible. This means:

“that the authority, organisation or company responsible for the supply of services or aids to citizens in general has the same responsibility to ensure and finance these services for people with a disability” (Danish Disability Council, 2006).

This is in theory a good approach as it implicitly implies that the help is done as close as possible to the individual. It also reflects the decentralised approach to the delivery of welfare services in the Danish model and, in this area this is further in contrast to that in earlier times help to disabled was a highly centralised system. However, at the same time, the risk is that across borders of different sectors no clear help is given or clear decisions is taken. Furthermore, it makes it difficult to document and show what has been the best practice also as local circumstances can vary both at the level of the municipality and at the labour market.

The integration of disabled at the labour market builds upon the rationale that disabled will not be, at least in some cases, cf. later, able to enter the labour market without public support in one way or the other. Still, existing knowledge on active labour market policies does not give any clear evidence of the impact of active labour market policy cf. also Kluwe, 2006. Another study, although mainly dealing with long-term sickness and disability, concludes a literature study “that it is impossible to be certain about significant effects of specific variables” (Høgelund, 2003, p. 52). The study also indicated that it is the mix of the individual disabled, the labour market conditions, and the policies towards disabled, which in total have an impact on the position at the labour market. This also points to that the overall labour market situation and policy can have an impact, and, it must be expected that the Danish model of labour market flexibility also should help and encourage employment of disabled.

Principles for support build upon that what is needed can be a broad variety of supportive measure, for concrete details cf. later, from integration, retention and up-qualification of the disabled in order to take up open positions at the labour market, and, for some to take up work in a sheltered type of employment.

Even if there is a sector responsibility, the Danish welfare state approach builds on a structure where the state makes the main laws, and, it is the municipalities offering the daily support. In the area of support to the disabled, some exceptions are at place. This is mainly due to that several groups of disabled are so small in number that it is not possible at the local level to have all the necessary expertise to help these groups effectively, cf. also Section 3. Due the sector responsibility supporting and helping people with disability is covered in many different laws. Therefore in the following only the most important laws are mentioned.

Change in the working area and help with working tools is covered by Lov om en Aktiv Beskæftigelsesindsats (Law on active labour market activities). This can, as an example, also be help to persons with dyslexia. It is also in this law that flex-jobs is covered, especially through Law nr. 233 of 2<sup>nd</sup> June, 2006. Furthermore, the mentor-support is regulated through this law.

Support to making transport possible to and from work is mainly dealt with in the Lov om Social Service (Law on Social Services). It is in the same law that rules concerning protected and sheltered employment are described.

Prevention, including the possibilities of lower working hours, help-remedies, personal assistance is covered in Lov om Aktiv Socialpolitik (Law on Active Social Policy) and in Lov om kompensation til handicappede i erhverv (Law on compensation to disabled in work). The last law also regulates the possible right to first access to a job for disabled and their right to an interview for a job. The latest description can be found in Bekendtgørelse af lov om kompensation til handicappede i erhverv m.v. including legal changes of the 6th of June, 2007. Bekendtgørelser (Departmental orders) is in the Danish system the way the central authorities describes the interpretation of the law and the more detailed legal position, which the other authorities in the system has to follow.

The most recent changes of the 1<sup>st</sup> of January 2007, where part of the labour market system were decentralised (although partly as state-run bodies) in the labour market system through the establishment of local job-centres in each municipality, makes it difficult to make an evaluation of the effectiveness for the time being. Still, the aim and ambition being to have decisions and the administration as close as possible to the individual who is in need of help. In general, the very decentralised structure of the Danish welfare state is judged to be

efficient, but naturally with the risk of that not all individuals get the support they exactly can be expected to need, and, also that they do not get what in fact was the intention by the legislators. This is the in build risk in a decentralised welfare system.

A possible explanation for the variety in support can thus be, as also indicated above, that for some they are close to the labour market, and, for others they will presumably never be able to enter it.

The various kind of income support to disabled is covered in several other laws, but they are left outside the description, also due to that, they in many circumstances are not specific for persons with disabilities, but part of the general rules regard social security in the Danish system.

It is thus in many and very different types of laws that support to disabled is described, which also reflects the division of responsibilities in relation to disabled. The recent reshuffling of the government in Denmark after the election in 2007 implied that the new minister for welfare got the primary responsibility for co-ordination of the activities with regard to disabled. This might, in the future, imply a more co-ordinated strategy.

### **3 Organization of the support to the disabled**

The organizational principle of the Danish support to disabled is build upon what is labelled a sector responsibility. This implies that it is the sector where the disabled are, who are responsible. Thus, the educational system has some responsibilities, the labour market authorities others and the social security and service system other types of responsibilities. The further has the implications that there is need to ensure co-ordination for those disabled that have different kinds of needs and, also a risk that some kind of support do not reach the disabled.

In the following, the main focus will be at those instruments and organization of support to disabled, which has the aim and/or expectation that this can help in entering, re-entering or stay on the labour market. This also implies that economic support (e.g. social security benefits) to the individual is left outside, although support to wages to employers for the individual is included, as this is part of the active labour market policy for disabled.

The main support with regard to entering the labour market takes, in principle, place at the local job-centres. They have the overall local responsibility for the support to enter or re-enter the labour market based upon the need for help, the qualification level for the individual etc. In order specifically to take care of and analysis the situation for disabled, a specific function has been enacted at the Job-Centre Vejle. This centre has the task to ensure a consistent support and knowledge in the area ([www.bmhandicap.dk](http://www.bmhandicap.dk)). The information centre shall also help those working at the other around 90 job-centres (in principle one in each municipality) with regard to how to support the disabled at the labour market. This is a clear indication of that help to disabled needs to be specialised, and have a high-level knowledge in order to best support the individual disabled and the companies employed disabled. The Centre also has the task of developing new knowledge in the area about what works and what works best in order to integrate people at the labour market.

The Danish society has for long being regarded as a society with many different types of institutions and organisations. This is also the case in the area of disability. Parents, users, voluntary persons often organize in organisations dealing with a specific area of disability. User-organisation thus also has a role mainly in informing and working as a pressure group for better living conditions for disabled in different areas. Many of the organizations get public economic support in order to be able to collect this information, transform and find knowledge in the area, and give advice and guidance to the disabled. This implies on the one hand a high probability for that the disabled are given the necessary information, guidance and advice, but on the other hand that information on best practices can be difficult to find, and, even more difficult to disseminate and transfer to other areas. Furthermore, that all information do not reach the target group.

A key player in this area is the Danish Council of Organisations of the disabled (DSI) who is an umbrella organisation for 29 national member organisations. DSI has a membership of more than 300.000.

There is also a Danish Disability Council who act as advisory board for the government in questions with regard to disability, and since 1993 there has also been established an equal opportunities Centre for disabled persons. The aim has



been to collect information, take initiatives and communicate on how to ensure equal opportunities for disabled.

The organisations within the area for the disabled area have a broad view on disability policy. In the different sectors various other actors are also involved.

In the educational area, which has a high importance also for the young disabled, it is the various educational institutions that should both provide for the necessary qualifications to be on the labour market, and, help in bridging the gap between the educational and labour market system. It is the various educational institutions who have a responsibility in order to ensure that all gets the necessary support, for example, easy access to the institutions. This is in line with the described principle of sector responsibility.

A long Danish tradition has also been to integrate the labour market partners in the decision-making process implying that the partners also have, at the least implicitly, a responsibility for that disabled have access to the labour market. A principle of a spaciousness labour market implies that the labour market also should be open for persons, who for various reasons including disability, are not able to perform 100%. Part of this has been that in many collective agreements “social chapters” have been included making it possible, and the expectation that employers take into consideration that some employees have a reduced capacity to work.

Companies’ corporate social responsibility has also been, for long, on the agenda in Denmark. This seems although especially to help those who after have been entering the labour market witness a decline in the working ability. Still, the employers have no legal obligations except fulfilling the law of non-discrimination. The emphasis is instead on different types of social index or social accounting. A slightly possible barrier is that employers after 13 weeks of work have to pay for the first two weeks of sickness, and, furthermore in many collective agreements the employers will have to pay full income during sickness. They will then after the first two weeks get sickness benefit reimbursement from the state. The labour market partners thus play a role, but this might have an implication of to a higher degree supporting the insiders than the outsiders of the labour market. This is shown, at least implicitly, in a recent analysis (Beer and Damgaard, 2007) who by analysing the relation between municipalities and

employers with regard to social responsibility found out that most companies mainly dealt with keeping people in job, more than integration. This partly due to that, there was an understanding of how to use existing municipality support than prevention.

An analysis of companies' social responsibility from 2008 also showed that need for labour is a main prerequisite for employing persons with a disability, and, for half of the companies the wage-subsidy has an impact when employing a disabled person. There has been, over the last years, a decline in the number of companies aware of the possibilities of getting support (from 64 % in 2004 to 59 % in 2007), and also an increase in numbers not knowing the possibilities for support. A possible barrier seems also to be that many employers believe that disabled only can take care of jobs for unskilled. Therefore, the local job-centres need to be more active and also increase information (Rosenstock et. al., 2008).

It is thus a very broad set of institutions and organizations that have the responsibilities in order to help the disabled best possible to enter and/or stay on the labour market. A central issue being that the help should be as close as possible to each individual. Support comes from the educational system, the labour market partners, companies, organisations, local municipalities, and, also friends and families.

Still, the principles for the Danish active labour market policy also prevail in this area, and, thus integration of the social partners is an important aspect of the active labour market policy in order to ensure that disabled have access to the labour market.

## 4 Instruments available

In this section focus is on which instruments are available with regard to how to ensure access to and retention of employment for young disabled. As many instruments are covering not only young persons, there will be a general presentation of instruments available, and, where possible, links to the impact for young disabled will be made.

The three core types of instruments available can be split into the following:

Integration	priority access to jobs, personal assistance, wages subsidies, help- remedies/work instruments, mentor.
Retention	personal assistance, help-remedies, work instrument.
Up-qualifications	courses, education, job-plan.

There is thus a very broad variety of instruments available, and, the challenge being to ensure that it is the right tool to the right problem. Further, it indicates that in some instances simple and few tools can help to ensure that the individual can still be at the labour market.

It should be borne in mind, that despite the necessary instruments are at place one barrier can be the lack of knowledge to existence of the available instruments, for example, there seems to be a low level of knowledge of the Law on compensation to disabled (Clausen et. al, 2004). Informational barriers can therefore be important to break down in order to get better results.

A central issue in Danish disability policy is to look at not the lack of competencies, but instead of the working ability of the individual. The intention of the method is to ensure that the individual together with the social worker find out what type and kind of resources the individual has and how this can make it possible to get at least some attachment to the labour market, and including herein what type of support is needed. If labour market attachment directly is not applicable then to start a developmental process which can improve the working abilities, and by this making it possible to be either fully or partly economic independent of the welfare state ([www.arbejdsevnetode.dk](http://www.arbejdsevnetode.dk)).

The principle is further to make a resource profile for the individual, which also should help in finding out types of barriers for entering the labour market. Twelve elements are included in the description of a resource profile. These elements are: educational attainment, work-experience, interest, social competencies, abilities to change, abilities to learn, work relevant wishes, work identity, expectation about own performance, housing and economy, social network and health. (Arbejdsmarkedsstyrelsen, 2002). Naturally, it is also important to try to use the social partners, family and other actors that can help the individual as best as possible.

The instrument used after making the resource profile can be, as an example, a pre-rehabilitation phase where there is a clarification of the vocational aim, and, a making of a draft vocational plan. In the rehabilitation phase, the plan should then be fulfilled, and, the disabled have a right to compulsory access to vocational rehabilitation.

#### **4.1 Integration instruments**

A disabled has the right to priority access to jobs in the public sector and when licence to stalls and driving taxis are given. They also have the judicial right to be interviewed for a job, and, the public employer has to argue why they have not employed a person using this right in a specific job. The right is although not possible if the employer decides to employ a person already working in the company in the new position.

A few examples can indicate how this can be used: A sociologist with sclerosis used this rule after having applied for many other jobs. In the third attempt, she got a job. A librarian, being deaf, applied for many jobs, but without success. Using the right to an interview and combined this with use of the icebreaker support (cf. later) she got a job in a research institution. A young man, dwarf like, used the right in order to get a job as apprentice in the central administration (Specialfunktion Job og Handicap, 2007).

These examples are indications of that for young persons entering the labour market this instrument can be a useful tool as it makes it possible for them at least to get an interview, and, by this present themselves. This can thus help in reducing the barriers to enter the labour market.

As some of the examples are showing sometimes it is combination of various types of support, which is necessary to use in order to get a job. This is also the case for the icebreaker wages support.

Priority access can, as, shown in one of the examples above, be connected with the so-called “ice-breaker” support. This is a wage subsidy that can last for up to 12 months to newly employed persons with a disability, and they should have fulfilled an education of at least 18 months within the last two years. The education shall qualify to be member of an unemployment insurance fund, and the person should lack working experience within the field of the education in order to qualify for the subsidy. For companies it should imply, in principle, an increase in the number of persons employed except if the position has been vacant, for example, due to retirement or reduction for a person in the hours worked. The subsidy is open for both public and private companies.

An example, where wage subsidy as in the ice-breaker type has been given was to a newly educated lawyer who is stuttering who besides ice-breaker support, at the same time got 6 hours personal assistance pr. week. Other examples are a newly educated psychologist with sclerosis and a computer scientist with paralysation in the legs who also got a personal assistant for the practical elements in the job. Further can be mentioned a deaf kitchen assistant, who also got interpreter support to participate in meetings at the workplace etc.. Finally, can be mentioned a VVS technician, using a wheel chair, who used the subsidy to be employed in an entrepreneurial company (Specialfunktion Job og Handicap, 2007). This is again clear examples of types of support that especially can help young disabled to enter the labour market, and, also in very different kind of jobs, educational background and activities. At the same time it shows how important education is, as part of the reason for that they can get a job to a high degree can be expected to be linked to that they have just acquired a new education, but was lacking just a little extra support to pass the threshold for entering the labour market. Ice-breaker support thus helps to bridge the connection between the educational system and the labour market for disabled persons, and, this increase the likelihood also for a more permanent attachment to the labour market.

Flex-jobs in Denmark have been seen as an instrument having a positive impact on reintegration into the labour market. Flex-jobs aim at making jobs for those who have a permanent lack in the working ability, and, thus it can be both for young disabled, but also for some, where their ability to work is reduced during

their working life. All other types of activation should have been tried before it is possible to offer a flex-job. A private employer will be reimbursed with 50 to 66.66% of the wage costs depending on the degree of work-ability by the person. An analysis showed that a little more than 40 % were doing work, which would not otherwise have been carried out. The analysis further showed that also flex-jobs have the risk of being stigmatising (like quotas) as they are situated between the ordinary labour market and the social system (Høgelund and Pedersen, 2002). The stigma, at least for some, being attached to, not to be in the ordinary labour market, and thereby not employed by what they find as their own qualifications, but “only” employed due to economic support. Still, in recent years an increase in the number of persons in flex-jobs has taken place, which undoubtedly also has helped disabled. In the possible event that a person is unemployed from a flex-job a specific unemployment benefit is available (ledighedsydelse) until the next flex-job is found. The people do not need to be member of an unemployment insurance fund in order to get this benefit.

Personal assistance is a type of support making it possible for the individual to get a job, or, in principle also if the disability imply at a point in time increased lack of working competences, cf. also section 4.2. A personal assistance can thus be hired to assist in practical occupational functions, based upon the specific occupational function the individual shall fulfil. This was also seen by OECD as a good practice of supported employment programme (OECD, 2003).

A personal assistant has the task of doing part of the work, as the person with disability is not able to do. This can be collecting goods, carry heavy things, interpretation for a deaf person, function as secretary etc. The personal assistance can also help in structuring the working day, which can be a problem for persons suffering from arrested development<sup>19</sup>.

The personal assistance can be up to 20 hours pr. week, but in very severe cases up to full time. Examples of support: Personal assistance has been given to a deaf kitchen assistant, who had to work alone in some weekends, and the assistant could help in communication. A clerical assistant with whiplash got 10 hours to

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<sup>19</sup> Recently it has with the tighter Danish labour market and bottlenecks in certain areas being argued that it can be difficult to get a personal assistant due to the relatively low wage to the personal assistant. As no detailed information is available this is only mentioned as a possible problem with the system.

employ an assistant who could carry heavy things; a plumber with dyslexic got an assistant for accounting in his personal company.

Mentors can be used for unemployed and others in order to get them into the labour market. Part of the argument has been that for some disabled introduction, counselling and help can be important in order for the person, especially at the beginning, to feel secure, but also for the employers as a way of reducing the starting-up cost when employing a person with less working abilities than normally.

The mentor can be a person already at the workplace, one coming from the educational institution or an external consultant. It is also possible to give public economic support to educate a mentor.

These varied examples are clear indication of that the different types of help can be very diverse, and also that it can be shorter or longer time-spell support is needed.

Part of the instruments available in order to ensure integration is further a very broad variety of help-remedies. This includes also adaptation of the working place to the abilities of the individual. It is the local job-centre, which decides upon the level and type of support. It is an area where the borderlines are not always clear-cut. Public support is principally only available if it is not common to have this help-remedy at the workplace, and, that they have importance with regard to ensure that persons with physical or psychological disabilities can be compensated for there lack of competences. Having said that, a broad variety of help-remedies are available, in order to ensure that a person can continue or start to work. The variation is from different kind of specially designed tools to special telephones, special working chair and tables, widening of doorways, installation of ramps and lift, ear-help, digital computer screens etc.

Recent years have seen a rapid development in technologies, which can help disabled in various types of jobs. New technologies can be expected to be used even more in the future. This also due to that, it is no longer only physical barriers to enter the labour market, but there might also increasingly be informational barriers, which needs to be coped with and make it possible to get and understand the information necessary to do a job (for example, access to internet etc.).

## **4.2 Retention**

Varies kind of help-remedies is a central aspect of ensuring that persons can keep their job at the labour market if a change in their situation occurs. A disability can be changed or become a problem and then various types of help to the disabled are available, for example, better accessibility, work place adaptation, personal assistance etc. Sickneses such as sclerosis, for example, which changes over the life-course, implies a need for help, can also be supported differently when needs are changing. In these cases a continuously, evaluation of the need of the disabled is necessary in order to make the best help.

In this way, it is many of the same kind of instruments, as described under 4.1., that are available but they will often have to be used in a more direct way, and also in order to prevent that the individual will be leaving the labour market.

Sheltered job with a wage subsidy can also be a possible option in order to get or keep a person at the labour market, including for example, the right to a rest period in the course of the day. For some disabled sheltered job is the only available option.

Mentors is also part of the possible support in order to continue having a job, as they can be used also for person in the before mentioned icebreaker and in flex-jobs.

## **4.3 Up-qualifications**

Different types of support are possible, e.g. often various types of help remedies that are necessary in order to ensure that a plan for up-qualifications can be achieved. This can be varied types of books (also for blind persons), access to the educational institutions, personal help to participate in education etc.. The system can in this way support the individual in such a way that the necessary level of qualifications can either be achieved or be kept, and by this making it possible to enter or staying on the labour market.

In order to get support to this an educational plan with a pathway towards the labour market needs to be established. The plan should take into consideration the



work-abilities of the individual and where job-openings at the labour market either are or can be expected.

Special pedagogical support is also available for, for example, persons with mental deficiencies, but at the same time the information and knowledge hereabout seems to be limited (Rosenstock, 2004).

Since August 2007 a special three years education for “weak” young persons, including persons with disabilities and mental deficiencies, has been started. It is the municipalities that have the formal responsibilities for this new more targeted and special type of education, which has to be planned according to the individual person. It shall include some ordinary teaching (subjects like Danish, Maths and Social Science). However, it shall also include education of how to live (including cleaning and cooking), how to have a job (including norms and rules on the labour market and training in a subject) and finally leisure time activities. The aim being that the persons shall be able as best as possible to live an independent life and this includes for some that they can work, at the least in sheltered employment. As it is a newly established education, an evaluation of the outcome hereof is logically not available.

#### **4.4 A few concluding remarks**

Many different and very varied instruments are available. This gives a risk that not all are aware of the options and possibilities for disabled to get and find a job. Therefore, several attempts are also done in order to ensure that all knows the options and best ways to help the disabled. An example of this is a methodological leaflet describing the options and use of compensation measures to the disabled (Arbejdsmarkedsstyrelsen, 2006). In the future information and dissemination hereof, seems to be very important, and, as described earlier the special centre established within the job-centre system in Denmark with the special function to inform, disseminate knowledge and inform people working in the system are an important part of how to both integrate and ensure that people remain in the labour market.

It is a clear problem that the administration of support to the disabled is tricky due to the complexities of the laws involved in the area, making it difficult also for the actors involved, always to achieve the sufficient co-ordination (Rosenstock, 2004).

Especially for young persons with mental or psychological problems it seems that a longer time-span is important in order to find the best solution, moreover if the goal of labour market integration should be achieved.

## 5 Facts and figures

This section will empirically describe the Danish labour market mainly with an emphasis on disabled and their position on the labour market. It is not possible to put a precise figure on the total number of persons with physical or psychical reduction of their functional abilities. This mainly due to that the Danish statistical registration does not use this categorisation, and, further that no final clear definition of what can be deemed as a reduction of capabilities exists ([www.social.dk/talogsatser/statistik2007/handicappede-ogsindslidende.html](http://www.social.dk/talogsatser/statistik2007/handicappede-ogsindslidende.html)).

Still, some information is available, for example, with regard to the level of public spending for sheltered employment for adult with physical or psychical disabilities the cost was, in 2007 prices, 942.9 mill. Danish kroner in 2005. Other elements, which can have an impact on the option and possibilities of getting or keeping a job, had the following cost in 2005 in million Danish kroner (in 2007 prices):

Contact persons and person attending	959.9
Support to different kind of help remedies, etc.	2302.8

With regard to help remedies, it is not possible to make a clear distinction between those with a direct impact on participation at the labour market or those helping in having a best possible life as close to others.

The number of persons with a disability between the age of 16 and 64 years of age are estimated to be close to 700.000 in 2002 based upon the individuals response in a survey on that they have longer time sickness problem or being disabled (Clausen et. Al, 2004). This number has not changed from 2002 to 2005 (Miiller et. al., 2006). Those born with a disability are approximately 12% of all disabled, e.g. around 70.000. The persons are divided into five groups. Mobility problems are the largest group with around 45%. The second largest group is persons with chronically diseases such as sclerosis, diabetes, cancer etc., 7% have psychical

problems, 4% have lack of or reduced communication abilities (e.g. blind and deaf) and 2% are having developmental problems or brain damage.

58% of all persons with a disability is already in employment, of which the main part is in ordinary employment (53%). Another 3% is in education, leaving 34% (app. 230.000) outside the labour market and education. Still, this is below the employment rate for those not having a disability in Denmark, implying that there is still scope for improvement. This further due to that the employment rate for disabled is the same as in previous analysis in 1962 and 1995. Of those around 290.000 with a disability and without a job, approximately 1/3 have the impressions that they can work on normal conditions, whereas 2/3 have the expectation that they would need some support in order to be able to enter the labour market. Especially, persons with psychological disabilities have a weak link to the labour market as the employment frequency is 41% and the level of unemployment is 14%. Around 6000 persons gets every year a disability, which makes it difficult to stay on the labour market.

From 2002 to 2005 there has been an improvement so that 56% is on the labour market in 2005, implying an estimated increase of 24000 persons. Parts of this is although mainly due to a significant increase in those employed under special conditions, e.g. flex jobs, with 16.500 more in a flex-job implying that 13% of those with disabilities compared to 9% in 2002 is employed under specific circumstances (Miiller et. al., 2006). It is in this report further argued that the increase in employment is not only due to change in the economic business cycle, and thereby that a positive development has taken place making it possible for more people with disabilities to be on the labour market. Also from 2005 to 2006 (with some slightly different definitions using a borderline of at least 15 hours work pr. week) showed an increase in the employment rate from 50.6% in 2005 to 54.8% in 2006 (Høgelund og Larsen, 2007). The in general more capacious Danish labour market has in recent years had an impact, but it is not the only explaining factor.

Young disabled persons seem to have higher labour market participation than older. In the age group 20-49, in the late 1990's, the employment rate was 74%, compared to 42% for the age group 50-64 years of age (OECD, 2003), which also, as other statistics, confirmed that the educational attainment level has an impact on the attachment to the labour market.

There are some regional differences in Denmark when it comes to employment of disabled persons, although there is no difference in the number of persons with disabilities. In the Northern part of Jutland persons with disability accounts for 22.6% of the employed compared to approximately 19% in the other regions in Denmark. At the same time, employees in this area are more positive towards disabled persons than in other part of Denmark, and they have further a higher knowledge on the supportive employment instruments available for disabled persons. Finally, the difference in the level of education is less in Northern Jutland than in the rest of Denmark. Thus, disabled persons are more integrated in the labour market in Northern Jutland than in the rest of Denmark. The analysis is not able to inform about the reasons for this, but one type of learning it seems reasonable to draw is, that it will be possible to increase employment by more information on available support (Larsen, et. al., 2007).

In Table 1 is shown a detailed picture of the number of persons, and as percentage of the population with various types of disability, split into five groups. Especially the sickness group can be split into more detailed types of diseases, such as sclerosis, diabetes, epilepsy, asthma etc.

*Table 1: Number of persons and as percentage of the population with different kind of disabilities in 2002.*

Type of disease	Number	% of Population
Mobility	311098	8.9
Sense and communication	30053	0.9
Sicknesses	288510	8.3
Psychical	49896	1.4
Suffering from arrested development	13464	0.4
Total	693021	19.9

Source: Clausen et. al, (2004) p. 52

One of the conclusions in the report is that it is not new legislation that is needed, but change in norms and barriers for disabled to enter the labour market, including a more spaciousness labour market (Clausen et. al., 2004). Barriers can be low degree of self-esteem, lack of social competencies, but also that companies, although they are integrating already employed if they get a disability, not always are open for employing persons due to a fear for that this can be difficult, and filled with problems to do.

Specifically with regard to deaf people, an analysis showed that 48% of deaf people aged 18-65 years of age are in employment, compared to 70% of the hearing population. The more people are deaf, besides being in employment, the more are they also surrounded by deaf colleagues in work-related context. This implies that deaf people with less education in general are more marginalized than other persons as they have fewer colleagues without disabilities. For the unemployed 60% needs help to undertake job search, but they also need more and better knowledge on the options available to support them (Epinion, 2007). An earlier analysis also showed that the educational attainment level is a very important factor in the ability to get and keep a job at the labour market also for disabled (Clausen, 2003).

Public spending on active labour market policy with regards to supported employment and rehabilitation was in 2005 995.5 millions EURO, which is equal to 0.48% of GDP. The main part was used as transfers to employers in relation to flex jobs and rehabilitation (584.8 millions EURO). The stock of persons participating in these activities was 61661 with nearly half (29990) in flex jobs, and close to 21.000 in various types of rehabilitation measures (Eurostat, 2007).

The Danish Government in 2004 (Regeringen, 2004) issued an employment strategy for the disabled with the ambition to increase the number of persons with disability in a job with 2000 persons pr. year and that each year 1% more companies should employ persons with disabilities. Furthermore, that both employers and employees should have a better knowledge on the available help-remedies for disabled, which can help to compensate for the degree of disability. The strategy had besides the three aims also three basic priorities. They were: More knowledge on disability and jobs, change in attitudes towards disability, and make it easier to combine work and disability. Included in the strategy was further an aim to try to increase the number of persons on early retirement pension into the labour market, and also 12 concrete initiatives including different types of information and more knowledge were started. In January 2006 furthermore 31 initiatives were started, and, in October 2006 12 more.

The 31 projects enacted in January 2006 had a focus on that disabled is not always getting the necessary help-remedies or right education. Therefore, projects included, for example, role-models for blind that should help them in ensuring what is possible on the labour market, a network of persons with disabilities

should help being “eye-openers” at different work-places and finally reading and spelling at the workplace should be supported. In appendix 1 a short overview of the projects is given.

The emphasis in the projects was due to, as it was argued in the strategy that, in general, the necessary legislation was at place, but that the knowledge and implementation was not working properly (Regeringen, 2004). An implication of this is that looking at how to implement strategies for integration or retention of disabled at the labour market is important. The initiatives in the strategy was thus also to a very high degree focussing on how to improve the information. Part of the structural administrative reform in Denmark, which took place on the 1<sup>st</sup> of January 2007, is also seen as one of the ways to make support to disabled more direct and precise. It has although to be borne in mind, as, described earlier, that the principle of sector responsibility still makes it difficult for all to use the possible options as best as possible. It was further, as part of the strategy, that the support to psychiatric disabled with personal mentors was made permanent.

Especially people on early retirement pension is seen as a group, which can help in increasing the access to the labour market for persons with disabilities as still only around one out of five had some work (Geerdsen, 2006). They are mainly employed in the public sector in various kinds of spare-jobs.

A possible barrier for disabled to enter the labour market is that the companies, despite the debate on Corporate Social Responsibility, not always are willing to employ persons with less working ability than others. A recent survey showed that 57 % of the Danish companies is mainly negative to employ such persons (and 18 % says explicitly no), whereas 39 % find that it can possible to a limited degree (www.business.dk, 23-11-2007). In general it seems more difficult to integrate persons with psychiatric problems than physical problems (Miiller et. Al, 2006). Companies seem more willing to employ person, who without fault of their own, is unemployed, such as persons with physical disabilities arising from either an accident or severe disease (Beer and Damgaard, 2007).

At the same time another study shows that employers see themselves more interested in the spaciousness labour market (66% in 2006 compared to 31% in 2001), and also employees find that they have a personal policy in the company that takes care of persons already employed who have been sick for a longer time

(79 % in 2006). This again implicitly implies that getting access at all to the labour market is very important. Furthermore, that people employed in specific circumstances (such as flex-jobs) in general are satisfied with their working conditions (Miiler et. al, 2007). 75% employees are positive towards working together with a person with disability, but less so if, the person has mental deficiencies (Miiller et. al., 2006).

Other types of barriers for persons with mental deficiencies relates to that a more permanent employment of a supportive person is not possible, that the icebreaker system can't be used for persons without education, and difficulties in the use of mentors in flex-jobs (Rosenstock et. al., 2004).

Flex-jobs has been one of the possible options for disabled to enter the labour market, and, in recent years there has been an increase in the number of persons (which can also be others than disabled with a reduced working-capacity) so that in 2006 41.500 calculated as full time persons were in a flex-job. It is slightly more than half of those in flex-jobs, which were employed in the private sector. Spare-jobs (skånejob) have on the other hand declined to around 6000 calculated as full-time persons. (Arbejdsmarked, 2007:18, Arbejdsmarkedspolitiske foranstaltninger, 2006).

Flex-jobs is the single most important way to employment with public support as of those employed under specific conditions in 2005 (around 50.000) the 63% were employed in a flex-job (Miiler et. al, 2006).

Flex-jobs seems to be a type with some success as regards to entering the ordinary labour market as shown by the data in Table 2, although the effects are diminishing over time, but still, for some they can either enter the ordinary labour market or continue to be in a flex-job. The unemployment support is for persons who has been given a flex-job and then becomes unemployed. They will presumably be waiting for another flex-job.

*Table 2: Persons having had a flex-job and their position 1, 3, 6 and 12 months after.*

	2004				2005			
	1	3	6	12	1	3	6	12
Employment	27,7	23,8	19,4	16,4	27,8	23,7	19,7	17,4
Unemployment benefit	0,1	0,1	0,1	0,1	0,2	0,2	0,1	0,1
Social assistance	4,0	4,3	4,0	4,0	3,6	3,5	3,1	2,7
Rehabilitation	1,2	1,5	1,3	1,4	0,8	1,1	1,1	0,9
Sickness benefits	10,8	7,9	6,3	4,8	9,9	7,7	6,0	4,9
Flex-jobs	11,1	16,6	23,9	28,2	10,2	16,3	24,1	30,2
Unemployment support	31,1	30,1	27,0	23,5	33,1	31,3	27,6	21,9
Early retirement pension	11,1	12,5	14,4	17,7	11,5	13,1	14,9	18,0
Others	2,9	3,2	3,6	3,9	3,0	3,1	3,4	3,8
Total	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

Source: Based on [www.jobindsats.dk](http://www.jobindsats.dk)

Rehabilitation also seems to have a positive impact on persons position on the labour market or be a way of clarifying whether it is possible at all to be at the labour market. This is shown in Table 3, where it can be seen that around one out of three is in employment 12 months after participation in a rehabilitation measure.

*Table 3: Rehabilitation. Status 1, 3, 6 and 12 months after rehabilitation*

	2004				2005			
	1 months after	3 months after	6 months after	12 months after	1 months after	3 months after	6 months after	12 months after
Employment	34,1	29,0	29,9	33,0	34,8	30,6	31,6	36,1
Unemployment benefit	16,3	14,6	13,5	11,0	14,9	12,9	11,7	8,9
Social Assistance	20,6	18,1	16,8	15,1	18,2	15,8	14,1	12,2
Rehabilitation, for								
rehabilitation	10,8	18,7	18,5	16,0	10,5	18,2	17,7	14,6
Sickness benefit	3,1	3,4	3,9	4,9	3,4	3,6	4,8	5,7
Flexjob	6,0	6,6	6,7	7,8	7,1	7,9	8,4	9,3
Unemployment support	5,9	5,6	5,5	5,0	7,2	6,5	6,1	5,4
Early retirement pension	2,0	2,3	2,8	3,9	2,3	2,5	3,1	4,4
Other	1,3	1,7	2,3	3,3	1,5	2,1	2,5	3,3
Total	100,0	100,0	100,0	100,0	100,0	100,0	100,0	100,0

Source: Based on [www.jobindsats.dk](http://www.jobindsats.dk)

For young persons with mental problems a barrier seems to be that not all of them are known as persons who need help, with the consequence that they do not get the education they need in order to stay on the labour market (Rosenstock et. al.,



2004). Unfortunately, the data-material is not sufficient to make distinction between various groups such as brain damage, developmental deficiencies, and, therefore the information above refers to persons with a personal understanding of having a mental deficiency.

A note from Arbejdsmarkedsstyrelsen ([www.ams.dk](http://www.ams.dk)) on the help to disabled in the labour exchange in 2004 showed that the regional labour market councils finds that only in rare circumstances leads the right to an interview and a job, actually to a job. Furthermore, that the duty to call for an interview is not always used. The number of persons in icebreaker jobs were also limited, e.g. 29 in 2004. Personal assistance was given to 3235 persons in 2004, the main part to persons with a highly reduced level of competences.

## **6 Best practices and good examples in Denmark**

Based upon available literature and documentation this section will give examples of what can be seen as best practices and good examples, and thereby useful with regard to knowing what will increase the integration of disabled at the labour market. The analysis and presentation does not take into consideration whether the examples easily can be transferred from one type of labour market to another or from one institutional type of welfare state to another type. National analysis must thus discuss, given national context, how these examples can be transformed and used. This also due to that seemingly one central barrier in Denmark is the implementation and use of existing options and legislation more than the actual policy. Implementation and ways of implementing activities must therefore also be carefully considered.

DSI (The Danish Disability Organisation) have established as “job-portal”, as part of a project with the aim of creating more jobs with wage-subsidy to persons on early-retirement pension, flex-jobs and ordinary jobs for persons with disability. The job-portal is part of the employment office service of jobs on the labour market ([www.jobnet.dk](http://www.jobnet.dk)), and is therefore also seen as a supplement to the activities already taking place in the job-centres and municipalities. The project was established in the summer of 2003 and is expected to run into the end of 2008. No evaluation and detailed information of the results is thus available. However, the project is a clear example of how information and use of internet is

of growing importance in the Danish labour market, and therefore also central in relation to how disabled can be integrated at the labour market.

DSI has also started a campaign in November 2007 called “use the potential” ([www.potentialet.dk](http://www.potentialet.dk)). This is an example of how campaign can be used also to inform on the possible job-reserve available among the disabled in a time where bottlenecks exist on the Danish labour market in several sectors.

The Danish labour market authorities have established, as part of the work with the spaciousness labour market, a fund for projects. Last call for tender was in July, 2007 and the projects will end in 2009 with the ambition also to find project to integrate persons on the borderline of the labour market including, for example, the use of social mentors to persons with short term psychological diseases.

Only very rarely is there information on the long-term outcome of the activities. An example being taken from [www.jobtilalle.dk](http://www.jobtilalle.dk), who informs that Jobcenter Øst Danmark until November, 2007 have got 309 citizens referred of which employment service has helped 87 to a flex-job, 10 in supported employment and 6 in ordinary jobs. It is not clear over how long time, but it is argued that 92 % are still in a job 6 months after the employment has started, and also 90 % after one year.

A case-study of seven different work-places who have employed persons with reduced workability due to psychological or developmental problems told important aspects on how to help with the integration of the disabled at the workplaces. All seven cases where chosen such as the employment had been successful and that they were in different types of sectors in the Danish economy. It was seven different types of workplaces: an antiquary, a media-producer, a carpenter, a primary education school, a smaller and a larger production company and a research institution (Rosenstock et. Al, 2004). In the following, based upon the case analysis, some important aspect with regard to the establishment of jobs, the gradual absorption and important daily aspects for disabled will be presented.

An important aspect in order to help in finding jobs to disabled seems to be that the employers do feel at least some corporate social responsibility. This was clear in several of the interviews with employers. One said:

“I knew it would be a hurdle, but I could also see, that Nikolaj really would like to do it .. and he should therefore have the chance”

This responsibility can have started somewhere else. In the carpenter company, for example, they had been used to have different people employed as part of the active labour market policy. Moving from this also to include persons with disabilities was thus not such a long distance. In several of the cases it was also clear that the employer had some prior knowledge about disabled, included herein persons with mental deficiencies. An extra motivational factor can thus be personal knowledge. Trying to find persons who have this knowledge can therefore also be a way of increasing the likelihood that they will want to employ disabled persons.

Still, as the cases also show, it is vital that a person comes and knock on the door. A job-consultant thus has an important role in this development, or in some cases, it can be the disabled. A personal network can therefore be important. In one of the cases, it was the sister to the disabled who talked to the carpenter, and this ensured the necessary contact.

Even if the companies have a high degree of social responsibility, it is essential that the employment, at least in the beginning is expenditure neutral. The companies still have a bottom line to take care of. As also, one of the employers said:

“There was nothing to loose by trying. ... he was expenditure neutral on my project”

This reflects the employers view, but some of the colleagues also had the same opinion. This can therefore also reduce the risk that the other employed, who perhaps find that they have to work very hard, is not against employing someone with less working abilities.

Another condition mentioned is that there should be appropriate working task to perform. One employer said:

“It would not be fun to say to them: this you can't manage.”

This implies that a proper analysis of what to do should be carried out before the start, also as help to the disabled, who further should “match” the work-place. The report (Rosenstock et. Al, 2004) concludes that in order to establish a job the following aspects are important.

- Employers feel a social responsibility.
- The employers get a request for employing a concrete person.
- The employment is without cost for the employer (understood so that there is an economic support and no negative economic dis-incentive).
- Proper working task to perform is available.
- The disabled and the workplace match.

The time when the gradual absorption of the disabled takes place is also important in order to establish a long-term job. Here it is important that the colleagues know the reason for the employment of the person, his/her working conditions and are positive towards the disabled. An employer who had employed a person with a mental deficiency said that he had talked with all, whom the person, should work with, and got acceptance before embarking upon employment of the person. In another company, a colleague to a person with brain damage said:

“It is of no use to think: We should be social, if your colleagues don’t ar.e”

In the cases the acceptance from the colleagues has although not been a big issue, nor has it been difficult to get the understanding. Part of this can reflect that they have been given proper information. This is further especially important for disabled where the reduced working capacity is not directly visible. Therefore for person with a reduced working capacity due to psychological or social reasons this can be of a high importance in order to ensure that they can continue to work also in the longer run. This can reduce the risk of that colleagues might have a negative attitude, as they without information perhaps could think that they would have to work more than the new colleague did.

Furthermore, there should be constant adaptation of the work to be done. The work should thus be adapted and changed over time. This should further imply a clear and simple ability to describe and analyse the expectations for the employer as well as the employed disabled. Summing up, for the introductory period to be successful the following is important.

- Colleagues agree to employ a person.
- Colleagues got the right information.
- Work load is adapted.
- Expectation on both sides are clarified.

During the everyday life in the company it is important to have as little as possible administrative and bureaucratic work, and, also that need for help-remedies are clarified and sorted out as quickly as possible. The more support to the administrative part of it, either by the job-consultant, or in larger companies a social worker already employed, will make it more likely that they at different workplaces also in the future are willing to employ disabled.

It is also central that the workplace has a clear understanding of that the person have special needs, and, for example, lacks social competences, perhaps takes fewer initiatives and/or work more slowly and have difficulties in understanding new work-processes. In the success stories the companies have:

- accepted the lower working pace;
- sufficient time to learn and answering of questions;
- been giving the employed time to talk and be part of the work-environment;
- accepted when they needed to be home for a day;
- helped the employed to remember agreements
- being giving extra positive feed-back;
- make fewer demands than to other persons.

In the presented cases, it seems clear that the disabled really would like to work, which has also helped. It has also been positive for their self-esteem and further personal development.

It is thus different, but all seemingly important aspects, which should be at place in order to ensure a good and long-term integration of the disabled.

An evaluation of a another project with mentors for young (18-25 years of age) with specific needs in a project in Jutland with 33 participants showed that approximate 1/3 was helped to either a job on the ordinary labour market or a job with economic support; the rest still used a mentor or other types of activities or

education. All the young expressed that they have had good use of the mentor support as it has helped them to ensure stability and safety. It thus looks like that support at the workplace, especially at the beginning, can be an important element in getting the young into the labour market. Another effect from the project has been that the young is still, if not in a job, involved in a project that in the future might help them into the labour market (Boel, 2007).

This project, supported person's project, was one of the 12 project initiated as part of the governments employment strategy for people with disabilities from 2004, cf. also Regeringen, 2004. The evaluation of the supportive person's project showed that the positive aspect was that it was the flexible and individual support to the disabled persons that has helped. However, in total only 99 persons have been in the contact with the project, and, not all of them got support. The strength of the project seems especially to be the flexibility taking the individual handicapped persons various types of need and work-abilities into considerations. There is some overlaps with the mentor support type, but this was broader and with no cost for the companies. The focus was also to a higher degree on persons with mental deficiencies and brain damage. The support given has been, for example, planning the working day, instruction in how to do the work, cope socially at the workplace, information to colleagues on the reduced functional capabilities etc. Based upon the evaluation it is recommended that information, introduction, cooperation and follow-up is important element in the development of this type of support (Socialt Udviklingscenter, 2005).

An inclusive praxis can be a system where the aim is to ensure that the persons involved at least can be able to move towards a flex-job or other types of supported jobs. In the former county of Vestsjælland (now part of Region Sealand) a project for persons with developmental deficiencies and/or social-emotional difficulties looked at both housing, work and free-time. The knowledge learned from the project indicates that good housing could for these groups be a very important part in the possibilities for also to be successful in relation to work. Furthermore, they worked together with a technical school, which could issue competence certificates when a person had passed certain elements. Certificates can help the individual to come closer to the labour market and also increase the personal confidence. For those participating at the school the aim has been that at least 2 out 3 got a kind of job, and, this has so far been successful (Ringsmose and Buch-Hansen, 2007).

Another project was a rehabilitation project for young persons who were mentally ill. The project used a combination of finding out the individual's competences, ability to concentrate, strategies for learning, and, it also used different test to find the level of competences. Furthermore, after the educational activities, they were using the rehabilitation centre to try to work, and, when this was going well then the next aim was to try to find a pathway to the labour market. The evaluation showed good results, although the educational time in the project could have, for many, been longer (Ringsmose and Buch-Hansen, 2007)

The county of Fyn (now part of a new region) has tried a three years education for young persons. They were also trying to find out about the individual's identity as adult, but also support in relation to housing, work, employment and spare time activities was part of the project. By developing identity and personal competences this project tried to help the individual to an active societal life, and, also if possible to enter the labour market. Housing and café has been part of the project (Ringsmose and Buch-Hansen, 2007).

A centre in Jutland has tried to help young persons with different kinds of disabilities, and, especially those who have an unfinished or was lacking primary education. The ambition being by having 20 hours of weekly education mainly in Danish, Math, IT and English to prepare them and make it possible to continue to a further education.

External employment was a project in Horsens linked to a rehabilitation centre making it possible for around 65 persons to work in jobs in public and private companies within especially service type of jobs.

A barrier for integrating disabled to the labour market has been that it perhaps could be difficult to document the competences available. Part of the governments 2004 employment strategy for the disabled was thus to make this documentation better and more clear. A project was launched in August 2005 and ran until July 2006. An evaluation of the project, although based upon relatively few competence certificates, showed that it was a positive initiative, as it helped to focus on the unemployed disabled qualifications and also made it easier for the employer to get a comprehensive overview of the individual's qualifications. This should therefore make it possible and easier for the person to search for a job without help from the public sector. One problem was that it is not possible in the

certificate to promise the individual person or companies specific help remedies, as these are based upon an individual assessment. Still, it was deemed a positive initiative (Rambøll, 2006).

A local municipality has established what they call a coordinated attempt to bridge the development from child to adulthood ([www.godsocialpraksis.dk](http://www.godsocialpraksis.dk)). The coordination involves the disabled, the parents, the municipality's social administration and the labour market exchange. The experiences (no formal evaluation has been made) shows that this type of intervention makes it possible with better co-ordination of the support to make a more coherent and consistent plan for the young, including knowing more precisely about the labour market opportunities, including educational aspects and need for further education. In some cases it is argued that it is not possible to make a final plan, and, that young disabled, as other young persons, might have difficulties in deciding what to do. The plan must thus on the one hand give a clear line for the development, but on the other hand not be too strict and without options for change.

A conclusion could for some of the most vulnerable be that safety for the individual seems to be a core element for the individual's when trying to integrate them in the society in the broader sense. This is both in the educational system, which especially for the young is very important as a part of their labour market participation in the longer run, but also when entering the labour market especially for a new job.

More generally, it is important that both employers and employees have social responsibility, but also that the administrative burden when employing a person with disabilities should not be too heavy. Furthermore, that helping the individual when starting at the workplace, and the various types of mentors (coaches) and personal assistance can be very important in order to make it possible for a disabled to start at a new place.



## **7 More detailed analysis of cases of best practices**

### **Best practice 1: Private companies and disabled**

In the following good cases within the area of disabled employed in the private sector will be described and the conclusions and recommendations based hereupon will be drawn. These cases have been chosen from a report from 2004 (Clausen et. al, 2004). The reason for the choice is that the evaluation have used a very detailed and high number of qualitative interviews, and that they shows both good examples of best practices, but also that they indicate barriers to be removed in order to improve the integration of disabled at the labour market. It is further all three private companies, which often has lacked, at least in the analysis, in the integration of disabled in Denmark. Part of the reason why private companies are less often described is that they in most of the cases do more to keep people, who get a disability, than to re-integrate those already disabled. Furthermore, using private companies is in line with the knowledge on what works of active labour market policies, that the long term positive impact are highest in the private companies. At the same time, the cases reflect different types of companies and important barriers, which need to be surpassed in order to enter the labour market, and, by this also what can be learnt and used in other countries.

In total 64 persons was interviewed as part of the analysis. They can be distributed into the following categories (Clausen et. al, 2004, p. 40):

- 15 with a disability;
- 16 disability consultants from the public labour market exchange;
- 5 disability consultants from municipalities;
- 3 independent consultant for disabled;
- 10 persons responsible for employment in private companies;
- 5 persons responsible for employment in public companies;
- 4 shop stewards in private companies;
- 6 representatives for private user organisations.

This implies that all main actors has been involved, perhaps except for the central labour market organisations, but still, it is both users and user of the public support and systems where the aim has been to integrate and reintegrate disabled to the labour market.

The first company analysed is the establishment of a section of TDC (A Danish Telephone Company) in a small town Næstved, where disabled could work by giving help on the line 118. This line is for persons who call to get a telephone number or an address etc. In order to be employed the individual should be able to read and spell. Each individual employed would then be coached for a three weeks time in how to deal with the calls. 8 people should be employed and they should work one hour followed by a ten minutes break. It was decided that part-time should be an option, even though this makes the organization and planning more difficult. Of those actually employed, only one is on full-time.

The first barrier in this case was to get disabled to apply for the job, despite that the location was close to a home build especially for disabled. It was first when an interview in a TDC-magazine and the company were also looking for persons outside the building area, that it was possible to get people to apply. This shows that it can be difficult to get disabled to apply and one thus also needs to break the disabled owns barriers to apply for a job. *Role-models* is thus very important, including good stories about how disabled in fact could work here before other disabled reacted and applied for jobs.

The customer chief told that it has been possible to arrange the working space in such a way that the disabled could work there, partly also due to that the location already from the beginning were arranged in such a way that wheelchair, toilets etc. were made so that disabled easily could use the space. It has thus not been the difficulty or need of changing the working space that has been a hindrance for employing disabled. Despite this, some who could not pass the reading and spelling test could not be employed.

In the interview with the disabled (three persons) it was clearly pointed to that, all had needed a “push” to apply for the position. Two of the interviewed have never had any job before; the third had worked as mid-wife.

One of the employed were a guy called Martin, 29 years of age, born with progressive muscular atrophy, being in a wheelchair since he was 14. He can only do very limited, but when the arms can rest he can use mouse and keyboard. Combined with a personal help 20 hours pr. week he is able to work 9 hours pr. week, being able to be in contact with around 170 customers in three hours. For

Martin it has been important that it is a real job, and, he is quoted (my translation) for the following:

“It has to make sense to work. If it is work, which is not needed, why then do it” (Clausen et. al, p. 169).

He further argues that the important things being to be like the others. It was his girlfriend who had seen the advertisement, but he also find that the social worker should try to help by pushing more towards looking for a job. Finally, he argues that a positive benefit with the job is that the customers do not see them, and, therefore they ask them “normally”. He has tried to be in the wheelchair and then people had asked the helper not himself.

Jacob, 23 years of age, is the youngest. He had an accident at the age of 16 making him partially paralysed in one leg. He has stopped taking the secondary level education when he got the job, but has taken some courses. He has got some help (interest free loan) for a car, and, a few help remedies, but as he explains, he prefers to be as close as possible to an ordinary life. He works 30 hours pr. week with six hours pr. day. He is pleased with his job, and, the options it gives for a life as close as possible to an ordinary life.

This is thus two cases of young persons with disability who have got a job very close to the ordinary labour market mainly by the support with a few help-remedies, and, also importantly by the organisation of job (e.g. taking the number of hours each person can work into consideration, and a clear level of expectation for what to do. The last employed had been in a job before, who can work due to the pain in the back only 3-4 hours pr. day.

The three interviewed are all pleased with the work, and, they are dependent on the flexibility at the work-place.

Second example is a small tele-trading company based on the institute for Blind and Weak-Sighted. This company has been able to employ disabled without specific public support, except for a few help-remedies, and employ three tele-marketing consultants. They have further been establishing an education for blind within the area of telemarketing. They are employed in ordinary ways, except that one has applied for a spare job.

The company plan the work in such a way that they can cope with it. They have, for example, jobs for auto-companies who want to ensure that the repair of cars has been done properly and that the customers are satisfied. This kind of tele work has to be done in the late afternoon.

The municipalities have paid for compensation IT, such a speech-synthesis, which enables the blind to use the computer, and, the text is read aloud for the blind. They can work around one hour at a time, as they need a high level of concentration.

One of the employed is Martin, who is 51, but has been weak-sighted from birth, which has gradually deteriorated over the life course. This implied that he could no longer cope with his original job, which he could not continue and therefore had to find another job. The local municipality paid for a course in tele marketing, after which he got the job in the tele-trading company<sup>20</sup>.

Another of the employed is Torsten, who is 27 years of ages, and born blind. He has an education as a clerk, but wanted to move to Copenhagen, and, then took the education in tele marketing. For him it is very important to be employed on ordinary conditions, and not in a supported job. He does not expect to stay there, but to move on at a certain time. This indicates that having a job and some experience also for disabled makes it possible to move at the labour market.

The company is not, according to the leader, representative as the employed need some “surplus” in order to be able to phone and talk to so many people. Still, it is an example of, that even persons born with a handicap can work very close to normal conditions, if they get an education they can use an a work fitting with their qualifications.

The third company is a painting company, who has employed deaf-persons. The story is that their daughter, who worked in another company, was asked by a job-consultant whether they could employ an apprenticeship. She then told them to ask her parents painting company instead, as it was not possible at the place she was working. This is thus an indication of that it can be important to search

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<sup>20</sup> This is an example of that even persons born with disabilities can be witnessing a decline over the years so even if they have been able to enter the labour market, they might at a later stage needs help.

actively for areas where one can get young disabled in for a start. In this case they would like to do something being a socially responsible company. Today both the deaf are employed on ordinary conditions, although with some support for interpreters (up to 150 hours pr. year) at meetings in the company. They have further been supported by Castberggård (a deaf-high school) who has helped to organize and be aware of practical issues in relation to how to have deaf apprenticeships. This has been seen as very important from the company having someone to talk with and ask questions during the process. When being on the school they have had deaf-interpreters, paid by the local municipalities, in order also to be able to pass the theoretical part of the education.

They have met negative reactions from other employed, like with immigrants, but in most cases it has not been a problem. When starting at a new place the owners in order to reduce the communication barrier takes with the deaf to the place, and, agree on what to do. They ask the deaf to write down what they have been told to avoid misunderstandings. The deaf has also been given a mobile phone with which they can send sms if they have a question or need new material to work with.

Kirsten is 22 years of age, and, has been deaf all her life. She found it difficult to live and start in the job, but she says she has managed also due to the colleagues, but also that it is difficult to communicate with not-deaf-persons. She says that she expect that this is a type of job, which she can have for long despite her disability.

Summing-up it seems that key words for success is knowledge on the existing support structures, but also that establishment of role-models can help other to integrate disabled at the labour market. Introduction and support at the start of a new job is very important. A better co-ordination between municipalities and the labour market authorities can also be an important issue with regard to increase the success rate. This also includes flexibility at the work-place where the disabled shall work, including possibilities of working fewer hours and in other ways than the other employed persons. The cases also show the necessity to get help from persons who know the area (including support options) early in the process of employing disabled persons. For the individual persons it is important that the job is as close as possible to ordinary jobs as this increases self-esteem.

It should be possible to transfer the knowledge from this company, and, the efficiency lies in the knowledge of the barriers for the individual disabled to be integrated, and, how to use the existing support structure as best as possible.

### **Best practice 2: Development of a catalogue based upon interviews with employee and employed**

This project was carried out by the Jobcenter Århus on behalf of the Danish Ministry. They have done a measuring of the capaciousness of deaf person's participation at the labour market.

The intention with the measurement was to find out the "temperature" of the capaciousness on the Danish labour market with special emphasis on person with a hearing disability. The aim with the analysis being to be able to answer questions concerning what is needed in order to improve participation at the labour market.<sup>21</sup> The measurement should show establish the impact on the participation in the working life based upon the following parameters:

- knowledge and Competences;
- tasks and orders;
- communication;
- contact and relations;
- future.

This analysis should further help in establishing the best context for the deaf person's participation at the labour market, including the use of help-remedies, practical support, expectations etc.

The development of the catalogue and recommendations was done by interviews in five different companies<sup>22</sup>. In each of the five companies a deaf, another employed and the person in charge were interviewed. This implies that in total 15

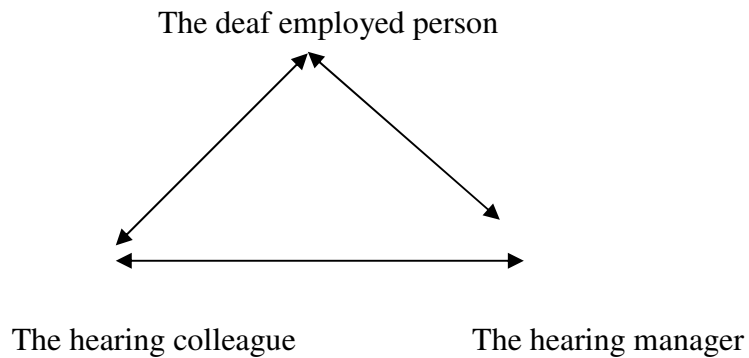
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<sup>21</sup> The measurement has also been done with regard to persons with reduced or no sight as part of a transnational project called Diversity Winners.

<sup>22</sup> The following is based upon Sørensen, Lene og Piculli, J (2006), Mangfoldighedsmåling af døve tegnsprogsbrugeres arbejdsliv. Dokumentation af metode, proces og resultater. Århus, Jobcenter Århus Nord, as they have done also qualitative interviews with deaf people, which I would not be able to do. Companies and individual are presented anonymously.

qualitative interviews has been conducted. They have lasted around 1-2 hours each.

The rationality behind this type of measurement is to cover all three angles:



It is within this triangle that the knowledge should be established in order also to ensure a long-term integration at the labour market.

The companies involved have very diverse characteristics. Three out of five were private, and the two from the public sector was a state and local workplace. They are all companies within the service sector (transport, advice, health, care, experiences) and they all have a clear profile with regard to social responsibility. They are further different by that two of the companies have a “deaf-culture”, whereas the three others have a “hearing culture”. Interviewing in companies with different cultures is important in order to find out whether this has an impact on the ability to integrate and re-integrate disabled persons at the labour market.

Clear differences exist between the two cultures in the way the disabled find the work-place.

In the “hearing-culture” the deaf often finds that the work is more stress-full, often due to that they do not get sufficient information, and also that they have more difficulties with the “informal” communication. An employed deaf-person thus argued that:

*“Every Friday, where I have an interpreter, I can laugh with the others, due to the interpretation. In this way I feel like the others. Without the interpretation, it would be different. I would be feeling excluded.”*

A hearing colleague in a company also said that he would feel outside if he, for example, could not communicate during lunch.

One manager had experienced that meetings with all staff was difficult due to difficulties in the communication. Thereby the manager implicit raises the issue that when having people with hearing difficulties the organization of staff-meetings is very important. In another company the use of a portable video telephone helped to solve the problem.

Communication is most of the times more limited and often directed especially towards what is needed in order to carryout the work. A more systematic and clear use of help-remedies and interpreters (including distance interpretation) can thus be an important element, and not only directly related to work, but also, for example, at Christmas parties. Another aspect that could help is to increase the deaf person's competences in writing Danish. Written communication could, by the use of pc, mobile phone, on paper, be a way to increase communication. Knowledge among the employed and the managers on deaf and deaf culture should also help in improving the integration. Mentors to the deaf are also recommended as early as possible to be aware of problems. Increased focus also on the long-time perspective in the job, and employee development discussion should be improved.

In the companies with a deaf-culture, the employed can use their competences better, and, they see themselves as more integrated. There are fewer recommendations in this area, but also in this culture, more emphasis on written Danish is emphasized. Besides that, development of competences for colleagues and managers without hearing problems is needed as this can also increase the use of the competences from the employed persons. Furthermore, a continuously focus on the competence at the deaf persons, including personal competences such as abilities to solve conflicts at the workplace, learning more about use of media, and, about labour market conditions.



In the table below important issues from the measurement and conclusions on what to develop is shown.

	The measurement of capaciousness showed	Recommendation for development
Knowledge and competences	Deaf have competences (personal and educational)	Improve written Danish, knowledge about society, humour. Manager should be more aware of using all the competences
	Deaf have clear routines and defined work	Deaf should be able better in collaboration with colleagues to say yes and no, and, ask for help, and be more aware of where they do not have competences
	Offers of further education is at place	It should be ensured that they get further education
Task and work-load	Deaf have clear and defined work tasks. Work task are distributed according to personal interest and competences	Deaf often feel stressed when having to many task and high workload, including the feeling that something is going on "behind their back"
Communication	Important for deaf to be able to communicate also using sign-communication. Deaf feels that some part of the communication is "above their heads" Hearing colleagues find physical interpretation as disturbing.	Ensure that it is possible to communicate with well known colleagues, and that it is possible to have interpreter to meetings and social gatherings. Hearing colleagues get free education in sign language. Employ deaf persons as this also increase the awareness of clear communication
Contact and relations	Deaf is often in good humour, and, can understand jokes. Deaf often have the option of a more close contact with one person in the group	Deaf still sometimes feel outside in the breaks and do not socialize outside workplace. Time and space to be in contact with colleagues is important
Help-remedies	Use of interpreter at the place, video telephone, e-mail and sms is used and important. Videotelephone helps with the lack of linguistic written competences	At least 1 hour physical interpreter each day. Portable videotelephone, which also can be connected to the computer. Combine video-telephone with network of other deaf persons. Use mentors as help in learning a job. Deaf should be more aware and use existing help-remedies
Norms and expectations	Hearing colleagues some deaf have low level of self-esteem, employers do not know sufficiently about having deaf people employed. Deaf need to take responsibility for that help-remedies are at place and used.	Managers has a positive interest and support the deaf, Colleagues is happy to support the deaf, and, also that deaf have a positive attitude. The company have a diversity management policy

Source: Based upon Sørensen, Lene og Piculli, J (2006)

The results from the analysis can also be used in other countries, as, the problems and options with regard to the integration of deaf-people seems to be relative general.

Important knowledge is that measurement can be a way to be aware of the specific problem looked upon from the all partners involved in the employment; including that diverse working culture can have an impact on the way the different persons can be integrated. There is a responsibility by all partners in order to ensure that the integration takes place as best as possible.

It is not possible to describe why it is efficient, but it is durable in the sense that diversity measurement can help in finding out where aspects at the individual workplace can be improved, and the topic to be included as listed in the table above seems to be the relevant ones.

An important aspect is that the measurement does not become too complicated and taking up too much administration and time, as, this can reduce both the willingness to use it, and, also reduce the possibilities of using it as a regular tool for improvement.

## **8 Conclusions and recommendations**

Many and different barriers needs to be removed. This seems to be a very central conclusion. Barriers that has to do both with the individual disabled, with the employers awareness, and, employees attitude towards disabled. Included in this is a more constant and updated focus on the existing support available for disabled. Lack of knowledge both with regard to how they can be supported and the economic aspect of having disabled employed is important. Information and knowledge on how best to disseminate knowledge is thus very important. Even the best web-site is of no use if the users do not know it or use it.

The rapid development of new technologies is one of the new barriers. Not only is it important that disabled can use them, but also that they constantly are updated in the use of the huge varieties of options. Life-long learning is thus also important for disabled. At the same time, new technologies might be used in many different ways to increase the options and possibilities for disabled.

A recent news example has been the attempt to create a new European GPS system, which according to Danish newspapers, should be so precise that it should make it possible to guide a blind person within a margin of 10 cm. This will change, just as one example, the mobility aspect for blind persons. But also the way working place are build can be important, including adjusting to and integrating new possibilities in the future.

The analysis further shows that activation; early intervention and prevention also have a role for ensuring integration at the labour market. Education is also for the disabled part of the preventative instruments that can be used presumably to a high degree of success. Early intervention is both in the childhood for those born with disabilities, but also as soon as possible for those who were being disabled sometimes during life time of central importance. For persons with some sight it could be, for example, important to prepare them for the time when they are no longer able to use their eyes.

Compensatory measures and employment support is also part of the success-stories in the Danish context. Therefore, the principle of compensation to make it possible to live a life as close as possible to that of others are important, but also that the two types of instruments are used in a such a way that they supplement each other.

Sheltered employment is for some groups important. The development has although been towards more and more use of different types of employment subsidies (flex-jobs, spare-jobs, personal assistance) as measures. This is making it possible for the individual disabled to be closer to the ordinary labour market. Still, for some sheltered work-place is still necessary. To avoid negative aspects it is important that sheltered work-places are not been looked upon as giving unfair competition to private companies.

Flex-jobs, mentors, personal assistance combined with the necessary help-remedies are thus the most important learning with regard to instruments that can help disabled to enter and/or stay on the labour market. Flex-jobs is also important as a gateway to the ordinary labour market for some, and, for others that they can use the available resources as best as possible. However, the information and dissemination of information and the implementation of policies are extremely important in order to ensure a positive outcome. Finally, it is also for disabled

education and life-long learning that are very important elements in the possibilities of getting and keeping a job.

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## **Appendix 1 Overview of some of the projects that has been part of the governments strategy in order to get disabled into the labour market.**

31 projects – January 2006 ([www.bm.dk/sw5189.asp](http://www.bm.dk/sw5189.asp))

### **Mentally disabled**

1. Development of co-operative companies who can function as part of the capacious labour market, including development of the employees social competences when having employed mentally ill in a meaningful and adjusted employment
2. A media house should try to establish mentally ill social competencies in order to participate in working-groups making it possible later to at the labour market, including learning their stress-level
3. The Foundation for Psychiatric got support in order to help companies and municipalities with information on how to keep and integrate persons with mentally deficiencies.
4. A psychiatric private clinic got support to a project in order to get more knowledge on integration of people with depression on the labour market
5. Development of a handbook based upon international experiences with mentally ill person and adjusted to the labour market.

### **Blind**

6. A concrete employment of blind in a Museum during an exhibition “dialogue in dark”, which also should give the visitors a knowledge on how it would be to be blind
7. Learning of the success is a project with the ambition to create role-models for blind persons. The role-models should then be able to work as mentors

8. An attempt to change a sheltered employment company to a company, which can offer ordinary jobs, flex-jobs or special support.

9. Blind entrepreneurs is an attempt to establish network among blind persons, that then can help in establishing

10. Establishing of concrete tools to help in ensuring the individual approach for blind when searching for a job in order to improve the chances of getting a job

11. The good match try to find the barriers for blind and use this knowledge to make a manual making it better for blind to know how to train and find out how to cope with the labour market

### **Persons with late brain damage**

12. The association for brain damage will try to create relations between employers and employees, and prepare the employers for how to integrate those persons at the labour market

13. Co-ordination of rehabilitation to the labour market for persons with late brain damage including and individual approach and rehabilitation

14. A special assistance for finding out the labour market possibilities for young persons below the age 25 with a brain damage

### **Persons with dyslexia**

15. Help your person with dyslexia by using a call-center with advisers to help employers to keep and reintegrate those persons at the labour market

16. Info-center for persons with dyslexia also helping in requalifying 100 persons already employed at companies in a Danish region

17. Qualify Danish and immigrants with reading and writing disabilities to a job in the cleaning sector through targettete training, courses and trainee.

### **Deaf/hearing disabilities.**

18. Hearing guides to help persons and focus on that persons with reduced hearing abilities acknowledge their problem, including network for persons with hearing disabilities.

19. Yearly thematic days concerning how already employed persons can get a network and inform the persons about topics in relation to their disability

20. Development of a catalogue based upon interview with a deaf, a colleague and the boss at 5 companies with ideas about how to increase the capaciousness of the Danish labour market.

21. Development of an instrument as a self-test which can be used anonymous and individual, and by this increase the awareness of having a hearing problem.

### **Others**

22. To establish a network concerning disability and jobs in a county, and, by this be better able to co-ordinate and collaborate between different sectors in the public administration.

23. Trainee and clarify diabled job-seekers a better knowledge of own resources and potential.

24. A rehabilitation project with the aim of through a rehabilitation project to help young through various set of measures to enter the labour market.

25. An analysis to find out how a personal assistance can help, which then can be used by employment consultants in the public employment service.

26. Establishing of an electronic workshop in order to help the disabled improve their CV and applications. Project as part of [www.ijobnu.dk](http://www.ijobnu.dk)

27. Danish Radio to produce programs in order to change the perception about both having a handicap and being in work.



28. An attempt to that early retirement pensioners can get an increased feeling of being part of society.

29. A disability portal to re-qualify disabled in such a way that they also can get employment as self-employed.

30. From barriers to career by establishing a network of resource strong persons with disability making it possible to create rolemodels.

31. Seminars for members of local and regional disability councils so that they have an updated information on the labour market for persons with disability and in relation to the structural reform in Denmark.

## **12 initiatives October 2006**

### **Mentally ill,**

- 1) A coordinated support and through an educational training the persons should get some tools making it possible for them to cope in work-situations. A trainee period will be included
- 2) The aim of this project was to make a bridge towards the labour market for mentally with difficulties in entering the labour market or keeping a job by education and training.
- 3) A mapping of how psychical people can be seen as having a disability with regard to labour market access, and what type of support and compensation is needed in order to obtain jobs

### **Persons with dyslexia**

- 4) Models and handbooks for teaching persons with dyslexia and further education of trainees, mentors etc.
- 5) Attempt to develop a new type of initiatives creating new ways to integrate people with dyslexia by breaking traditional thinking and develop methods and material for the persons, and, finally creating real stories, which can be used as inspiration for others.

### **Blind persons**

- 6) A job-center should by a qualitatively study investigate the situation for blind- and weak-sighted in order to obtain more knowledge on barrier and create the options for e-learning in the future.

### **Deaf/hearing disabled persons**

- 7) A job center should offer 100 deaf distance interpretation by use of video-telephone. This should increase variation and improve communication possibilities for the persons using it, and, by this improving education and work-situation
- 8) Time to sign language a campaign with the aim of improving the attitude towards employed deaf people, but also to increase awareness of compensation options

### **Other projects**

- 9) A network project from distance to alliance for 24 disabled persons to continue their job-search by use of a coach, and, by this increase the likelihood of a match between employee and employer
- 10) A new methodological leaflet describing the compensation options, including presentation of this on web, but also to increase job-center's employees on the possibilities for disable and guidelines for the activities for persons with disabilities.
- 11) Attempt to get people already on early retirement pension back to the labour market by getting more knowledge in order to make the activities more qualified.
- 12) Implementation of a function-education being a practical education for young between 16 and 30 years of age in the gardening sector giving them compensation with the ambition that they later can take a full education as gardener. Another example being a partial vocational training.



## **National report Germany**

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# **1 Description of the national system, schemes, law and legislation**

## **1.1 The legacy**

Social protection of disabled persons has a long tradition in Germany. Disability was acknowledged as a social risk in the formative era of social insurance (1894/1891). For a long period of the 20<sup>th</sup> century the main concern and a specific emphasis had been given to the victims of war. Millions of young men were to be integrated in both work and civil society after the First and the Second World War. So, since the 1920ies specific provisions had been created in Germany for the protection of the disabled victims of war. In the past the victims of war had been the central addressees of the legislative protection of handicapped persons; today needs of all the handicapped persons – irrespective of the origin of their handicap – are the challenges of social policy towards the disabled persons.

## **1.2 Legal Sources**

The central rules and objectives of the German system for the protection of disabled persons are to be found in the Constitution and some specific statutes. Art. 3 (3) clause 2 of the Basic Law (the German Constitution) provides that no one may be prejudiced because of his/her disability. This provision binds the legislative and executive power and judiciary. It establishes a ban on prejudicial treatment. In order to safeguard the principle of non-discrimination a general law to combat discriminations based on gender, ethnic origin, disability, age and sexual orientation was enacted (Allgemeines Gleichbehandlungsgesetz, AGG), in order to comply with the requirements of EU legislation (Art. 134 of the EC Treaty).

The core of the protection of disabled persons are to be found in two statutes, providing specific rights and benefits for disabled people. These statutes are:

1. *Neuntes Buch des Sozialgesetzbuches - BOOK 9 OF THE SOCIAL CODE* (Book 9 of the Social Code – Rehabilitation and Participation of Disabled Persons) and

2. *Behindertengleichstellungsgesetz - BGG* (Equal Opportunities for Disabled People Act).

Both laws implement and safeguard the general principle established by the German Constitution. It aims for promoting equal participation in all spheres of work and social life. Book 9 of the Social Code is a statute devoted to the protection of disabled people and those who may become disabled in the future. The law encompasses a plethora of entitlements to social insurances and other social administrations. These provisions were submitted to an in-depth reform, which came into effect by 1st July 2001. Its emphasis is given to the rehabilitation and participation of disabled people. The law provides special benefits for disabled people in order to help them living their lives autonomously, to guarantee equal participation opportunities in both work and society and to avoid any discrimination based on disability. The law encompasses entitlements to medical rehabilitation and benefits aimed at safeguarding participation in work and community life.

By the Equal Opportunities for Disabled People Act for the first time equal rights for disabled people in public and private areas are stipulated and safeguarded. The statute includes provisions to establish a barrier-free environment. Its main target is to guarantee the right to a free access to public buildings and those of commercial importance for physically handicapped persons. The statute intends the formation of agreements to establish such an environment, which is easily accessible for handicapped persons. It stipulates a ban on the discrimination of disabled people by public authorities. In line with the imperative of gender mainstreaming (Art. 3 para 2 of the EC-Treaty) it establishes provisions responding to the special needs of disabled women.

The law imposes to the Federal Government the obligation to construct barrier-free buildings and provide barrier-free administrative procedures as access to information technology and the right of associations to take legal action.

### **1.3 Target group**

The law does not distinguish between “young” disabled and disabled persons. In line with section 2 of the Civil Code everyone whose age is over 18 years is considered to be an adult. But in the light of the question on how to integrate young disabled persons into the labour market this age limit is not crucial. Many programs aiming at integrating the “young disabled” are designed for those who have not finished or even not yet found an apprenticeship; other measures are

concerned with the transition from school to a training–place or a workplace. In general, one can say, the target group for measures to assist young disabled persons focuses on persons between 16 and 35 years.

#### **1.4 Disabled people – Definition**

The concept of a “disabled person” is defined in Section 2 (1) Book 9 of the Social Code and Section 3 of the Equal Opportunities for Disabled People Act (*Behindertengleichstellungsgesetz*). Both statutory provisions determine the status of disability on the basis of and in line with the WHO International Classification of Functioning, Disability and Health as follows: "People are disabled if their physical or mental capacity or psychological health very probably differs from the condition typical of their age for a period exceeding six months and if their participation in social life is therefore impaired."

A deviation from the “typical condition” means a loss of or restrictions with regard to physical, mental or psychological structures which are normally evolved and noticeable at the respective age of an individual. The definition does not explicitly distinguish between the physically, mentally and psychologically handicapped persons; all of them are considered as disabled persons.

The law, however, distinguishes between the “disabled” and the “severely disabled persons”. This distinction is based on the differences in the degree of disability: For this purpose, for everyone the disability is measured by a metric scale. To this end, the disability of each individual is stated in degrees varying from 20 to 100. The assessment is made on the basis of a medical and social inquiry of the health and mental status of the individual. The degree of disability is determined in a formal procedure and done by the compensation office (*Versorgungsamt*). “Severely Disabled People” are those with a degree of 50 or higher. In 2005: 6,8 million “severely disabled persons” were recognized in Germany; these are 8,2 per cent of the entire population.

In the law a second category of disabled persons is acknowledged. These are the so called “Disabled People Equal to a Severely Disabled Person” - those ones, whose degree of disability surmounts the degree of 30. Under these circumstances he or she can obtain a special status as a “*gleichgestellt behinderter Mensch*” – a person to be treated equal to a severely disabled person. Benefits are granted if the disabled person is unable to find a suitable employment or keep a given



employment due to his or her disability. The supportive measure is justified as a disabled person witnesses unfair competition with the non-disabled employees in the labour market. The main disadvantages arising from disability are compensated by a series of social benefits. A disabled person acquires this legal status if she or he met the definition's criteria.

The formal identification of the degree of disability is relevant for special assistance given to severely disabled people, for tax and other compensation purposes for disadvantages stemming from disability.

### **1.5 The national system**

In the German system of welfare law, there is no special scheme for young disabled persons. All disabled persons – irrespective of age or gender – are entitled to the same social benefits and each type of assistance available to all other beneficiaries. This is also the case for special benefits, if necessary to combat specific deficits of handicapped persons. There exists not one single and independent social benefit fund for disabled persons, but all benefits – either the participation-orientated ones in kind or the benefits in cash – are an integral part of the ordinary benefits of the social security system: The various branches of social insurance dispose of special programmes and funds benefits for disabled people. The specific “rehabilitation funds” are financed out of the budget of the social insurance institutions, which are predominantly financed by contributions levied on the incomes of the insured or covered persons.

As to section 6 of Book 9 of the Social Code the benefits for disabled persons aim at their participation in working life. So, there is a fundamental distinction between those, who are handicapped, but workable, and those, who are not. The distinction is based upon medical indicators; the assessment is made by the compensation office (*Versorgungsamt*).

In first instance, the benefits for workable handicapped persons are provided by the Federal Employment Agency; this agency runs the employment service. It operates on the basis and in accordance with Book 3 of the Social Code. This insurance based system is meant to help individuals in cases of unemployment after a substantial period of work done beforehand. The benefits are limited to a twelve months period. Additionally, there is a tax financed system of protection in cases of unemployment – for those who do not or not longer qualify for an

unemployment insurance right. Since 2005 this system provides subsistence guarantees for job seekers (on the basis of Book 2 of the Social Code). Also, the pensions insurance and the occupational accident insurance are competent for benefits to the disabled. This is due to the fact, that disabled persons are entitled to disability benefits due to invalidity, work accident or occupational diseases.

## **1.6 Reform of the rehabilitation law in 2001**

With effect from 1 July 2001 Book 9 of the Social Code went into force. With this statute the German social legislation arrangements in favour of disabled people and people who may become disabled in the future were profoundly reformed. The main changes concerned the rehabilitation and participation of disabled people. The new law provides that disabled people receive special benefits in order to live a self-determined life, to have equal participation opportunities in society and to avoid or counteract any discrimination. The benefits include medical rehabilitation. Further benefits aimed at assisting the addressees to participate in work and community life. The reform implemented the principle of one-stop-government for the administration of benefits for disabled persons. So, a disabled person is entitled to demand the benefits from whatever social administration. It is up to the administration to determine the competent institution within a short period of time. Since the reform the disabled person may also opt for a benefit in cash instead of the benefits in kind. This gives the handicapped person the possibility to organise her or his care autonomously. The amount of money is restricted in relation to the degree of disability; the beneficiary is fully accountable for her/his spending.

## **2 Organization of the work for the young disabled in practice**

### **2.1 Parties/Actors involved**

The rehabilitation funds of the various social insurance branches have a crucial role to play in the integration of the young disabled persons. The social and economic interests of the young disabled persons in the range of social politics are represented by the Federal Ministry of Employment and Social Affairs, especially by the representative for the disabled persons (*Behindertenbeauftragter*). This office has an independent position within the Ministry. It has to promote the social and economic interests of disabled people, including the implementation of the rights provided for handicapped persons. Within the public administration special agencies, determined to deal with the integration of disabled and handicapped persons, are erected. These are the integration offices (Integrationsämter), the Federal Agency of Employment (*Bundesagentur für Arbeit*) and the special integration services (Integrationsfachdienste).

The integration office is responsible for workplace issues of handicapped persons. It also collects and distributes the quota compensation levy for the severely disabled. Further tasks endowed to this office are the special protection against unfair dismissals of severely disabled employees and the distribution of supplementary benefits for severely disabled people's participation in employment.

The Federal Agency of Employment with regional and local divisions is the central organisation for the labour market integration of both employed and unemployed persons. For the handicapped persons it gives career advice, takes placement measures in case of unemployed, and runs special counselling and placement centres, set up at the local employment agencies. It further looks for the employment promotion and vocational assistance of disabled persons. A further task of the local agencies lies in the recognition of disabled people who are equal to severely disabled people by determining the degree of disability.

A special agency for handicapped workers is the special integration service. Its traditional responsibility lied in the supervision of the employer's obligation to employ severely disabled people. Today this organisation is the local specialist

service for the integration of the handicapped persons. This agency was set up to support the local and regional employment agencies, the other rehabilitation funds and the integration offices in their actions for the integration of the handicapped persons. Their main task is the counselling of severely disabled persons when looking for a job and to give support in application procedures. It further provides information and support to companies and administrations employing severely disabled persons, initiates and brings about activities as to the transition of severely disabled persons from school to employment or – even more important – from workshops to employment in the general labour market. All in all, the special integration service focuses on the most decisive strategic question on organising the transition from school to vocational training or the labour market.

The German corporatist social policy tradition featured a strong link between the state and societal interest groups. The various groups of civil society are incorporated and integrated into the public administration. So, several interest groups are allowed and empowered to take influence on the policies towards the integration of young disabled persons into work. This is done by taking part in an informal pre-parliamentary legislation-process or publishing own working-papers or statements to legislative proposals: These associations can also to take legal action on behalf of the young disabled persons.

The most important associations of disabled persons including the associations of voluntary welfare work and self-help groups are: **Allgemeiner Behindertenverband in Deutschland**, **Bundesvereinigung Lebenshilfe** (Federal Association of Lebenshilfe of people with intellectual disabilities), **Deutsche Behindertenhilfe – Aktion Mensch**, **Deutscher Blinden- und Sehbehindertenverband**, **Deutscher Gehörlosenbund**, **Bundesverband für Körper- und Mehrfachbehinderte** and **Sozialverband Deutschland**.

## **2.2 Co-operation of the actors**

When questions arise about the responsibilities or measures of rehabilitation funds these have to co-operate with the societal interest groups of the handicapped and disabled persons (section 13 of Book 9 of the Social Code). All disputes should be solved by agreements. In the form of joint recommendations organisations and associations of disabled persons, including the associations of voluntary social welfare work and self-help groups, are to be involved in the preparation of these

recommendations. There is also a general obligation of the Federal Employment Agency to co-operate with schools and other bodies to provide careers advice (section 29 et seq. of Book 3 of the Social Code).

Special schools for handicapped pupils have the official task of preparing for the career of handicapped persons. These schools have to co-operate closely with the careers' advisors of the employment agencies. There is also a demand for a close co-operation of the Federal Employment Agency and the integration offices. The same commitment is imposed to the local welfare offices to assist additionally handicapped persons in the process of re-integration into the working life. As the representatives of severely disabled persons in companies and administrations are to be elected by the disabled persons working in private companies or public administration (sec 94 Book 9 of the Social Code), also these representatives have to uphold a permanent contact with the local employment agency and with the integration office and cooperate closely with these authorities (section 99, clause 2, of Book 9 of the Social Code).

### **2.3 Work (places) for the target group**

From the legal point of view all career paths and vocational opportunities in Germany are open to both non-disabled and disabled people; but in social reality there is a persisting and widening gap between the personal qualifications of disabled applicants and the increasingly demanding requirements of working life. Therefore, the principle of integration has always played an important role in vocational training and work life. The first and foremost emphasis, hence, lies on providing comprehensive training opportunities for disabled persons in order to give them the greatest possible chance of equal treatment.

#### *Vocational training or working in companies/administrations*

The vocational training plays a key role in the German employment system. It is conceived as the backbone of the professional education. Where suitable conditions exist, both disabled and non-disabled persons should receive the same training or work in companies or administrations. A joint professional qualification in a vocational training of both disabled and non-disabled persons offers the best opportunities for an effective and lasting participation of the handicapped persons in the general labour market, since it enables the young

disabled to get accustomed to the demands of everyday work life. In most cases trainees are taken directly into employment afterwards.

#### *Integrated companies (Integrationsfirmen)*

If this path is not accessible, due to the lack of opportunities, integrated companies (Integrationsfirmen, section 132 Book 9 of the Social Code) can be set up. They employ a minimum of 25 % and up to 50 % severely disabled persons. They are established to assist the severely disabled to further their possibilities of taking part in the general labour market. At the first glimpse, these companies work like normal enterprises. They are fully integrated into the market. These companies can't be distinguished from the "ordinary" ones, insofar as they follow the general principles of economic work as a competitor in the international market. In the year 2007, 700 integration companies employed almost 5.100 severely disabled persons. The responsibility to respect the health and safety rules is imposed to the employers. They are submitted to the control of public administration.

#### *Workshops for disabled people (Behindertenwerkstätten)*

Those handicapped and disabled people, who due their restrictions are unable to participate in the general labour market, get the opportunity to work in the workshops for disabled people (*Behindertenwerkstätten*, section 136 Book 9 of the Social Code). These workshops are normally run by private non-profit agencies (cf. the list of handicapped persons organisations listed above). They offer vocational training and work opportunities, which are also meant for persons who, because of their disability, require special care and individual assistance and therefore get care and assistance in special support groups. Because of these restrictions those work opportunities are not competitive; nevertheless, the work done in these workshops can also be done by employers integrated into the market. From this situation stems a certain conflict, as sheltered workplaces might be - due to high public support - detrimental to competing employers of the first workplace.

The workshops' first task is to assist disabled persons in such a way that after the completion of the training measures they will be able to deliver an at least minimally amount of useful work. The main emphasis in this context is not given to work, but to education. The workshops for disabled persons are open to all who can perform a minimum amount of economically useful work: If they can not

meet this requirement in the beginning, they can participate in the vocational training department of the workshop in order to develop their skills and ability to work. In the work section of the workshop, each entrant is encouraged and trained to acquire her/ his full potential. The participants of these workshops receive a regular monthly payment. This is on average EUR 160 per month. For the disabled individual the payment reflects the individual work performance. The disabled persons educated or employed in the work section of the workshop enjoy a legal status close to that of employees. They are compulsory insured for the main social risks: sickness, long-term care, pension and occupational accident insurance. The work of disabled persons in workshops is governed by the Regulation on the Involvement of Disabled Persons in Workshops. In 2006 268.046 disabled persons were employed in 687 approved workshops. The responsibility to respect the health and safety rules is imposed to the employers. They are submitted to the control of public administration. The control is limited to safeguard the respect of the health and safety legislation.

### **3 Support facilities to get access to, and retention of employment for young disabled persons**

#### **3.1 Regarding education**

For handicapped persons the nurseries are the starting-point for an integrated education of both disabled and non-disabled children. For this purpose integrative groups in regular nurseries - besides regular groups - or integrative groups in special nurseries - besides special groups - are erected and upheld.

The competence for the school-education of disabled children lies within the states (*Länder*). A few of them favour the model of co-education of disabled and non-disabled children (e.g. Schleswig-Holstein). Under these auspices the assignment to a special school takes place only if the disabled child is not able to attend a regular school due to personal restrictions or lacks of the organizational, personnel or functional resources for co-education in various schools. Some German states implemented appropriate models for the co-education to ensure that disabled children can take part in the education at ordinary schools according to their learning capability. There is the political intention to give specific assistance and special teaching aids to disabled children in regular schools as far as possible, but there is no legal entitlement to such assistance.

The majority of the German states base their educational policy towards handicapped pupils on Special Schools. These institutions aim to help the disabled children in obtaining a general school-leaving qualification. At the end of each school year the ordinary schools are obligated to examine, whether attendance of the special school is required or the child will master to continue her/his education in an ordinary school. Within the Special Schools different types exist – due to the different disabilities: learning, seeing, hearing, language, the physical and motor function, mental, emotional or social development and general sickness.

A special assistance as to university education is provided by section 2 (5) of the Framework Act for Higher Education: it requires universities to take care of the special needs of disabled students.

In 2003: 492,700 children were educated in special schools with 234,100 pupils attending a special school for learning difficulties. Nearly all disabled people succeed in obtaining a general school-leaving certificate. Nevertheless, compared to non-disabled adolescents the level of these qualifications is much lower, e.g. only one out of 10 disabled persons succeeds in obtaining a university degree while with the non-disabled students the percentage is one out of four (for details concerning the correlation of the average duration of unemployment and the level of qualification see the table included below).



*Average duration of unemployment and level of qualification (2003)*

Age	Up to 24 years	25 to 34 years	35 to 44 years	45 to 54 years	55 years and over	In total
<u>Level of qualification:</u>						
The unemployed altogether						
no qualification	4,3	7,8	10,2	12,9	24,1	9,6
Vocational training/ Apprenticeship in companies	4,0	6,5	8,3	10,3	18,2	8,4
Full-time vocational school	3,7	5,9	7,9	10,2	19,4	7,7
Technical college	3,3	5,4	7,8	10,2	17,2	8,9
University of applied sciences (Fachhochschule)	2,9	4,4	6,8	8,8	15,1	7,3
University	3,3	4,4	6,9	9,7	15,7	7,3
In total	4,1	6,7	8,7	11,0	19,8	8,8
Among these: severely disabled and unemployed people						
no qualification	5,9	9,2	11,8	14,2	21,6	14,4
Vocational training/ Apprenticeship in companies	5,5	7,5	9,0	10,8	16,2	11,2
Full-time vocational school	5,1	7,3	9,7	10,7	14,4	10,1
Technical college	5,5	7,0	8,7	9,5	13,9	10,4
University of applied sciences (Fachhochschule)	3,3	5,6	7,5	9,4	12,2	9,3
University	4,6	5,5	7,7	9,9	12,2	9,4
In total	5,7	8,0	9,9	11,9	17,8	12,2
Among these: unemployed people without a disability						
no qualification	4,1	7,4	9,4	11,4	23,0	8,2
Vocational training/ Apprenticeship in companies	3,8	6,2	7,7	9,3	17,5	7,5
Full-time vocational school	3,6	5,6	7,5	9,5	19,4	7,0
Technical college	3,2	5,2	7,5	9,9	17,4	8,4
University of applied sciences (Fachhochschule)	2,9	4,4	6,7	8,6	15,3	7,0
University	3,2	4,4	6,8	9,6	16,0	7,2
In total	4,0	6,3	8,1	9,9	18,9	7,7

### 3.2 Regarding employment

In the politically extremely selective phase of transition from school to a training– or workplace the existing possibilities of vocational training and employment are quite often limited due to the specific handicap. Hence, a systematic preparation is of core importance for a successful integration of handicapped persons into the labour market.

Because of the obligation of the Federal Employment Agency to co-operate with schools and especially to provide for career advice (Section 29 et sequ. of Book 3 of the Social Code), qualified careers counselling for disabled persons, i.e. advice and information on questions of career choice, vocational orientation and placements, information on assistance and financial benefits, are available.

The primary goal of a successful transition is an officially recognised training opportunity. This means an employment as a chance for occupation under section 65 of the Vocational Training Act (*Berufsbildungsgesetz*) or section 42 para. 1 of the Handicrafts Regulation Act (*Handwerksordnung*). Vocational training is to be embedded in a private law contract comparable to a work contract, but targeted to apprenticeship instead of work. In both frameworks the principle of dual training, i.e. clerical work in a company or administration supplemented by attendance at a vocational school, prevails. As to handicapped persons priority is given to an education along with non-disabled persons as far as possible. Special circumstances of the disabled persons have to be taken into account, e.g. in examinations. Wage subsidies may be granted, if the disabled persons cannot be trained in officially recognised training facilities. Under section 66 of the Vocational Training Act and section 42m of the Handicrafts Regulations Act the local authorities have to establish regulations for special training courses to obtain a final qualification, e.g. in the metalworking trades or in the field of housekeeping (in December 2004: 40.201 young disabled persons in such special courses).

Additionally, special centres for vocational rehabilitation (section 35 of Book 9 of the Social Code) are to be built and made accessible. Therein, young disabled persons receive an initial training according to the nature or severity of their disability. Some 50 centres of vocational training (*Berufsförderungs- und Berufsbildungswerke*) with 13000 places exist. They are equipped with the necessary medical, psychological, educational and social services. They show good placement results. Of those, who completed one of the courses, amounting to 70 per cent of the participants on average could expect a sustainable employment. There are, however, strong variations between regions and qualifications. For certain disabilities, e.g. neurological illnesses, initial steps for vocational training are also taken in centres for medical and occupational rehabilitation (23 centres with 1410 places). These institutions have to bridge the gap between medical and vocational rehabilitation.

### 3.3 Benefits

The Federal Agency for Employment provides special benefits aiming at enabling disabled people to participate in work life (section 33 of Book 9 of the Social Code). They are administered by the rehabilitation agencies which are responsible for statutory pension and accident insurance, for farmers' retirement pension insurance and for social compensation. In case of an impairment of health, for public youth services and for supplementary welfare services the health insurance or the social and juvenile assistance boards are competent. The benefits offer a series of services, e.g:

- help with keeping or finding a job, including counselling and placement benefits, coaching and aids to mobility;
- vocational preparation, including a basic training needed because of the disability;
- vocational adjustment and in-service training, including help to obtain a school-leaving qualification required for participation;
- vocational training to enable disabled people to take up and maintain appropriate, suitable employment and;
- interim allowances to encourage self-employment (in accordance with section 57 of Book 3 of the Social Code).

There are under the auspices of rehabilitation and participation further benefits to facilitate the taking up of employment, predominantly the following:

- coverage of costs linked with course or examination fees, expenses for working costs and equipment;
- motor vehicle assistance (e.g. disability-specific-adaptation) under the Motor Vehicle Assistance Order;
- compensation of unavoidable loss of income due to travelling to training measures;
- costs for work assistance in order to find a job, costs for technical aids necessary to exercise an occupation, and
- reasonable costs of acquiring, equipping and maintaining accommodation that caters for the needs of a disabled person.

If handicapped persons are in need of personal help in work, employment participation assistance (Arbeitsassistentz) can be given provided that the disability is documented in each individual case.

The competent rehabilitation fund usually provides cash benefits, e.g. training allowance for initial training, bridging allowance to assure subsistence – usually amounting to 68 per cent of previous regular earnings – for those who take part in rehabilitation and training or re-integration programmes. In addition to this, it also pays social security contributions (section 44 (1), no. 2, of Book 9 of the Social Code) or other supplementary benefits to guarantee participation in working life: travelling expenses (section 53 of Book 9 of the Social Code), domestic help or help at work (section 54 (1), (2) and (4) of Book 9 of the Social Code), and costs induced by child care (section 54 (3) of Book 9 of the Social Code)

### **3.4 Employer grants, section 34 Book 9 of the Social Code**

For employers, willing to integrate handicapped persons, a plethora of social benefits are at hand (Section 34 Book 9 of the Social Code), e.g.

- training grants for company training provision,
- affirmative action grants/wage subsidies (Eingliederungszuschüsse),
- grants for workplace aids or equipment, and
- reimbursement of the cost of fixed-term probationary employment (for up to three months)

### 3.5 Protection of Severely Handicapped Persons

Special provisions concerning severely disabled people provide additional rights and protection for severely disabled people to improve their employment opportunities:

#### *Workforce Quota*

Under the workforce quota (section 71 et seq. of Book 9 of the Social Code) all public or private employers with 20 or more employees are obliged to employ in 5 % of their workplaces severely disabled employees. Nevertheless, this obligation does not urge the employer to create new jobs or to replace a non-severely disabled employee. If the employer does not achieve the quota, she/he has to pay a monthly compensatory levy (section 77 para. 2 of Book 9 of the Social Code). The outcome of this ear-marked tax is used to finance employment opportunities for disabled people and public support of their employers. In 2005 roughly 490 million € had been levied and redistributed on this basis. All details of this financial mechanism are embodied in the Severely Disabled Persons Compensatory Levy regulation; the integration offices of the states receive a share of 70 % of the revenue – 30 % is invested in the Compensation Fund set up by the Federal Ministry of Labour and Social Affairs to promote nationwide benefits for severely disabled persons.

In 2005 119,162 employers were subject to the workforce quota; 25.675 (21,55 per cent) of them fulfilled their obligation completely, 61.146 (51,31 per cent) fulfilled it partially and 32.341 (27,14 per cent) did not employ any severely disabled person.

#### *Employer's Review, Consultation and Anti-Discrimination Obligation*

The employers are obliged to review vacant jobs in order to determine whether they are suitable for severely disabled people (section 81 of Book 9 of the Social Code).

Each application for a job submitted by a severely disabled person has to be presented by the employer to the representative of the disabled workers ("Vertrauensmann"). In a company of five or more severely disabled employees, those employees have the right to elect a representative - called Vertrauensmann (section 94 para. 1 of Book 9 of the Social Code). Her/his main task is to monitor the company's compliance with the legislation concerning severely disabled

employees and to provide advice and assistance. The representative has a right to participate in all works council and committee meetings. The employer has to consult the Vertrauensmann prior to any action related to severely disabled employees, such as hiring, dismissal or relocation (section 95 para. 2 of Book 9 of the Social Code): A breach of this duty can be sanctioned by a fine of up to 10,000 € (section 156 para. 1 No. 9 of Book 9 of the Social Code).

#### *Law to promote Training and Employment of Severely Disabled People*

As an integral part of Book 9 of the Social Code a series of labour law rules are focused on the promotion of training for severely disabled people: employers are obliged to consult with the Vertrauensmann regarding filling a reasonable part of the training slots with severely disabled people (section 72 para. 2 of Book 9 of the Social Code).

The employers, who are hiring disabled employees, are granted allowances and bonuses for the vocational training of severely disabled people. Most important supporting measures for employers are the following:

Integration payments (Eingliederungszuschüsse) - section 219 of Book 3 of the Social Code: These are affirmative action grants or wage subsidies for employers, who offer workplaces to severely disabled persons with particular difficulties in finding employment. Employers are entitled to additional employment assistance: They can receive salary subsidies for employing these people of up to 70 % of the salary for up to three years if they comply with the severely disabled workforce quota or are not subject to the quota; for older severely disabled persons, subsidies can be awarded for up to eight years.

Financial assistance is also given for a disability-suited equipment of training places or the workplace and to compensate for difficulties resulting from the employment of particularly severely disabled persons (Minderleistungsausgleich).

In reality, in 2005 the labour force participation rate of the disabled persons capable of gainful employment amounted to only 26,8 % (non-disabled persons: 61,7 %) – for further details concerning the employment of severely disabled persons see the tables below. Since December 2005 the employer is bound by the general anti-discrimination obligation (section 81 para. 2 of Book 9 of the Social Code): he cannot refrain from hiring the disabled applicant because of his/her

disability. If he does so, the disabled person has a right to sue for damages, but cannot claim employment.

The employer is obliged to furnish and equip the working environment appropriate to the needs and demands of handicapped persons (rooms, machines, tools, etc.). A severely disabled employee may claim a part-time job if the reduced working time is necessary due to the kind or severity of the disability (section 81 para. 5 of Book 9 of the Social Code).

*Labour force participation rates of severely disabled and non-disabled persons 2005*

Age from ... to ... years	Altogether			Men			Women		
	severely disabled persons		non-disabled persons	severely disabled persons		non-disabled persons	severely disabled persons		non-disabled persons
	in 1000	labour force participation rate		in 1000	labour force participation rate		in 1000	labour force participation rate	
15-25	85	46,1	50,7	52	48,1	54,1	33	43,2	47,1
25-45	677	70,3	86,9	403	74,3	94,8	274	65,2	79,0
45-55	769	63,2	89,8	447	67,8	96,3	322	57,8	83,6
55-60	464	51,4	78,5	280	55,1	89,2	184	46,6	68,5
60-65	211	18,5	35,2	143	21,6	47,6	67	14,4	24,8
65 and more	73	1,8	3,9	53	2,6	6,1	20	1,0	2,4
15-65	2206	50,1	75,9	1326	53,3	83,2	881	45,9	68,6
Altogether	2279	26,8	61,7	1379	30,3	70,8	900	22,8	53,4



*Employment and unemployment of severely disabled persons*

			2001	2002	2003	2004	2005	2006
			1	2	3	4	5	6
1.	Severely disabled employees	October, from 2003 on	<b>878.300</b>	<b>854.464</b>	<b>902.536</b>	<b>906.766</b>	<b>913.175</b>	...
	Employers with 20 (until 2000:16)	Annual average						
	or more workplaces		735.600	711.764	759.836	764.066	770.475	...
	severely disabled persons		...	617.670	650.617	648.451	648.946	...
	persons to be treated							
	equal to a severely							
	disabled person		...	87.646	98.348	104.666	111.142	...
	other chargeable persons		...	6.448	10.871	10.949	10.387	...
	Employers with less than 20							
	(until 2000:16) workplaces		142.700	142.700	142.700	142.700	142.700	...
2.	severely disabled, unemployed persons	Annual average	<b>171.351</b>	<b>156.909</b>	<b>167.877</b>	<b>173.948</b>	<b>194.000</b>	<b>197.000</b>
	severely disabled persons		159.627	146.071	156.141	161.352	180.000	175.000
	persons to be treated equal to a							
	severely disabled person		11.723	10.838	11.736	12.596	14.000	22.000
	Severely disabled persons unemployed							
	Among these: for one year or longer		82.232	69.437	67.315	77.428	87.000	98.000
3.	severely disabled persons (dependent employment)							
	(Position 1 and position 2)		1.049.651	1.011.373	1.070.413	1.080.714	1.107.175	...
4.	Rates of unemployment in %	Annual average	<b>16,6</b>	<b>14,9</b>	<b>16,6</b>	<b>16,3</b>	<b>18</b>	<b>17,8</b>
5.	average duration of unemployment in weeks	Annual sum	<b>62,1</b>	<b>58,6</b>	<b>52,7</b>	<b>50,6</b>	<b>49,7</b>	<b>54,6</b>
6.	severely disabled persons in working age,							
	from 15 to less than 65 years		3.117.244	...	3.089.355	...	3.041.171	...
	from 15 to less than 60 years		2.156.146	...	2.172.419	...	2.223.833	...
7.	Labour force participation rate							
	of 15 until less than 65 years		33,7	...	34,6	...	36,4	...
	of 15 until less than 60 years		48,7	...	49,3	...	49,8	...

*Reasons for leaving unemployment contingent upon level of qualification (2003), in %*

Qualification	no qualification	Vocational Training	Full-time Vocational School	Technical college	University of applied sciences	University	in total
Reasons for leaving unemployment	All unemployed persons						
General reasons	3,2	6,5	4,9	5,2	3,8	2,8	5,1
Placement in special supporting measures for the unemployed (with the help of subsidies)	2,5	4,8	2,8	4,2	2,9	2,2	3,9
Finding a job due to own initiative	19,6	32,1	29,2	28,7	30,8	32,0	27,7
Becoming self-employed	1,8	3,6	3,9	5,8	9,6	9,5	3,4
Participating in special supporting measures to successfully integrate severely disabled persons	0,2	0,4	0,4	0,3	0,1	0,1	0,3
Advanced vocational training / German courses	3,0	3,3	4,8	4,7	5,2	4,6	3,4
Sickness (incapability to work)	18,6	19,8	15,5	15,7	9,5	8,2	18,5
Special provisions	3,0	3,4	2,5	4,8	3,6	2,7	3,3
Withdrawal from working life	1,1	1,4	1,0	2,0	1,5	1,1	1,3
Vocational training in companies/ Training in Vocational Schools	3,6	2,3	3,0	1,7	1,5	1,4	2,7
Other reasons	43,2	22,3	31,9	27,0	31,5	35,4	30,4
In total	100	100	100	100	100	100	100
N =	2.554.090	4.172.067	128.151	222.489	154.135	302.936	7.533.868
	Among these: severely disabled persons						
General reasons	2,6	4,5	3,7	5,2	3,4	3,8	3,8
Placement in special supporting measures for the unemployed (with the help of subsidies)	4,0	7,2	6,6	7,2	6,9	5,8	6,0
Finding a job due to own initiative	8,1	10,7	12,6	10,6	12,8	14,7	10,0
Becoming self-employed	0,8	1,5	2,2	2,6	4,2	4,7	1,4
Participating in special supporting measures to successfully integrate severely disabled persons	1,2	1,4	2,6	1,3	0,9	1,2	1,3
Advanced vocational training / German courses	1,2	1,9	1,9	2,3	2,7	2,3	1,7
Sickness (incapability to work)	33,0	31,6	29,0	29,8	24,3	22,8	31,7
Special provisions	10,1	10,0	7,4	9,7	11,3	9,0	10,0
Withdrawal from working life	7,1	7,4	5,7	7,2	6,9	6,1	7,2
Vocational training in companies/ Training in Vocational Schools	1,3	1,3	1,6	1,3	1,4	1,0	1,3
Other reasons	30,7	22,4	26,5	22,8	25,2	28,7	25,5
In total	100	100	100	100	100	100	100
N =	88.465	147.364	4.496	7.757	3.350	5.563	256.995

*Special Protection against unlawful Dismissal*

A special set of rules is established for the protection of severely disabled persons against the loss of the workplace. In general, each employer is obliged to offer vacant suitable jobs to handicapped workers from inside or outside the enterprise. If an employer intends to terminate the work contract unilaterally, the employer has to offer another suitable job to the disabled worker prior to a dismissal. If a suitable post is vacant, a dismissal is unlawful. So, before dismissing a disabled

worker, the employer has to check the possibility of rearranging the disabled employees' job.

If there is a ground for dismissal, i.e. a hindrance on the employer's side or a shortcoming due to misbehaviour or lack of abilities on the employee's side, the employer has to obtain the approval of the Integrationsamt before giving notice of termination (section 85 et sequ. of Book 9 of the Social Code). The application for dismissal is to be approved, unless the dismissal is not reckoned on grounds stemming from disability. This imperative does not apply unless the employment relationship did not last for more than six months or the dismissal is addressed to a severely disabled employee of at least 58 years of age and who receives a compensation payment from a social plan (Sozialplan) and does not object to the dismissal (section 90 para. 1 of Book 9 of the Social Code).

Subsequently, the Integrationsamt assesses the situation and weighs the interests of both sides regarding the termination of employment; the decision about approving the dismissal or not is made according to dutiful discretion. In some cases the dutiful discretion is limited, restricted or even excluded:

- The dismissal shall be approved in cases of significant reduction of the workforce if the employer still complies with the severely disabled workforce quota or if the severely disabled employee can be employed at a different reasonable work place.
- The dismissal has to be approved in cases of complete closure of the company; in these cases a continued payment of at least three months salary is guaranteed (Section 89 of Book 9 of the Social Code).
- In the event of a termination without notice, the *Integrationsamt* shall, in general, approve the planned dismissal if the dismissal's ground is not related to the disability.

If the *Integrationsamt* approves the dismissal but not all comparable employees are to be terminated, the individuals, who are lawfully laid off are to be determined by using social criteria. In this process the "socially" strongest employees will be determined for dismissal. The employees are rated according to four social criteria: age; tenure; alimony/support obligations and severely disabled status (newly included into the social criteria as of 1 January 2004 to improve the employment protection of the severely disabled). Under the auspices the young employees with a short work history in the firm or low alimony obligations are to

be laid off, whereas the elderly employees with a long work history in the firm and workers with high maintenance obligations are to be kept.

#### *Special Rights and Benefits for disabled workers*

Each severely handicapped worker is entitled to five additional days of paid vacation (section 125 of Book 9 of the Social Code). At individual request, severely disabled employees are exempt from working overtime (section 124 of Book 9 of the Social Code). In order to improve the working conditions of the disabled persons, the integration offices grant supplementary benefits to facilitate participation in employment: e.g. special seats or reading devices. Other supports provided by the integration offices are counselling of the severely disabled persons, mainly at work or company visits; provision of psychological and social care or supplementary assistance in working life.

### **3.6 Employers' attitude**

The unemployment rate of severely disabled persons amounted to 17, 8 per cent of all employed severely disabled persons (see the table below). The regulations concerning special protection against unlawful dismissal are regarded to be a main obstacle for the recruitment of severely disabled employees. At the same time there seems to be a lack of adequate information concerning the special supporting measures when hiring severely disabled employees.

Employers in general tend to call for deregulation and simplification of the disability law in Germany, more specifically they plead for improving the co-operation with the Federal Employment Office, the Integration Office and the local specialist services for integration. The official statements articulate a special commitment towards the support of the handicapped persons, as an example for the corporate social responsibility.

The Confederation of German Employers' Associations BDA (*Bundesvereinigung der Deutschen Arbeitgeberverbände*) published two working papers on the promotion of vocational training of young disabled persons and regarding the topic of reforming the law for severely disabled persons. As almost every medium or large employer is a member of a BDA association, these papers give a good overview of the attitude of employers towards (severely) disabled persons. The results can be summarised in the following observations:

*Promotion of vocational training of young disabled persons:*

1. As vocational training and promotion is oriented as training on the job and hence gives the young disabled person insight into almost every area of business or professional life, vocational training in companies and administrations is to be preferred. Because it provides for a job-related training, it offers the best opportunities for participation in the general labour market. Nevertheless, from the employers' perspective a workforce quota for vocational training of disabled persons can not be the proper answer to the problem of providing a sufficient number of apprenticeship training positions: First of all a workforce quota as a global and abstract figure would not substantially fit with the individual needs of both employers and disabled employees. Secondly, there is a widespread doubt on whether a significant number of motivated applicants will be capable of fulfilling the job requirements. As to observations, therefore, many companies have to be motivated to train young disabled persons by special supporting measures.
2. Vocational training for the handicapped candidates is confronted with an ambiguous expectation. It has to be "as normal as possible and as special as necessary". Supporting measures have to take into account the individual needs of the disabled person and, hence, never could nor should be imposed in general.
3. Because of these wide-spread restrictions to the qualification of the handicapped young persons vocational training in special centres for vocational rehabilitation (*Berufsbildungswerke*) is necessary. Nevertheless - due to the related expenses - it should remain an exemption. As to the lower expenses, vocational training in companies combined with individual supporting measures should be given priority as far as possible. To guarantee a successful transition to a workplace after the termination of vocational training a close co-operation between the companies and the special centres for vocational training (so called "*verzahnte Ausbildung*") should take place.
4. Vocational training centres (*Berufsbildungswerke*) have to be reformed in that sense that a close co-operation with the companies and administrations should be achieved. Such a reform should include an adaptation of the training terms and issues to the current requirements of the general labour market. The training centres should try to succeed in following the general principles of economic work, so that handicapped persons should get a realistic experience of working life.

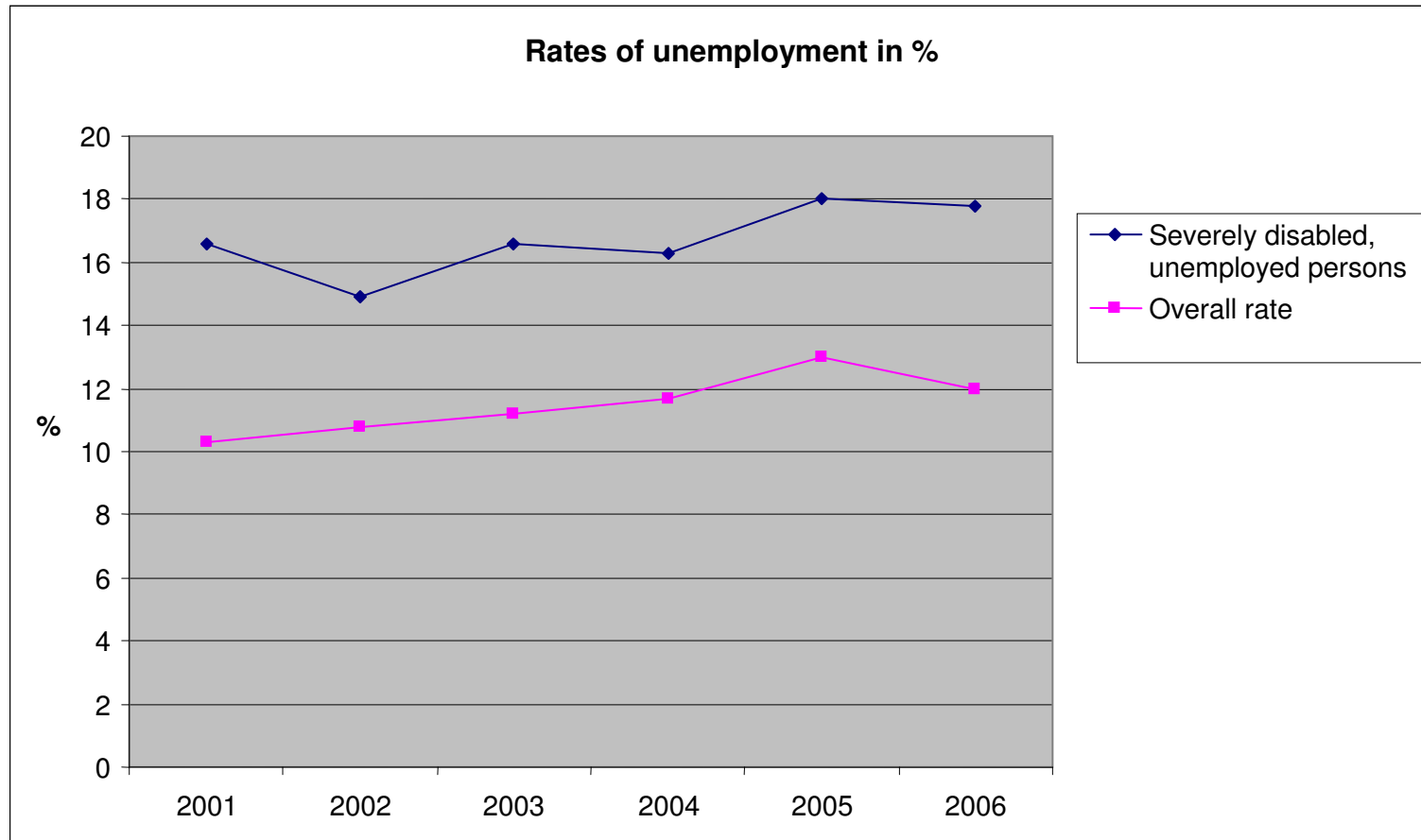
5. A close co-operation between schools and vocational training facilities has to take place. Companies willing to offer training opportunities to young disabled persons should be able to resort to the schools information about the individual skills of each applicant in order to offer suitable training places and supporting measures.
6. The creation of “low level”-jobs and apprenticeships (e.g. sales assistant or warehouseman) should be encouraged. Otherwise, young disabled persons, above all those with learning difficulties, will fail in obtaining a vocational training certificate due to the complex learning requirements established in many vocational education programmes.

*Suggestions for reforming the law for severely disabled persons*

1. The danger of abusing the regulations concerning the special protection against unlawful dismissal should be eliminated. The employer’s requirement of obtaining the approval of the *Integrationsamt* before giving notice of termination (section 85 et seq. of Book 9 of the Social Code) tends to result in long lasting negotiations on the amount of compensation for losses of the job. The special protection against unlawful dismissal rules should start to be applied after the time, when the severely disabled employee presents its severely handicapped pass to the employer. Additionally, there should be made further exemptions for small and medium-sized companies. To expedite the proceedings the application for dismissal has to be approved by the *Integrationsamt* within a month the latest.
2. Each severely handicapped should be entitled to five additional days of paid vacation (as it is stated in section 125 of Book 9 of the Social Code), but only in addition to the paid minimum vacation time guaranteed by law. Section 125 of Book 9 of the Social Code should not apply if the severely handicapped person – as in most cases - is already entitled to additional vacation time due to an agreement based on collective bargaining.
3. A simplification of the proceedings concerning job-applications of severely disabled persons, that have to be presented by the employer to the representative of the disabled workers (“*Vertrauensmann*”), should take place in order to abbreviate the period of both insecurity and doubt.

*Rates of unemployment in %*

	2001	2002	2003	2004	2005	2006
Severely disabled, unemployed persons	16,6	14,9	16,6	16,3	18	17,8
Overall rate	10,3	10,8	11,2	11,7	13	12



### 3.7 Further interviews

Additionally 45 employers, administrations/public authorities, organizations of voluntary welfare, integrated companies and workshops for disabled persons were contacted. It had been presented a questionnaire to them, containing demands and questions on their attitudes towards the employment of young disabled persons. The survey was composed of so called open questions, a method consciously chosen in the interest of avoiding influence or manipulation (see the annex). 13 of the contacted employers and other institutions gave a reply. However, there was no feedback from the integrated companies or the workshops so far. The questionnaire evaluated the situation of young disabled persons in the general labour market at present and asked for suggestions to improve the current situation.

The detailed results were the following:

#### *Employers:*

- In general, the employers confirmed the BDA's perspective, already outlined. The main criticisms were a dissatisfying qualification and flexibility, limited working capabilities and missing personnel to supervise the disabled employees.
- Negative experiences with inactive periods due to sick leave contributed to the employers' reluctance to employ young disabled persons.
- No suggestions for improvement were made.

#### *Public authorities:*

- The public authorities criticized a non-professional or even a complete lack of any co-operation between schools for disabled persons, public authorities and the companies. Many employers tend to have prejudices against the target group (concerning the regulations on protection against unlawful dismissal, times of illness or the assumption, that someone's degree of disability does automatically reflect his or her individual restrictions to work) and/or are not informed about the numerous supporting measures. A close (regional) co-operation may help to improve the situation.
- A successful and immediate transition from school into the general labour market is regarded to be essential. In this context, a lack of adequate education and qualification and limited working capabilities as well as the detrimental employment situation in general are seen as the main obstacles



for a successful transition. Successful integration measures, therefore, should begin quite early in life, ideally already before attending school.

- Especially the mentally ill persons are employed in workshops for disabled persons directly after finishing school to a very large extent. This automatism has to be overcome. Nevertheless, young disabled persons with psychological or mental restrictions tend to prefer employment in the workshops as it seems to be safe and – regarding their handicap – less demanding.
- The already existing supporting measures were regarded to be efficient. However, the problem arising is the sustainability of the measures after their implementation; e.g. the promotion of employment for young disabled persons often results in the termination of the contract after the minimum legal requirements of employment are fulfilled. Moreover, the public authorities called for additional promotion of vocational training positions.
- Further suggestions to improve the current situation were the following:
  - to establish a special information pool containing vacant training positions
  - to strengthen personal contacts
  - to improve the coordination of different supporting measures in order to avoid duplication
  - a workforce quota for vocational training of disabled persons

#### *Organizations of voluntary welfare*

- The organizations of voluntary welfare called for the implementation of regulations on financial assistance to compensate for difficulties resulting from the employment of particularly severely disabled persons (Minderleistungsausgleich) on a sustained basis. As the disability does not disappear, financial benefits limited in time are not justified.
- The transition from workshops into the general labour market is of core importance and has to be improved in the future even more. Therefore, a permanent absorption of all the costs by the public is seen as being mandatory. The establishment of workplaces outsourced from the workshops for example would guarantee constant supervision and increase the chances of successful integration. Nevertheless, the possibility of returning to the workshops has to be preserved for each handicapped person leaving the workshop for taking over a paid work in the first labour market.

## 4 Best practices

The German system for the protection of the handicapped young persons is the result of along social policy development, initiated due to strong and persisting challenges after the termination of two devastating world wars and a long period of a peaceful development, where many new institutions had been elaborated. Germany has developed a strong commitment towards the protection of the target group, and despite loopholes and disappointments in the finalisation and implementation of reform programmes, there is a certain success in the efforts to integrate the target group into the working live.

When we try to elaborate and identify “best practices”, we have to define the relevant criteria for the determination of the “good” practise. In our view, those practices are assessed as “good” ones, if they succeed in bridging the gap between the educational and social integration system and the working live. In this sense, practices are to be identified as “best” ones, who might help the target group to get rid of social help and assistance and to take over an independent role in the working live. Due to the economic orientation of the labour market, there is always a strong resentment towards handicapped persons, who are considered as being less or even more non- productive due to their impairments.

So, good practices have to cope with this resentment and have to find out ways and means to demonstrate, that handicapped persons are workable, reliable and able-bodied enough, if the work environment corresponds to their impairment and helps them taking part in the economic activity in a given society. As to German system, one might say, there is an endeavour and aspiration, but there are still obvious short comings as to the social achievements. So, best practices are to be identified as those ones, who help specifically to overcome concrete social and mental barriers towards the integration of handicapped persons into the economic and social live of a given economy and society.

### **4.1 AQUISE – Ausbildung im Quartier für schwer behinderte junge Menschen, Ausbildungsinitiative für schwer behinderte Jugendliche im Osten von Hamburg (Vocational Training for severely disabled young people in the east of Hamburg)**

### *Initiative*

The AQUISE-project took place within the programme “*Jobs ohne Barrieren*” (jobs without barriers). This was an initiative in charge of the Federal Ministry of Labour and Social Affairs in order to enhance specifically the chances of severely disabled persons to participate in the general labour market. The incorporated society *Arbeit und Leben DGB/VHS Hamburg e.V* was responsible for the realisation of the project. It started at the beginning of March 2006 and finished thirteen months later at the end of March 2007.

### *The intention of the project*

The project was considered with the transition of severely disabled young persons from school to vocational training opportunities. It aimed at the establishment of a special information source containing a list of internships and vocational training opportunities for severely disabled young persons in the east of Hamburg. The list was intended to enable the target group to show more initiative when applying for an internship after having left school. Highlighting job-opportunities should contribute to encouraging the young disabled person’s confidence.

Additionally, small and medium-sized companies should be encouraged to provide new jobs and training opportunities for the target group assuming that an improved co-operation between companies, schools, public authorities, professional chambers, the local employment agencies and the institutions for further education and a strengthened contact network would increase the willingness to employ severely disabled persons.

### *Programme in process*

- In spring and summer 2006 about 1.700 enterprises were asked on their willingness to employ severely disabled persons. The questionnaire demanded the indication of a number of available internships and vocational-training places at present. It demanded also for the employers opinion on what they conceive as a main obstacle when employing severely disabled young persons. Furthermore, it analyzed the conditions for deciding to hire the target group.
- Based on the return quota the initiator started to establish a contact network of companies, schools and institutions for further education in order to increase their exchange of experience when employing severely disabled young persons. As a result a close co-operation between the project-coordinators, the local employment agency, the integration office (*Integrationsamt*), the special

integration services (*Integrationsfachdienste*) and a project called “*Handicap*” evolved.

- Resulting training vacancies for severely disabled teenagers were published in a special index at the beginning of October 2006. The index is called the “*Lehrstellenatlas Hamburger Osten 2007 – index of vocational training opportunities in the east of Hamburg 2007*”. It put its emphasis on the employment of severely disabled persons. The index lists a huge number and variety of training facilities/opportunities. Training opportunities for severely disabled persons are highlighted. Furthermore, the index contains interviews and useful information for disabled school leavers and companies about what difficulties may arise when starting an apprenticeship and gives an overview on relevant contact-addresses. Severely disabled and “normal” trainees as well as their supervisors reported on their experiences and expectations in four so called company profiles. The index caught the attention of a huge number of disabled persons (approx. 3000 pieces of the index were published and distributed in schools, libraries and other relevant youth-centres).
- Based on the results of the first questionnaire a second survey was made at the beginning of 2007. Again, the questionnaire intended to find out the number of available vocational-training places at present. Additionally, it evaluated the employer’s conditions for deciding to hire the target group and their opinion on what is seen as the main obstacle when employing severely disabled young persons. In contrast to the first survey only the 91 companies represented in the index were asked to evaluate the current situation and indicate probable difficulties when employing severely disabled young persons.

#### *The detailed results of the first survey*

- About 1.700 enterprises were contacted, but only 5 % (91) of them replied. Most of the companies were small and medium-sized ones and situated in the east of Hamburg (in the districts of Billstedt, Billbrook, Hamm, Horn and Rothenburgsort).
- The resulting index lists about 1000 apprenticeships in 91 companies representing 99 different professions.
- In 2006 seven internships and apprenticeships for severely disabled persons were realised in seven different companies. Men and woman were represented equally.

- Furthermore, 25 other companies showed their willingness to offer internships for severely disabled persons; two more answered that an internship might be possible.
- 22 companies indicated their willingness to offer apprenticeships for severely disabled persons; three more answered that an apprenticeship might be possible.
- All in all, 35 companies indicated their intention to train severely disabled persons. There was no significant difference as to the employers' size: both small and medium-sized enterprises were interested in employing severely disabled young persons.
- All public authorities, companies densely associated with the administration and companies close to the social sector showed their willingness to allocate internships and apprenticeships.
- Responding to the question about which professions would be suitable for training severely disabled persons 58 different job descriptions were named.

#### *The network*

All participants who answered the questionnaire articulated a great interest and commitment and agreed to establish a regional network. The project's aim to connect public authorities, companies, schools, chambers, the local employment agencies and the institutions for further education was achieved. Especially companies which did not employ severely disabled young persons so far were sensitized for the topic.

#### *Results of the second survey in detail*

- The second survey continuative to the first questionnaire strived to determine the availability of internships and vocational-training opportunities as well as to evaluate the situation of severely disabled young trainees in the companies that responded to the first questionnaire at present. Especially questions concerning possible supporting measures were asked.
- The questionnaire encompassed three categories of questions: 1. the location and the size of the company, 2. possible training facilities and co-operation with schools and 3. questions, especially on the employment of severely disabled young persons. In this connection the questionnaire differentiated between companies that were willing to employ the target group and those who were not.

- From the 91 companies interviewed 28 (= 31 %) answered. The survey represented all categories of public authorities and companies from the very small (only two employees) to the large (2500 employees) ones.
- Half of the participants (54 %) declared their willingness to train severely disabled young persons. In contrast to the companies and institutions not open for severely disabled young persons 75 % of those who declared their openness to employ the target group indicated a close co-operation with schools and other participants of the network. Apparently the degree of co-operation and the resulting information directly corresponds to the willingness to hire the target group.
- 12 companies and institutions did not employ the target group. They gave four reasons: 1. no disability-suited equipment of training places; 2. no suitable jobs for the target group in the company; 3. not enough time for the supervision of severely disabled trainees or 4. a lack of information on the interaction with disabled persons. Only two companies regarded the training of severely disabled young persons as being too expensive. Six participants demanded a higher amount of financial support and asked for advisory services.
- Companies willing to employ the target group did not make any distinction based on gender or the work for severely disabled persons. As commercial, social and industrial/technical work are open to the target group, there was no demand for further advisory services, rather those companies placed emphasis on their high degree of co-operation with other relevant institutions.

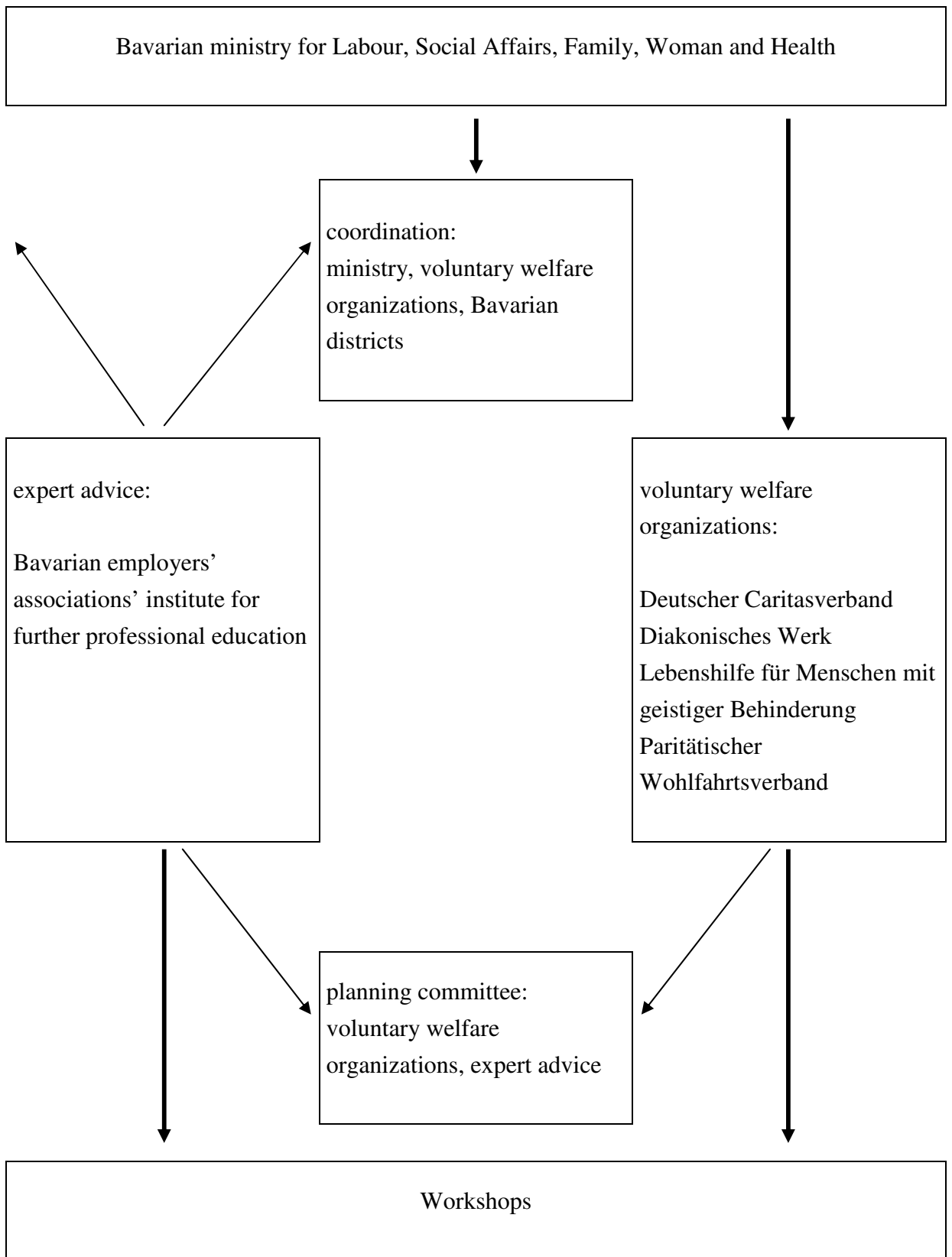
### *Conclusions*

- Companies and public authorities employing the target group are well-informed, integrated in a special network and are able to offer a wide range of training possibilities to the target group.
- 40 % of the companies and public authorities not training/employing the target group at present showed their willingness to do so in the future.
- All in all the establishment of a regional network seems to have a great impact on the creation of vocational training opportunities for severely disabled young persons.

#### **4.2 Bayerische Qualifizierungsinitiative für Schwerbehinderte aus Werkstätten für behinderte Menschen (Bavarian training initiative for severely disabled persons employed in workshops for disabled people)**

##### *Initiative*

The Bavarian ministry for Labour, Social Affairs, Family, Woman and Health was in overall charge of the project, which took place within the years of 1993 and 2000. Major organizations of voluntary welfare – including the *Deutsche Caritasverband*, *Landesverband Bayern e.V.*, the *Diakonische Werk der Evangelisch-Lutherischen Kirche in Bayern e.V.*, the *Lebenshilfe für Menschen mit geistiger Behinderung*, *Landesverband Bayern e.V.* and the *Paritätische Wohlfahrtsverband*, *Landesverband Bayern e.V.* – established a network. External expert advice was given by the ‘*Berufliche Fortbildungszentrum der bayerischen Arbeitgeberverbände*’ (the Bavarian employers’ associations’ institute for further professional education). A planning committee coordinated the implementation of the programme.





### *Financing*

The *European Social Fund* to a share of 45 % and the Bavarian districts to the remaining 55 % provided for the financing of the project. Additional funds were needed especially for the recruitment of trained personnel, a suitable equipment of workplaces for severely disabled persons and specific teaching materials.

### *The intention of the project*

The project aimed to enhance the chances of severely disabled persons employed in special workshops for disabled persons to get a regular job. With approx. 1000 participants the *Bayerische Qualifizierungsinitiative für Schwerbehinderte aus Werkstätten für behinderte Menschen* (Bavarian training initiative for severely disabled persons employed in workshops for disabled people) was one of the major German projects concerned with the transition of the target group from workshops into the general labour market. The initiative was based on the consideration that a comprehensive qualification and other supporting measures for severely disabled young persons would contribute to a successful integration into the general labour market. In this context a placement rate of up to 5 % was deemed as being realistic. With the help of internships and qualifying periods before signing a work contract young disabled persons should be enabled to learn to know about the requirements of working life.

A *basic concept* was developed containing the following principles and assumptions:

- “First qualify then place” – the transition from workshops to regular jobs is only realistic if severely disabled persons are supervised and prepared for work intensively beforehand.
- Imparting business-orientated knowledge and skills, which are considered relevant for the transition into regular employment, will lead to a higher placement rate.
- Adequate learning and employment conditions for and the continuing supervision of the participants during internships and employment are necessary.
- A close co-operation with the family, friends and other members of the social surrounding of the participants has to take place in order to enhance the chances of being placed successfully.

- A good information policy regarding the recruitment and employment of severely disabled persons as well as support and advice for participating companies is of core importance.

### *Programme in process*

First, a network of 74 Bavarian workshops – employing 12.599 severely disabled persons – was established. 966 of them were chosen to participate in the project: 414 women – 42,9 % -and 522 men – 57,1 %-. The decision on the candidates was based on a catalogue of certain criteria, more precisely explained later.

90 % of the participants suffered from a mental illness. Within the workshops small project-groups were erected and especially trained project-leaders were hired for the individual support and evaluation of the participants. Along with the principles of case management they had to develop an individual employment-strategy. 119 of them were responsible for the realization of the project in each of the workshops. The project was divided into five different stages for a total time of two years; for some participants two stages may overlap. These stages were:

1. Preparation (finding out of participants, motivation, orientation): 2-3 months.
2. Basic qualification (general knowledge, social skills): 8 months.
3. Vocational/ occupational qualification (a wide range and variety of qualification-measures took place in the workshops): 18 months.
4. In-house qualification (internships were offered in companies and public authorities according to the special qualification of the participants. accompanied by individual support and advice during the internships and after): 14-18 months.
5. External qualification (e.g. in adult education centres): 6 months.

### *Results*

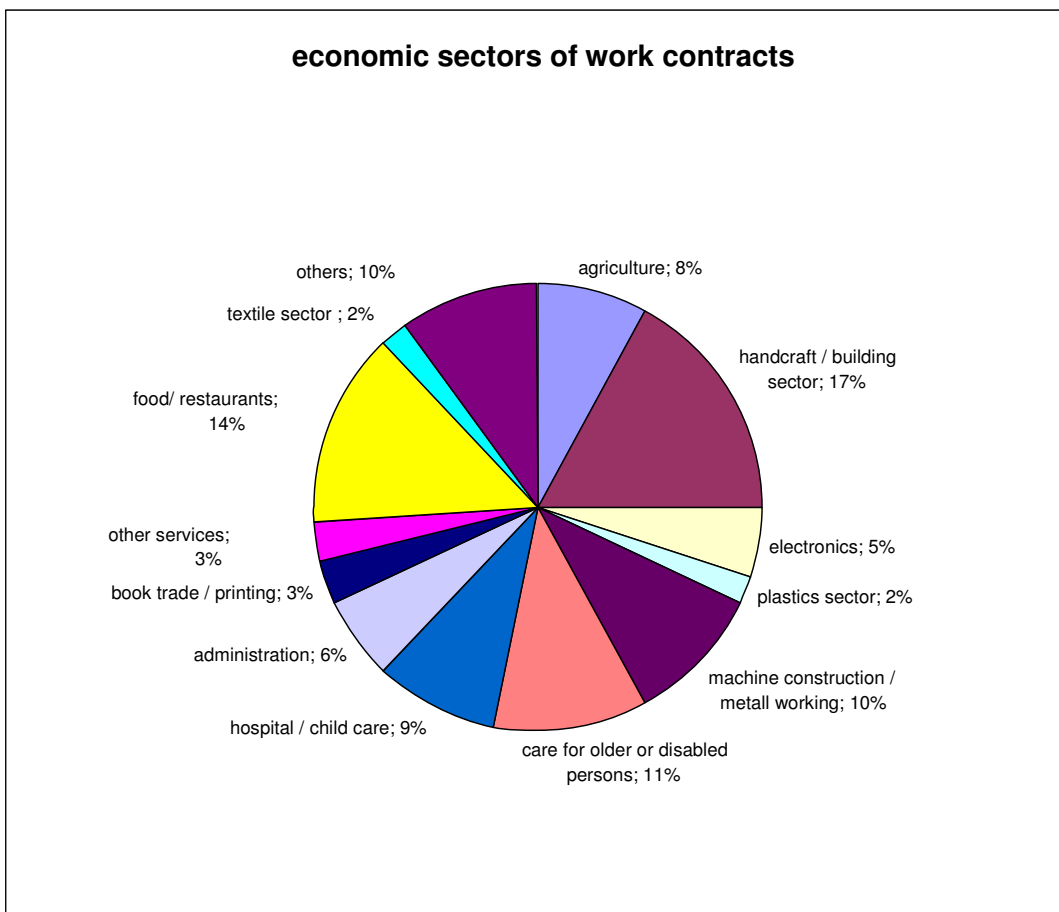
*Based on the following source of information.*

1. 74 participating workshops were assessed. The survey included questions concerning the general conditions of the project, the number of participants and their placement rate.
2. Expert meetings in 15 of the participating workshops took place. The talks and interviews with project-group leaders were focused on the problems arising from special qualification measures in the workshops.

3. 118 out of 157 severely disabled persons, who signed a work contract after finishing the project, received a questionnaire as well as 94 (out of 809) participants who failed to do so.
4. 55 companies were questioned about their experiences.
5. Finally, 44 interviews with severely disabled participants took place; half of them succeeded in achieving a regular job.

*Results in Detail*

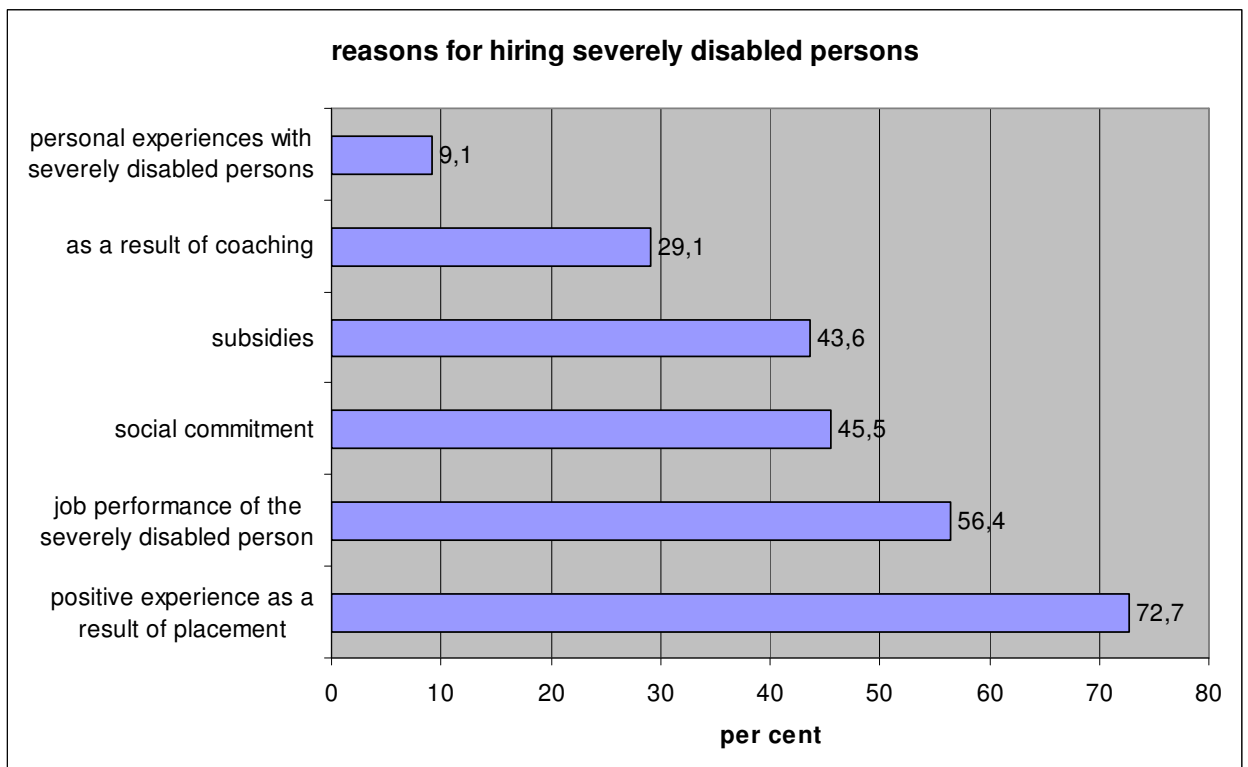
- The overall placement-rate into regular employment amounted to 16,3% with a quarter of the participants already being employed in the general labour market beforehand.
- 78 % of the work contracts were offered by private companies, 22 % of them by public authorities.
- 33,1 % of the severely disabled persons signing a contract were woman; 66,9 % of them men .This is a remarkable difference as in the workshops the female - male ratio was 42,9% to 57,1%; hence, women are obviously underrepresented.



*A further documentation and analysis is available for 118 of the 157 regular work contracts:*

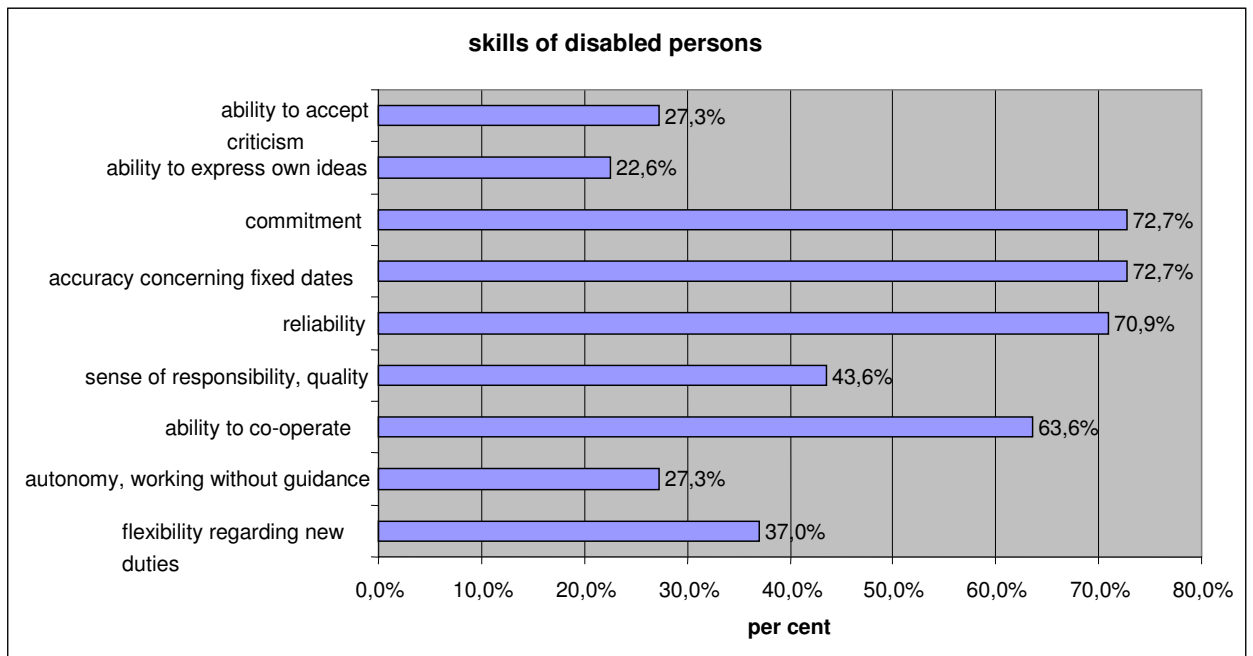
- 105 of the participants signed a full time contract (89%); 13 were working part time (11%).
- 102 of the contracts were open-ended (86,4%); 16 of them were determinable (13,6%).
- 113 of the contracts were subject to social insurance contribution (95,8%); five of them weren't (4,2%).
- 82 of the participants were employed in regular/already existing positions (69,5%); workplaces according to the individual needs of severely disabled persons were created for 36 of the participants (30,5%).
- 100 of the participants were employed in so called „low level“-jobs (e.g. as a temporary assistant in the building sector, in cleaning services and manufacturing); 11 participants (mainly the psychologically ill) performed work requiring a professional education certified by a chamber (e.g. mason, interior decorator, engineer).

*Reasons for hiring severely disabled persons:*



45,5% of the companies questioned in this context emphasized their social commitment.

*The Employers evaluation of the disabled person's skills:*



*Financial support:*

Three-quarter (87 of 118) of the work contracts were funded.

*Education of the participants successfully placed in regular jobs:*

- 36 (30,5 %) of the participants attended a Special School for the mentally ill
- 49 (41,5 %): Special School for students with learning difficulties
- 7 (5,9 %): Special School for students with a physical and motor function disability
- 17 (14,4 %): „Hauptschule“ (basic school leavers, lowest layer of a three layer school system)
- 5 (4,3 %): secondary school (second layer) or grammar school (first layer)
- 5 persons (4,3 %) did not specify their education level

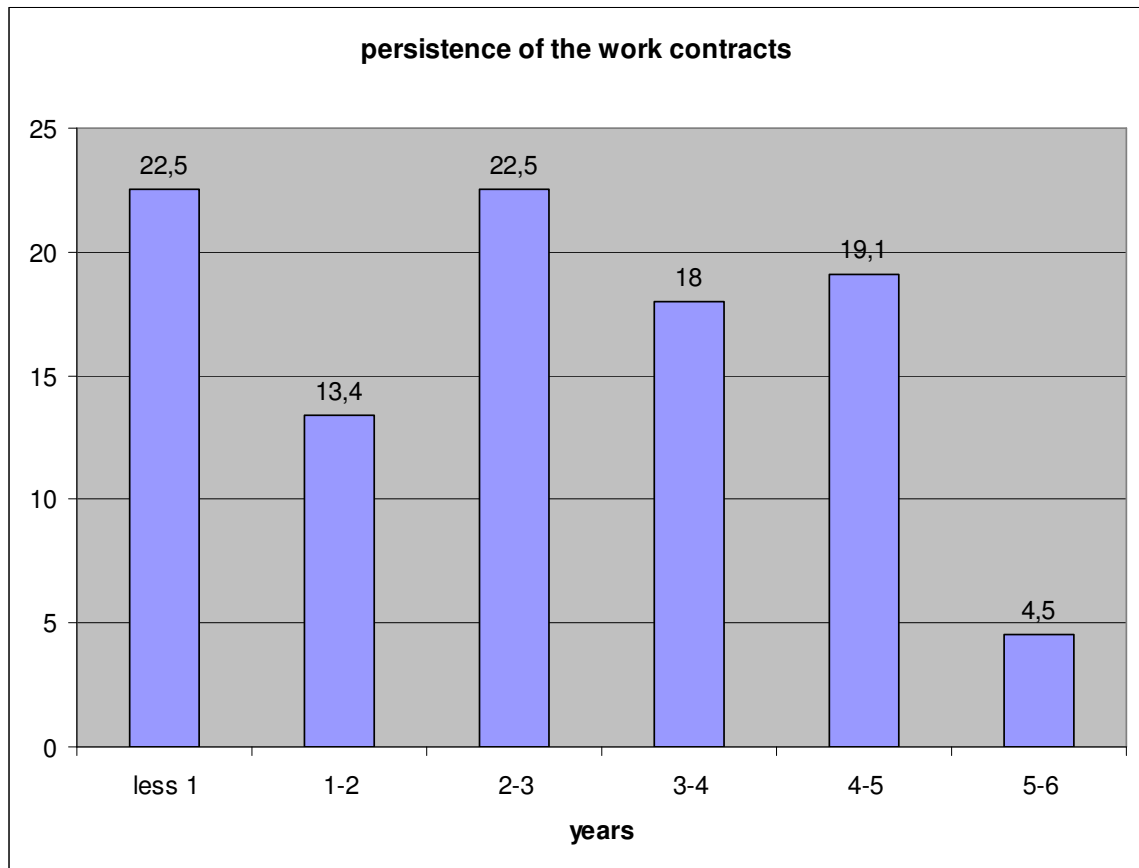
*Time duration from participating in the project until being successfully placed:*

< 6 month      8,9 %  
 6-12 month    17,0 %  
 12-18 month   28,6 %  
 18-24 month   11,6 %

24-30 month 17,0 %

> 30 month 17,0 %

*Persistence of the work contracts:*



- 32 (out of 157 participants - 20, 4 %) being successfully placed resigned
- Approx. half of the contracts were terminated by the employer; reasons:
  - Economic difficulties
  - The employee's anxiety state
  - Breach of safety instructions
  - Theft
  - The employee's performance was regarded to be unsatisfactory
- Approx. half of the contracts were terminated by the employee; reasons:
  - Personal difficulties
  - Problems with supervisors
  - A feeling of not being accepted
  - Psychological strain
  - Mobbing

*Reasons for not being successfully placed:*

Participant's own decision to stay in the workshop	40,4%
The detrimental employment situation in general	37,2%
Participant's expectations were not fulfilled	27,7%
Fears and insecurities	22,3%
Possible loss of an employment disability pension	11,7%
Insecurities regarding a short-term work-contract	11,7%
Place of employment is not regional accessible	10,6%
Social environments' obstacles	10,6%
No financial benefits	4,3%
Others	31,9%

*The project in detail:*

*Participating workshops*

74 Bavarian workshops covering nearly half of the workplaces for severely disabled persons in workshops (12.599 out of 25.500 places) were participating in the project: Most of them (66) were employing people with a mental illness; other disabilities represented in the workshops were psychological illnesses (4 workshops), physical handicaps (3) and hearing or seeing impairments (1). This enumeration does only represent the numbers of the most obvious types of disability represented in the participating workshops. However, a lot of the workshops were employing people with multiple disabilities as well. Workplaces in the participating workshops covered the following occupational fields: installation/ packaging (94, 6 %), metalworking (82,4 %), electro-related jobs (75, 7 %), gardening/ wood processing/ domestic economy (67, 6 %), administration (39, 2 %), dry-cleaning (35, 1 %), laundry (25, 7 %), printing (23 %).

character of disability	men		women		total	
	number	per-cent	number	per-cent	number	per-cent
workshops für persons with ...						
.. mental illnesses	6.610	54,7	5.477	45,3	12.087	100
.. psychological illnesses	198	60,2	131	39,8	329	100
.. physical handicaps	84	54,5	70	45,5	154	100
.. hearing or seeing impairments	17	58,6	12	41,4	29	100
Total	6.909	54,8	5.596	45,2	12.599	100

*Project leaders*

Especially trained personnel (so called 'project leaders') were hired to realize the project. Most of them (87 out of 119; 72 men and 47 women) were employed in a workshop beforehand and therefore already had experiences with the placement of severely disabled young persons. The project leaders were responsible for the vocational and social qualification, support und placement of the participants and

had to co-operate with other actors involved in the realization of the program (companies, administrations, workshop leaders and institutions of the labour market).

During regular regional meetings the project leaders were given the possibility to exchange experiences and to establish a network. Moreover, a guide containing information about qualification methods, the internships and other relevant issues (like legal sources) was published.

#### *Selection criteria to participate in the project*

Not everyone employed in a participating workshop was able to join the project. The selection of participants followed a catalogue of certain criteria ordered by importance:

1. Motivation of participants (this criterion was regarded to be the most important one; hence, the personal commitment of the target group was the decisive fact for participating in the project).
2. Ability to work/ performance on the job.
3. Social behaviour/ psychological and physical stability.
4. Flexibility/ mobility.

The participants were selected according to a personal judgment of the project leaders on skills and behaviour in the workshops. In addition, a special analytic method contributed to the creation of a skills profile. The final decision was made by a team consisting of the workshops' team leaders, project leaders and employees of the social services concerned with the realization of the project.

#### *Composition of participants*

Voluntary welfare organizations	participants					
	male		female		total	
	number	%	number	%	number	%
Diakonisches Werk	95	36,8	163	63,2	258	100
Caritas	91	46,9	103	53,1	194	100
Lebenshilfe für Menschen mit geistiger Behinderung	153	43,5	199	56,5	352	100
Paritätischer Wohlfahrtsverband	75	46,3	87	53,7	162	100
<b>total</b>	<b>414</b>	<b>42,9</b>	<b>552</b>	<b>57,1</b>	<b>966</b>	<b>100</b>

- 966 participants (414 women – 42,9 % and 552 men – 57,1 %)



- average age: 32 years (participants were from 25 to 34 years of age)

The project was designed especially for the target group. Compared to older disabled persons their motivation and possibility of development as well as their chances to be integrated into the general labour market was regarded to be much higher.

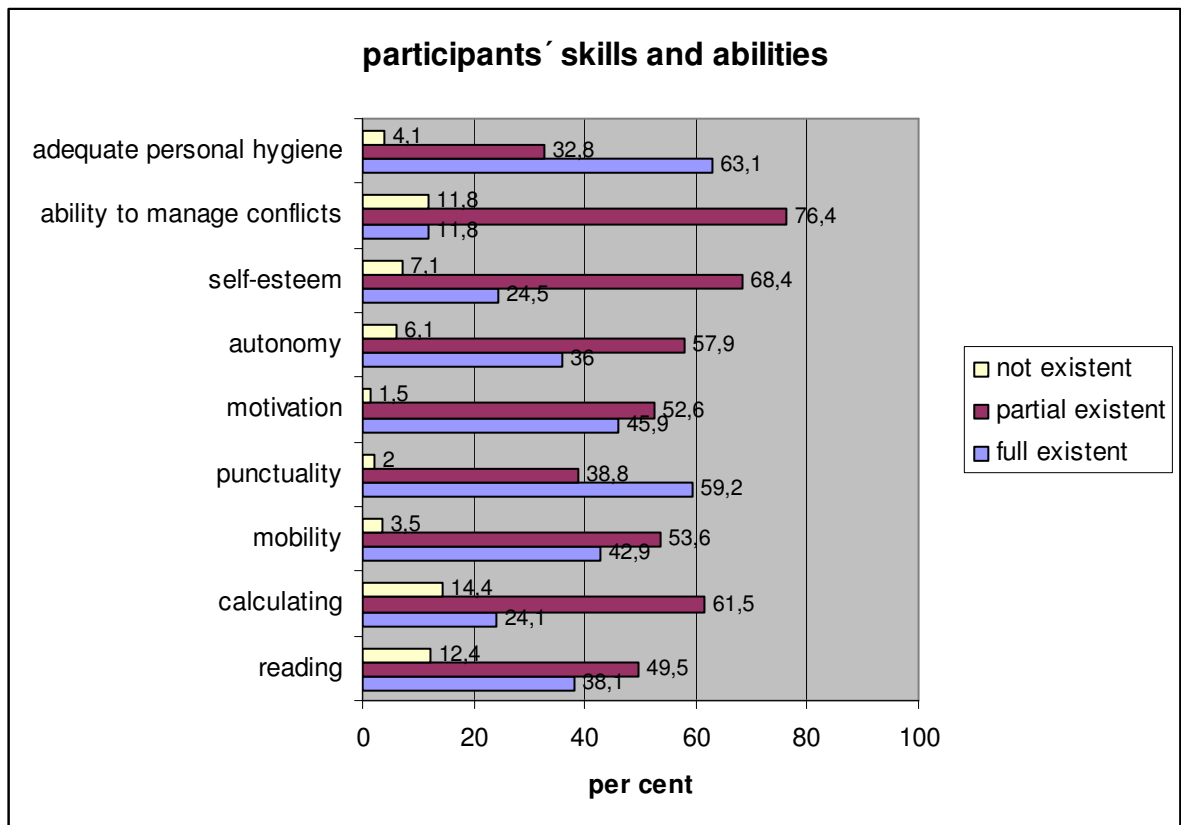
*Type of disability:*

- Most of the participants suffered from a mental disease, approx. 90 % of the participants had learning difficulties and/ or cognitive disorders
- 75 % of the participants had a degree of disability of 80 or higher

<b>character of disability</b>	<b>number</b>	<b>per cent</b>
mental illness	701	72,6
learning disability	77	8,0
psychological illness	74	7,7
physical handicaps	57	5,9
hearing or seeing impairments	9	0,9
without specifications	48	4,9
<b>total</b>	<b>966</b>	<b>100,0</b>

*Participants' skills and abilities:*

- At the beginning of the project approx. half of the participants already had the required key qualifications (e.g. punctuality, motivation).
- Most of the participants had a good sense of orientation, a sufficient standard of personal hygiene enabling them to be a part of the general labour market and were able to use public transport.
- Social skills were less pronounced (only 25 % of the participants).



*Participants' motivation and expectations:*

- Most of the participants decided to take part in the project because they explicitly wanted to get a regular job (52, 5 %).
- Other reasons for participating: potential earnings (39 %), to experiment (38, 5 %), project leaders offered an incentive (33, 3 %) and increasing interest in team work with non-disabled employees.

*Reasons for quitting the project before being placed:*

- At request of the participant (58 %):
  - Decreasing motivation.
  - Anxiety/ excessive demands.
  - Other personal reasons.
  - Some of the participants expressed their desire to stay in the workshop they were working in beforehand.
- Due to the decision of the workshop's leader:
  - Participants had to leave or voluntarily left the participating workshop.
  - The decision to quit was based on the participant's parent's decision.
  - Long-term/ severe illness.

- Due to the decision of the project's leader:
  - Insufficient social or psychological skills, inadequate working abilities.
  - Participants were overtaxed by the tasks.

*Qualification of the participants:*

The project followed the principle “first qualify then place”. Hence, the participants were able to take part in and to complete a wide range of individual qualification measures specific to their skills and abilities including the following:

*Vocational qualification-measures:*

Learning to know about the basic requirements of current working-life was regarded to be of central importance for the success of the project. The corresponding qualification measures contained the following:

1. Vocational qualification/ occupational studies.
  - i. Main goal: participants should develop an appreciation for work.
  - ii. Knowledge about management requirements and operational sequences in companies.
  - iii. Development of social skills.
  - iv. Knowledge about safety instructions.
2. Reading, recognizing and understanding of signals, signs, symbols, numbers and figures.
3. Writing.
4. Calculating (interest and percent calculation, fractions, accountancy).
5. Technological knowledge.
6. Social studies (containing democracy, elections, political parties, the law, cultural norms and social networks and contemporary issues).

*Development of social skills*

The development of social skills was appreciated as another main factor for successful placement. The participants learned to know about:

- getting in and keeping contact with other persons;
- co-operation/ team-work;
- the importance of being self-confident;
- how to solve conflicts and;
- communication.

The development of social skills was focused on enhancing “everyday-abilities” as well. These included the issues of self-supply, mobility (local and regional

orientation, use of public transport and learning to drive in order to reduce the dependence on special transport services for disabled persons) and road safety education.

#### *Occupational training:*

The participants were trained in a special occupational field with respect to their previous work experience in the workshop and according to their interests, skills and the conditions of the local labour market. The training measures included:

- technical qualifications according to the occupational field selected;
- occupational theory;
- information about the regulations for the prevention of industrial accidents;
- labour law;
- company organization.

#### *Occupational Fields:*

The participants were placed in one of the following occupational fields:

- Metalworking (19,2%).
- Electro-related jobs (10,8%).
- Assembly/ instruction/ installation (28,2%).
- Wood processing (13,6%).
- Domestic economy (5,3%).
- Shipment/ Packaging.
- Administration.
- Engraving.
- Printing.
- Painting.
- Gardening.
- Working with pets and animals.
- Selling.
- Laundry.
- Dry-cleaning.

#### *Acquisition of internships:*

In general, the acquisition of suitable internships was difficult to organize and costly in terms of time. The project leaders visited the companies interested in the project in order to get in personal contact or tried to convince them with the help of telemarketing. Other companies willing to take part in the project were found

by reading job advertisements, co-operating with the local employment agency or simply making use of the workshops' already existing contacts.

#### *The internships:*

The internships were regarded to be the core measure for placing the target group and for giving the participants a comprehensive insight into the requirements of regular employment. They were seen as the most important qualification measure to develop and enhance the target groups' social and vocational skills and to give the participants the possibility to check whether they are capable of working in a regular job. Moreover, a determination of the qualification requirements for severely disabled young persons took place according to the resulting experiences. A bunch of different internship was offered (approx. 75 % of the participants completed two or more internships):

1. “*Schnupperpraktikum*” (internship for testing)
  - lasting for less than one month
  - in order to get a first insight into the company
2. “*Orientierungspraktikum*” (internship for professional orientation)
  - lasting for one to two months
  - in order to determine the possibility of excessive demands or of being underchallenged
  - after finishing the internship further qualification measures were fixed
3. “*Probefbeschäftigung*” (probation work)
  - lasting for several months to give the employer the opportunity to assess the participant's skills and abilities
  - in order to learn to know about the conditions of everyday working-life
  - to check the performance on the job for a longer period
  - to overcome difficulties and to cope with stress

After completing the program 16,3 % of the participants succeeded in being successfully placed. For a certain period of time they were given the possibility to revert to being employed in the workshops. This option contributed to a feeling of safeness: The participants did not have to fear a failure.

#### *Counselling after placement*

The project did not finish with the successful placement of the participants. Rather, continuing support for the severely disabled employees in order to stabilize their working conditions in the general labour market and to preserve their jobs was given by the project leaders. Depending on the individual

requirements of the participants the supervision took place once or twice a week for one to three hours. The supporting measures covered the conditions of employment as well as private problems arising from the new living situation.

They were intended to

- increase self-assurance, independence and personal responsibility
- improve the capacity to work;
- enlarge social skills and key requirements for working in the general labour market;
- improve the knowledge relating to the occupational field the participants were working in ;
- improve working conditions according to the special needs of the severely disabled person;
- support the participants by co-operating with other actors involved in the project (local employment agency, integration office);
- safeguard the success of placement by providing support in private life (development of a social network),

The supporting measures after completing the program were open to participants who failed to get a regular job as well. They received a continuing training-program in order to improve their capacity to work.

### **4.3 Fit für Arbeit**

#### *Initiative*

The programme intended to integrate severely mentally retarded handicapped persons into the workforce. The organisation and implementation was entrusted to a non-profit organisation. The integration had been based on contracts of services concluded with the organisation and hosting employers. The programme started in September 1<sup>st</sup>, 2005, and ended in August, 31<sup>st</sup>, 2006. There were 16 male and 6 female participants; 12 of them succeeded in finding a job within one of the four cooperating companies. Five of them had been hired for a regular work contract; seven of them had been integrated in a vocational training in one of the integrated firms.

#### *Programme in process*

Based upon a persistent cooperation of the enterprises involved and located in the Cologne area, simple and new workplaces – not yet established before in the companies – were identified and prepared specifically for the employment of

young handicapped persons. A tailor made qualification programme for the work place had been elaborated and determined and a plethora of support facilities for both the handicapped persons and the companies had been brought about by the organisation of the programme. An inclusion requirement for the handicapped was a minimum working capacity worth while of a work result assessed of 500€ monthly at least. But it turned out as quite obvious, that this requirement was unrealistically high. So the organisation abstained from this demand in the further sequence of the programme.

So, during the introductory phase the participants did not receive any remuneration. This experience learnt the organisation, that a non paid start might be an indicator for the willingness and commitment of the participants. In the second phase, the vocational integration of the participants got priority. It became evident, that the professional integration depended on the ability of each participant to organise one's personal life adequately. So, a relevant part of the programme was focused on helping young persons to cope with this requirement. As to the companies employing the participants a relevant range of objections had to be overcome. As to the remuneration, the individual amount varied according to the result of each worker. The wages varied between 175€ and 350€ monthly; the companies paid between 250€ and 500€ monthly for the overall costs of the integration programme. The period of training was individualised. In the process of training a growing number of non-participating companies indicated their interest in taking part in further comparable initiatives. Also the employment services in the region drew lessons from the strategy of the programme. As the need for simple help is steadily growing, the approach of the programme to identify those work places and to orient the handicapped person specifically as training on and for the job turned out to be very successful.

### *Main findings*

The programme showed that severely mentally retarded handicapped persons can be adequately trained for appropriate work places in companies, if it will be feasible to overcome mental objections on the side of the companies and to stimulate and organise the work effort on the handicapped workers' side. A key role plays the ability to organise one's personal life, and endeavours to assist the target group in achieving this aim is worthwhile, because crucial for the overall result. Efforts to deepen confidence have to play a key role. A further condition is an adequate preparation of both companies and the handicapped persons. And

additionally, a consultation and coaching process over a year' time is important for a successful integration.

## **Annex**

### *Questionnaire*

(questions varied due to the position of the addressee (employers, administrations/public authorities, organizations of voluntary welfare, integrated companies and workshops for disabled persons))

1. Bestehen Möglichkeiten für junge schwer behinderte Menschen zum Übergang von der Werkstatt in ein reguläres Beschäftigungsverhältnis? Wie groß sind die Übernahmechancen? Wie könnten diese verbessert werden?  
*(Do severely disabled young persons have any possibility to successfully move from a workshop into regular working life? How would you assess the chances to do so? Do you have any suggestions to improve the situation?)*
2. Fühlen Sie sich als Arbeitgeber in der Lage, jungen behinderten Menschen Arbeitsplätze anzubieten?  
*(As an employer, do you think you are in the position to offer vocational training or workplaces for the target group?)*
3. Fühlen Sie sich ausreichend über die möglichen Förderinstrumente informiert?  
*(Do you think there is sufficient information about supporting measures when hiring severely disabled persons?)*
4. Wie beurteilen Sie die Wirksamkeit der gesetzlichen Förderungsinstrumente zur Integration von behinderten Menschen in den Arbeitsmarkt?  
*(Do you feel that the supporting measures imposed by law at present are sufficient?)*
5. Gibt es eine Zusammenarbeit mit staatlichen Stellen (z.B. Integrationsämter/Integrationsfachdienste/ Agenturen für Arbeit) bzw. mit den Behindertenverbänden? Falls ja: Wie beurteilen Sie diese?  
*(Does any co-operation between the actors involved in the process of integration of severely disabled young persons take place (e.g. with*



*integration offices, integration services, the local employment agency or the organizations of voluntary welfare)? If the answer is in the positive: How would you assess the quality or the success of these efforts?)*

6. Gibt es in Ihrem Unternehmen spezielle Förderprogramme/Initiativen zur Beschäftigung behinderter/schwer behinderter Menschen? Falls ja, mit welchem Erfolg?  
*(Are there any special (and successful?) supporting measures in your company to encourage the employment of the target group?)*
  
7. Haben Sie negative Erfahrungen mit der Beschäftigung von jungen behinderten Menschen gemacht? Wenn ja, welche?  
*(Did negative experiences influence your decisions to employ the target group? If the answer is in the positive: Could you describe them?)*
  
8. Welche betrachten Sie als die größten Hindernisse/Hemmnisse bei der Beschäftigung von jungen behinderten/schwer behinderten Menschen im ersten Arbeitsmarkt?  
*(From your point of view: Which are the main obstacles for the recruitment of severely disabled young persons?)*
  
9. Welche Verbesserungsvorschläge gibt es aus Ihrer Sicht, um die Integration von jungen behinderten/ schwer behinderten Menschen in den Arbeitsmarkt zu erleichtern?  
*(Do you have any general suggestions to improve the employment situation for (severely) disabled young persons?)*

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## **National report Ireland**

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## **Glossary**

Community Employment (CE) - is a state-funded, part-time employment and training programme which assists long-term unemployed people to re-enter the active workforce.

FÁS - the national employment, training and placement body.

Integrated employment – Under this system the workforce is made up of approximately 50% people with a disability and 50% non-disabled personal.

Sheltered employment – a separated place of work where people with disabilities undertake tasks within a centre operated by a disability service provider.

Supported employment - a network of locally based services which facilitates the integration of people with disabilities into paid employment in the open labour market.

## **Introduction**

This report looks at access to and retention of employment for ‘young disabled’ persons in Ireland.<sup>23</sup> Insofar as possible it follows the format and structure proposed. However, one difficulty is that the Irish system does not recognise a specific group of ‘young disabled’ for employment or social insurance purposes. Thus there are no policy measures which are specifically targeted at such a group. In general, public policy aims to provide general schemes which are not targeted at particular types of disability. In addition the data which exists in relation to services might best be described as rudimentary. Therefore, it is also difficult, if not impossible, to distinguish on the other disability grounds suggested.

As will be seen, many of the more innovative measures are being provided by voluntary and community organisations (NGOs) and these do tend to provide

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<sup>23</sup> Note that the definition of ‘young disabled’ relates to the specific circumstances of the Netherlands system and does not cover all young people. The Netherlands has a special scheme for persons who were already disabled before they came of age. In other words, these persons were never able to become insured under the general workers insurance scheme for disability and for this reason there is a special provision. This scheme provides for an income for these persons until pension age if they remain disabled. So the ‘young disabled’ can also be older disabled.



services to persons with a specific disability (or type of disability). However, most of the services outlined here are of a small scale nature and are not necessarily accessible nationwide.

Accordingly this report describes the supports which are available generally to people with disabilities including to the 'young disabled'.

# 1 Description of the national system

## 1.1 General overview

Historically the Irish system has tended to assume that people with disabilities (affecting their work capacity) will not be in employment and there are few significant policy measures which support such people in taking up employment.<sup>24</sup> There has been a general debate about the policy approach to people with disabilities in Ireland in recent years – going back at least to the establishment of a Commission on the Status of People with Disabilities which reported in 1996. More recently this has led to the adoption of a Disability Act, 2005.<sup>25</sup> However, the only specific provision in the Act concerning employment relate to public sector employment and require a public body ‘in so far as practicable to take all reasonable measures to promote and support the employment by it of persons with disabilities’ and to meet prescribed targets (currently 3%) for the employment of such persons.<sup>26</sup>

One important measure is that the Act is supported by sectoral plans adopted by a number of key Ministers including the employment and social security ministries. As a result of these overall developments, responsibilities for the ‘open’ labour market employment of people with disabilities now comes within the remit of the employment ministry (the Department of Enterprise, Trade and Employment (D/ETE)) and is administered by FÁS (the national employment, training and placement body) while responsibility for ‘rehabilitative’ employment remains with the Department of Health and Children and the Health Services Executive.

There has been an increasing recognition of the importance of employment for people with disabilities in recent policy documents and, as set out in this report, a number of Interesting initiatives have been piloted or proposed. However, the impact of all this in terms of national measures to assist people with disabilities in accessing employment has, at best, been extremely limited.

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<sup>24</sup> For the background see Commission on the Status of People with Disabilities, *A Strategy for Equality*, 1996. For a more recent review see National Disability Authority, *A Strategy for Engagement*, 2007.

<sup>25</sup> See <http://www.oireachtas.ie/viewdoc.asp?DocID=4338>

<sup>26</sup> S. 47 of the Disability Act 2005. The Employment Equality Act 1998 also outlaws any discrimination on the basis of, inter alia, disability in relation to employment.

## 1.2 Structures

Ireland has taken the (theoretically) correct approach of allocating responsibility for employment of people with disabilities to the agencies with overall responsibility in this area (D/ETE and FÁS). However, it might not be unfair to say that there is little indication that either agency sees this issue as a policy priority with the result that the transfer of responsibilities has had only limited impact. The links between the social security agency (the Department of Social and Family Affairs (DSFA)) and the labour market agencies as concerns people with disabilities might best be described as extremely limited. Although there are now 136,000 people on long-term disability payments,<sup>27</sup> there is no equivalent in Ireland of the UK New Deal for Disabled People or any equivalent system whereby persons claiming disability payments are supported in returning to employment.<sup>28</sup> A very small-scale pilot project has been carried out by the public authorities and the DSFA (in its sectoral plan) has proposed to introduce such a system on a nationwide basis but this has yet to be implemented.

## 1.3 Description of General and Targeted Schemes

This section presents an overview of the schemes, both general and targeted, that a person with a disability can avail of in order to access and continue in employment. With regard to the general initiatives only those schemes that were established to specifically tackle disadvantage are included. Reference is also made to those supports and projects that were established with the aim of enabling (sometimes indirectly) a person with a disability access mainstream employment. More detailed information on the different schemes referred to below can be found in the relevant section: Employer Supports, Employee Supports or Best Practices.

FÁS (the national training and placement authority) has statutory responsibility for the delivery of employment related services to people with a disability, both in terms of training and placement. It also has a role in supporting the employer who plans to have an employee with a disability in the workforce. Therefore FÁS offers the Supported Employment Programme, the Community Employment

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<sup>27</sup> Invalidity pension and disability allowance. The later payment which is means-tested would include a significant number of 'young disabled'.

Scheme (CE), Specialist Training Courses and a series of grants. In addition to the work carried out by FÁS, there are many organisations that offer job related training and placement services to people with disabilities. They may be national voluntary organisations (e.g. Enable Ireland that mainly supports people experiencing physical difficulties<sup>29</sup>), part of the Department of Health (e.g. Eastern Vocational Enterprise (EVE)) or local community organisations (e.g. Northside Partnership which is a community organisation). For the purpose of this document provision has been broadly divided into two groups: FÁS and non-FÁS.

### *FÁS Supported Employment Programme*

The FÁS Disability Policy and Development Unit (June 2003) tells how the National Pilot Supported Employment Programme was launched in 2001. It comprised 24 consortia throughout the country. This pilot was evaluated in 2003. The results of this evaluation informed the development of the present Supported Employment Programme. This programme is a network of locally based services which facilitates the integration of people with disabilities into paid employment in the open labour market. Each individual on going to his/her the locally based SEP service and will be assigned a Job Coach whose role is to assist with choosing, finding and keeping a job. Under the FÁS criteria the client must 'job ready' i.e. be able to work a minimum of 18 hours per week and have his/her own means of transport. A Job Coach has a caseload of about 25 clients at any given time and supports both the individual and the employer. The Job Coach provides the employer with advice and support before during and after recruitment. There are two examples of SEP to be found in Section 5 on Best Practices, i.e. Employ Ability (see section 5) and Work Web West.

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<sup>28</sup> In recent years income disregards for persons taking up employment have been improved but there is no pro-active system to encourage and support such persons to do so.

<sup>29</sup> <http://www.enableireland.ie/adultservices/supportedemployment.html>

### *Non-FÁS Supported Employment*

In addition, to the FÁS Supported Employment network mentioned above, there are many more initiatives that work independent of FÁS and offer a supported employment service. These services are not restricted by the 'job ready' criteria operated by FÁS. Some of these initiatives are part of national voluntary organisations, e.g. *Supported Employment & Assistive Technology* (SEAT) this is run by Enable Ireland or the *Programme for Employment of People with Disabilities* that is run by the Northside Partnership. However the principle underpinning all their work is the same. A national umbrella organisation, the Irish Association of Supported Employment (IASE) was established to support the development of the FÁS and non-FÁS Supported Employment services. Further information of the work carried out by this body can be accessed in Section 5.

### *FÁS Community Employment Schemes*

The Community Employment Schemes (CE) is a part-time employment and training programme which assists long-term unemployed people to re-enter the active workforce. It is funded by the Department of Enterprise and Employment. Each participant works a 20 hour week, and receive a weekly allowance as well as training appropriate to his/her needs. FÁS operates specific eligibility criteria for people with disabilities whereby people in receipt of disability-related payments are eligible from 18 years of age. Everyone who is receiving other welfare payments has to be 25 or over and in receipt of that payments for 1 year or more to access a place on a CE scheme.

### *FÁS Specialist Training Providers for People with Disabilities*<sup>30</sup>

People with disabilities are encouraged to participate in mainstream FÁS training courses. However FÁS also contracts Specialist Training Providers (STPs) to deliver training for those who require more intensive support, e.g. more time, enhanced programme content. The courses on offer vary greatly in terms of content, level and overall aim, e.g. *Pre-Employment Programme - Training for Success*, *Business Studies and Finance*. *Career Paths for Dyslexics* is run by a STP: the Dyslexic Association of Ireland. One of the main STPs in Ireland is the National Learning Network (NLN) which aims to assist people at a disadvantage (mainly with a disability) to learn the skills they need to build lasting careers.

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<sup>30</sup> [www.fas.ie/en/Equality/Disability/Specialist+Training+Providers/](http://www.fas.ie/en/Equality/Disability/Specialist+Training+Providers/)

FÁS contract out some provision of training services for people with disabilities to Specialist Training Providers (STP). In 2006 FÁS funded 20 specialist training providers to provide a total of 1,973 STP learner places in 54 locations of which 1,660 are provided by the National Learning Network (NLN)<sup>31</sup> which is part of the Rehab Group. The Rehab Group is an independent, not-for-profit organisation which provides training, employment, health and social care and commercial services.<sup>32</sup>

#### *Non FÁS Specialised Training*

There are certain non-FÁS training providers that specialise in preparing and supporting people with a disability to enter or progress in work. An example of one such provider is the *National Assistive Technology Training Centre* which is the first dedicated national training service that offering AT support and certified training to the participants of Enable Ireland's 18 local centres<sup>33</sup>.

#### *Employee and Employer Grants*

FÁS along with some state Departments have a number of employee and employer grants and incentives that promote the employment of people with disabilities (see below):

- The Disability Awareness Training Grant Scheme
- The Workplace Equipment Adaptation Grant (WEAG)
- The Wage Subsidy Scheme (WWS)
- Revenue Job Assist
- Employers Pay Related Social Insurance (PRSI) Exemption Scheme
- Personal Reader Grant
- Job Interview Interpreter Grant
- The Back to Work & Enterprise Scheme

#### *Integrated Workplaces*

Under this system the workforce is made up of approximately 50% people with a disability and 50% non-disabled personnel. The aim is that the enterprise should be commercially viable while also affording each individual the supports and adaptations required for him/her to carry out the work at hand. The Rehab Enterprises group run such workplaces.

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<sup>31</sup> [www.fas.ie/en/PubDocs/AnnualReports/ANNUAL\\_REPORT06/community\\_services.htm](http://www.fas.ie/en/PubDocs/AnnualReports/ANNUAL_REPORT06/community_services.htm)

<sup>32</sup> <http://www.rehab.ie/index.aspx>

<sup>33</sup> <http://www.enableireland.ie/newsitem.php?NewsID=74>

### *Sheltered Employment*

The National Disability Authority summarises the situation as regards sheltered employment in Ireland as follows: “Sheltered work, with its origins in the 1950s and 60s, is a separated place of work where people with disabilities undertake tasks within a centre operated by a disability service provider. Centres where sheltered work takes place include sheltered workshops, community workshops and industrial/ occupational therapy units of psychiatric hospitals. “Workers” have no contractual agreements and receive no salary although they do receive a small allowance and retain their disability payments. Official estimates put the numbers of people in sheltered work at approximately 7,900 in some 215 centres.”<sup>34</sup>

### *Schemes that Enable Employment*

Both the Centres for Independent Living (CIL) and the Personal Assistant Services play a major role in facilitating people with disabilities take up and retain employment. In fact the first Personal Assistant Programme in Ireland was introduced by the CIL. Another vital factor to ensure participation in the workplace is transport and again CIL established *Vantastic* which is an accessible transport system.

### *Employer Incentive Schemes*

Over and above the financial incentives available to employers to employ people with a disability there is also a relatively new award system, the O2 Ability Awards that supports and awards the employer. The O2 Ability Awards was first established in 2005 to award both private and public organisations for embracing diversity in terms of employing people with disabilities or targeting them as customers. It was established by the Aisling Foundation, in association with strategic partners Access Ability, who manage the assessment process. There are now over 100 companies involved which make-up 15% of the Irish working population. “The O2 Ability Awards process includes a four month in-depth assessment conducted by disability management consultants, Access Ability and three days of judging by experts in the fields of business and corporate affairs, disability management, equality management and people with disabilities.”<sup>35</sup> Nine awards are made: an overall awards for private and public sectors respectively, six category winners and specific award for the Best Small Business.

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<sup>34</sup>[http://www.nda.ie/cntmgmtnew.nsf/0/128A0739509D6860802570D1003B9D4A/\\$File/dadisabiltvandwork.pdf](http://www.nda.ie/cntmgmtnew.nsf/0/128A0739509D6860802570D1003B9D4A/$File/dadisabiltvandwork.pdf) - NDA Disability Agenda 2006 pg 6

<sup>35</sup> O2 Press Release (May 2007) - 2007 O2 Ability Awards

### *Once-Off Schemes*

In addition to the above from time to time European funded disability and employment projects emerge. Sometimes they pilot and test new schemes, e.g. Willing Able Mentoring (WAM) which aimed to accelerate the employment possibilities of graduate with a disability by providing mentored placements. Others, like CIL Training Vehicle to Employment, worked on opening up trainee and internship positions in the civil service to people with disabilities. The latter aimed to maximise the current legal standing of 3% quota of job for people with a disability in the Civil Service.

## **2 Organisation of Work**

The purpose of this part of the report is to describe how some of the work and schemes for accessing and retaining employment are organised. It will include the agencies involved, the level of co-operation that exists among these agencies and the part played by the lead organisation(s). Brief examples of the workplace will be also included.

Currently the principle mode of organisation adopted in Ireland to address the issues of disadvantage in general or disability in particular is that of 'partnerships'. This means that the lead organisation organises and runs the service or place of work and the partner organisations play a specific role and/or contribute to management and organisational development. Sometimes this has been driven by funding requirements but more often it is agreed that it is the most effective way forward. Furthermore there is a growing tendency in Ireland to consult with all the key actors.

### *Community Employment Scheme*

One of the main areas where people with a disability gain work experience is on a CE Scheme (see above). Evidence to this effect can be found in the results of the evaluation of the *Preparing for Employment Programme* where 40% of course participants progressed onto a CE Scheme (see Section 4). These Schemes are run on a daily basis by local organisations or public bodies involved in not-for-profit activities and who work for the benefit of the local community. The local organisations are managed by a voluntary management committee which typically comprises local employers, representative of other local organisations, client and staff representatives and on occasion local politicians. FÁS is responsible for



awarding the scheme and for on-going funding. After that its primary concern is to ensure that the CE Scheme is effectively administered. The local organisations have responsibility for providing the participant with on the job training and experience as well as providing certified training; it is also responsible for the participants' progress into work in the open labour market. A typical CE scheme would have 20 CE participants and may have 2/3 full-time, permanent workers and would be involved in the provision of information or support to a disadvantaged group e.g. Centre for the Unemployed

#### *FÁS Specialist Training Providers for People with Disabilities*

The general approach taken by FÁS is to allow the STP autonomy in the delivery of the courses. Some of the STP are large national training organisation, e.g. NLN and other providers, such as the Dyslexia Association of Ireland (DAI), work on a smaller scale. DAI runs the *Career Paths for Dyslexics* which was originally piloted under an EU programme and consequently was required to establish a consortium of agencies to manage the course. This included service providers, community & enterprise representatives and agencies involved in adult education and training. Now *Career Paths* is a mainstream activity. FÁS funds the administration, equipment and some salary costs along with the participants' allowances. The psycho-educational assessment, salaries of literacy teachers and related materials are provided by DAI through a grant from the Department of Education and Science.

#### *FÁS Supported Employment*

There is a consortium in each county which operates the National Supported Employment Programme. These local consortiums make up the national network. At a local level the service is co-ordinated and administered by community/voluntary consortium while FÁS co-ordinates the network and funds the services.

#### *Non FÁS Specialised Training*

As a result of a diverse number of partners Enable Ireland's *National Assistive Technology Training Centre* has managed to facilitate the integration of people with physical disabilities into the workplace. The following are just a few examples of the outputs: (i) Microsoft have provided funding for AT training as well as working with the organisation to develop effective AT. (ii) Central funding and work with NRH has facilitated the establishment of an AT Loan

Bank (iii) Partnership with IrishJobs.ie brought about the publication of a hard copy equivalent to the Gateway website content and (iv) An Employers Seminar was run in conjunction with the Dublin Institute of Technology (DIT)

#### *Civil Service*

The Dept of Finance has responsibility for implementing the aims of National Disability Strategy and ensuring that the 3% quota is met across the public sector. The development and monitoring of the National Disability Strategy has been carried out with the advice of the National Disability Authority. Part of the Strategy entailed the development of Sectoral Plans for six government departments. Extensive consultative meetings were carried out at a regional and national level before the plans were drawn up. These were completed in 2007 and are now in force.

#### *Local & Regional Partnerships Organisation*

There are a number of local and regional organisations that have the remit of developing their area. Some of the organisations, e.g. Northside Partnership focus on disadvantage issues. Others are concerned with the overall economic and social development of a region, e.g. Boarder, Midlands Region (BMW). These partnerships strive to involve all the local players in the development of the given area. This will include representatives from all sectors as well of individuals with expertise. These partnerships play a role in monitoring developments and, at times, deciding on how funds should be allocated. They are all concerned with employment levels of those residing within their area. Very recently this brief has been extended to take in the concerns of people with disabilities.

### **Employers' Attitudes**

This section outlines the evidence as to the attitudes of Irish employers to employing people with disabilities. The research findings cited include the public's and the target groups' perception of employer attitudes. The section also refers to the preparedness and willingness of employers to employ an individual with a disability as well as the forces behind their doing so. Finally, it will address the question of the quantity, level and kind of work available for adults with a disability who are seeking employment.

There has been some change for the better in the attitude to employing people with a disability over the last decade. This change has been acknowledged by many organisations, one of whom is Association for Higher Educational Access and Disability (AHEAD) who noted in their article *Employer Attitudes and Concerns*<sup>36</sup> that ‘in recent years, government legislation has helped to reduce some of the barriers that exist within the employment sector and more employers are now taking steps to show that they are willing to recruit people with disabilities’ but it goes on to say that ‘there are still many who do not’.

What AHEAD and many other disability organisation say is that many employers still fail to recognise the ability of people with a disability; they seem to hold that an employee with a disability cannot do the same job as one without a disability and also that they will be absent more often. The latter reflects a general tendency to confuse disability with ill-health. Many believe that they will incur great cost if they employ someone with a disability. In some cases the employers fear that fellow workers will not want to have a person with a disability working with them. Some employers are simply somewhat fearful of taking this step.

Interestingly, *Spokeout* the Irish Wheelchair Association (IWA)'s health and lifestyle magazine suggests that employers' attitude may be related to the fact that many employers do not know anyone with a disability<sup>37</sup> and this lack of awareness impacts on their attitude. Evidence of lack of awareness and knowledge being the cause of unfavourable employer attitude is also cited in one of the case studies on the Workway website. (Workway was established to to promote the employment of people with disabilities in the private sector.) This case study gives an account of Noreen Meagher's experience. She is the co-ordinator of a rural bus scheme and has a visual impairment. While her particular experience of working from home (with the use of specific equipment) has been positive she states that ‘the greatest hurdle for people with disabilities in accessing the workforce is the significant lack of awareness ... In my view employers are still unaware of how much people who are blind or have a visible impairment can contribute due to the computer based technology available to them.’<sup>38</sup>

In order to investigate the general public's attitude to disability the NDA carried out a survey in which they surveyed a total of 1004 people. This survey took place

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<sup>36</sup> <http://www.aheadweb.org/wiki/EmployerAttitudesandConcerns>

<sup>37</sup> IWA, *Spoke Out: Magazine for People with a Limited Disability* (Spring 2007) – The Educated Unemployed. pg 13

in 2006. One of the areas of investigation was ‘employers and disability’ which indicated that employers’ attitudes vary across the spectrum of disability. They felt that “employers were most willing to employ people with physical disabilities (32%), followed by hearing disabilities (27%). By far the lowest level of willingness to employ people was for those that had mental health difficulties (7%).”<sup>39</sup> In fact, a National Economic and Social Forum (NESF) report on ‘Mental Health & Social Inclusion’ states that “there are negative attitudes among employers, with risks for employees in disclosing a mental health difficulty.”<sup>40</sup> The same report goes on to say that while “only 20% of Irish companies has a written policy on mental health nearly all employers would welcome information and guidance in this area.” This later statement shows a willingness on the part of the employer group to improve the situation.

One of the key initiatives that has shaped employers attitude was the recent re-focus on the 3% disability employment target for the Public Sector. (This target was set by the government as far back as 1977 but it had no legal basis. In 2005 the Disability Act gave statutory effect to this quota). In 2000 the government commissioned a report on the effectiveness of this strategy. This report stated that “public sector employers appear to apply the principle of non-discrimination at the recruitment process and the principle of positive action once the person is employed”<sup>41</sup>. However, the statement made specifically on the approach and attitude of the Civil Service was much more conclusive: “The Civil Service approach is very pro-active. At one time there are initiatives being operated or planned.”<sup>42</sup> Since 2005, the National Disability Strategy was agreed and it made provision for monitoring the 3% target. Also work has been completed by six governmental departments to draw up sectoral plans for the employment of people with disabilities.

Overall efforts made by the state to bring employers to employ people with disabilities leans more heavily on the public sector than on the private sector. The approach taken towards the private sector is more one of encouragement, e.g. the provision of training awareness grants etc. Unlike the public sector there have

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38 [http://www.workway.ie/best\\_practice/sensory\\_disability\\_%28study%29.486.383.html](http://www.workway.ie/best_practice/sensory_disability_%28study%29.486.383.html)

39 NDA, Public Attitude to Disability in the Republic of Ireland (2006), Executive Summary

40 NESF Report 36 (October 2007) Mental Health & Social Inclusion

41 EA, Research project on the Effective Recruitment of people with Disabilities into the Public Service, 2000. pg 67

42 *ibid*, pg 70

been no specific targets set for the private sector. So in effect it is up to each individual corporate body to determine its attitude to employment and disability.

In the absence of a clear directive to the private sector initiatives such as the O2 Ability Awards, have emerged and proven to be a very effective means of changing employers' attitudes and of monitoring same. Research carried out on the O2 Ability Awards by TNS, mrbi in 2007 showed a willingness on the part of employers to change. It stated that not only had the O2 Ability Awards succeeded in raising awareness but more, concretely, 74% of organisations that participated had positively changed their policies regarding disability. However, despite this improvement in 15% of work places in Ireland the recommendation put forward in the *Research on the Effective Recruitment of People with Disabilities in the Public Sector (2000)* is still extremely pertinent. It recommends that there is a need to be move from a passive policy in relation to disability to a proactive one and a distinction needs to be made between increasing awareness and 'the management of disability issues'.<sup>43</sup> Positive attitude is just the first steps, taking actions is what brings about the results.

*The Survey of Employer's Use of FÁS Services* - carried out by outside evaluators on behalf of FÁS in 2007 - included a set of question on attitudes to disability and found that "almost one in four (employers) claimed to have sometime employed someone with a disability and, of those who said they had never employed someone with a disability, over a third would consider employing a disabled person. For the most part employers did not see disabled employees as impacting negatively on their costs or profits. There seemed to be some desire to employ a disabled person; one in four companies agreed strongly with liking the idea of employing someone with a disability. However, there was low awareness of the specific grants available for employing someone with a disability. Adaptation and Recruitment Grants received awareness scores of circa 15% with only one in ten aware of Retention Grants. Take-up was very low with only 1% of companies stating they had taken up the grants."<sup>44</sup>

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<sup>43</sup> The Equality Authority (2000) Research project on the Effective Recruitment of People with Disabilities into the Public Service, 2000. pg 72

<sup>44</sup> <http://www.fas.ie/NR/rdonlyres/5BB194D9-3869-4E9A-8CC5-B7F7524D5D7E/221/employersurvey7.pdf> page 5

### **3 Instruments, Supports & Facilities**

The instruments, support and facilities that are available for people in Ireland with a disability aiming to take up employment are disparate. As FÁS, the National Training and Employment Authority, is responsible for providing labour market services for people with disabilities the section will open with an outline of the services FÁS offers. After that there will be a brief description of the financial incentives that are provided by the state. Finally, there will be a sketch of the other services that are provided by national voluntary organisations, government agencies, local community centres and further & third level institutes that impact directly or indirectly on access to or retention in employment for people with disabilities.

Some of the services outlined below are open to everyone with a disability and they tend to focus on the individual's ability to work rather than compensation for the disability. While others confine their work to people with specific disability and promote the employability of the interest group. In some occasions the person with a disability has to be registered as unemployed in order to access a service or a scheme. A medical assessment on its own will not suffice.

#### *FÁS schemes*

FÁS is responsible for the following disability and employment schemes: (i) National Supported Employment Programme, (ii) Grants, (iii) Community Employment Schemes targeting marginalised groups including people with disabilities; and (iv) Specialist Training Providers for People with Disabilities.

#### *The National Supported Employment Programme*

The Supported Employment Programme (SEP) facilitates the integration of people with disabilities into paid employment in the open labour market, by providing support and information to the individual as well as the employer.

The service is open to all eligible persons with a disability who are 'job ready'. For the purpose of the Supported Employment Programme, to be 'job ready' means one must have the skills and training (and where necessary the transport) to work in the open job market for a minimum of 18 hours. Each person is assigned a Job Coach. The Job Coach supports the individual during the decision making initial

stage, during the process of applying for a job and when in the job. The aim is that the amount of support required will decrease over time.

#### *Employment-related Grants*

The following specific grants are available to people with disabilities to assist them secure or retain work: (i) *Personal Reader Grant* means that a person who is blind or visually impaired can seek assistance of a Personal Reader with job-related reading for a maximum of 640 hours pa. (ii) Under the *Job Interview Interpreter Grant* a professionally qualified interpreter can be engaged for a maximum of three hours this includes the interpreter's travel costs.

#### *(iii) Specialist Training Providers (STPs) for People with Disabilities*

While people with disabilities are encouraged to avail of all these mainline training options. FÁS also contracts (STPs) to deliver specialised training. This is distinguished by the following features: additional training duration; adapted equipment; enhanced programme content; increased trainer to learner ratio; specialist qualifications of staff; additional opportunities for assessment; and an individualised approach<sup>45</sup>. The type of courses provided range from those that are designed to improve access to work or education e.g. Career Paths or College Start to more specific course e.g. catering, computer aided design, horsemanship. Many of these courses assist the participants to access employment and will offer support when the person is in work. However, in general, this support is not structured as the prime role of STP is to run the course.

#### *Other Financial Incentives*

The *Back to Work Allowance and Enterprise Schemes* are available to recipients of social welfare payments (including some people on disability payments) who take up work or start their own enterprise. Under these schemes, for a period of up to 3 years, the individual retains a percentage of their social welfare payment without having to pay tax or PRSI. They can also retain secondary benefits (e.g. medical card)

#### *Other Services*

There are many national voluntary organisations, government agencies, local community centres and further & third level institutes that organise initiatives to facilitate employment of people with disabilities. Some of these initiatives deal

directly with accessing and retaining employment (e.g. the Programme for Employment – Northside Partnership). Others facilitate and support the process (e.g. the Assisted Living Services). Some bodies focus on the needs associated with a given disability (e.g. Career Paths for Dyslexics), the interest's of a given group (e.g. GET AHEAD – the National Forum for Graduates with Disabilities) or the development of a local area (e.g. The Programme for Employment which is in north Dublin). Examples of such activities are given below or can be found in the section entitled: BEST Practices.

### *Personal Assistance*

The Assisted Living Services provide the services of a personal assistant to individuals with a physical or sensory disability to facilitate employment and full participation in society. It was first introduced by the Centre for Independent Living (CIL) and is now provided nationally by the CILs and the Irish Wheelchair Association (see: <http://www.iwa.ie/services/assisted.aspx>).

One worker with a disability, Olan Mc Gowan points out that the personal assistance service provided for him has enabled him to work. ...He points out too that the reason why many disabled persons cannot easily access employment has little to do with employers' attitudes but is due to a lack of available personal assistance and other supports.<sup>46</sup> This is because access to this service is not automatic and can take quite some time. The Wheelchair Association (IWA) is involved in the provision of an assisted living service for those with disabilities. In 2005, 1,100 people nationally availed of this service but there were 500 on the IWA waiting list.<sup>47</sup>

GET AHEAD is the National Forum of Graduates with Disabilities which was formally launched in November 2003. Its motto is "by, for and with graduates with disabilities" and it draws on the experience and enthusiasm of students who have successfully graduated from Higher Education in Ireland. It also acts as an independent platform to determine how best to change attitudes and practices regarding disability in Irish employment. Membership is open to all graduates with a disability, on joining one becomes part of an email network. Information

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<sup>45</sup> [www.fas.ie/en/Equality/Disability/Specialist+Training+Providers/](http://www.fas.ie/en/Equality/Disability/Specialist+Training+Providers/)

<sup>46</sup> <http://medmediacampaign.com/?id=7078&level=4&var=print> (2005)

<sup>47</sup> <http://medmediacampaign.com/?id=7078&level=4&var=print> (2005)



on job opportunities, careers fairs and any other information in relation to employment in Ireland are sent to everyone on this list.

*Dedicated Careers Advisor for People with Disabilities, University College Cork.* Generally students with a disability seeking careers advice in either the further or third level sector tap into the institute's careers office which caters for the general student body however one university, UCC has opted to provide a targeted disability careers service for the academic year 2007-08. She works in co-ordination with the College Disability Support Office and Careers Service. The role of the Careers Advisors is to inform, advise and empower individuals to make the right educational and career decisions.

#### *Eastern Vocational Enterprise Ltd (EVE)*

EVE is part of HSE and has 24 centres in Eastern Ireland where it offers training programmes, occupational services and holds the clubhouses. Its main target group is people experiencing mental health difficulties but it also caters for people who experience learning disabilities and a range of physical disabilities. It provides a training service for people with Aspergers' Syndrome.

The EVE activity that is pertinent to this study is the Clubhouse. The first one opened in Ireland in 1999. "The clubhouse offers life-long membership and support to members in leading a socially and economically productive life in the community."<sup>48</sup> The Clubhouse model comprises three elements of which one - Transitional Employment Placement (TEP) - facilitates employment. The Transitional Employment Programme offers each member the chance to go to work in a paid, part-time entry level job and to stay in that job for approximately six months. Members choose the level of support and involvement they want from the Clubhouse.<sup>49</sup>

### **3.1 Employer Supports**

This section will look at what is available by way of supports and facilities to the employer to assist him/her employ and retain workers with a disability. Provision for the private and public sector will be taken separately as there is a clear distinction made between these sectors with regard to expectation and this in turn

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<sup>48</sup> <http://www.eve.ie/aboutus.html>

<sup>49</sup> <http://www.kildare.ie/platinum/about-clubhouse.htm>

shapes the provision of supports. Notwithstanding this fact, there are some areas where there is crossover and these will be discussed.

Work in the public sector is being carried out in accordance with the National Disability Strategy and the Disability Sectoral Plans, is underpinned by legislation and funds have been made available to develop the plans. One of the key aims of the Sectoral Plans is to “ensure better opportunities for training and employment for people with a disability, helping them to achieve more independence and fulfillment in their lives.”<sup>50</sup> The six departments involved have drawn up extensive plans on how they will promote and facilitate the inclusion of people with disabilities in their given department.

The situation with regard to support and facilities in the private sector is haphazard and underdeveloped. The primary set of supports available is financial and is administered by FÁS. They included the following grants: the Disability Awareness Training Support Scheme, Workplace Equipment Adaptation Grant and the Wage Subsidy Scheme. However there are also two other schemes run by the Department of Social & Family Affairs and the Revenue Commissioners.

*(i) The Disability Awareness Training Grant Scheme*

This is open to all companies in the private sector and can be used for employees at all levels. It is aimed at companies interested in:

- employing or retaining people with disabilities;
- promoting the employment of people with disabilities;
- promoting management of diversity within their workplace.

Funding is available at a level of 90% of costs in the first year and 80% of costs in subsequent years (maximum funding to a company is €20,000pa).

While this grant may be sufficiently generous to ensure that the employer is not out of pocket interviews with both personnel within FÁS and employers all stated that the paperwork involved in securing this money is a serious deterrent.

Therefore the uptake has been low.

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<sup>50</sup> Press Release, January 2008 (<http://www.taoiseach.gov.ie/index.asp?locID=199&docID=2793>)

*(ii) Workplace Equipment Adaptation Grant (WEAG)*

The employer (or the employee) can apply for a grant towards the costs of adapting premises or equipment or updating equipment that was previously funded. The maximum available is €6348.70.

*(iii) The Wage Subsidy Scheme (WSS)*

WSS was introduced in September 2005. It is a financial incentive payable to the employer and based on the productivity level and number of hours worked by the employee. The minimum contract must be 20 hours per week. Under WSS the employee can avail of the Back-to-Work Allowance. In addition, where there is more than 30 disabled workers the employer can draw upon a grant of €30,000 to employ an Employment Assistance Officer. (See Appendix 1 for further details)

In addition to the above financial incentives there are two wage related schemes available to the employer: (i) Revenue Job Assist and (ii) Employers PRSI Exemption Scheme.

*(i) Revenue Job Assist Scheme*

If the employee has been unemployed for 12+ months and is employed to work for 30+ hours the employer can claim extra deductions on his accounts on (a) wages and (b) employers PRSI in respect of said wages. For further information see Appendix 2.

*(ii) Employers PRSI Exemption Scheme:*

Under this scheme, employers who recruit a person with a disability who, for the first time, is on the Back-to-Work Scheme<sup>51</sup> will not have to pay employer's PRSI for this employee for a period of two years. The employee must work a minimum of 20 hours.

As mentioned in the introductory paragraph there is some crossover among the services provided to support the private and public sector employers in their endeavour to employ workers with a disability. These broadly fall into three categories: (i) Awards (ii) Information Provision and (iii) Supported Employment Services and (iv) Commercial Providers.

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<sup>51</sup> Individuals who have been in receipt of disability allowance, blind pension or invalidity pension for 15 months (12 months if aged over 50 years) and people in receipt of disability benefit for three years are eligible for the Back-to-Work Scheme, as are other groups.

*(i) Awards*

The O2 Awards recognise progressive attitudes, in those organisations that see disability and diversity as a corporate asset and key to success.<sup>52</sup> After initial screening 75 companies are chosen to avail of a free on-site disability assessment after which each organisation is provided with a written report. All aspects of employment are examined.

*(ii) Information Provision*

There are many organisations that provide information to employers via one-to-one support, websites, conferences, information packs etc. Some of the information providers concentrate on delivering general information, e.g. PwDI, AHEAD, irishjobs.ie and Workway Project and others, like the National Council for the Blind of Ireland (NCBI) produced an information leaflet entitled 'Employing people with vision impairments'<sup>53</sup> that cater for specific situations.

This information is acknowledged as being extremely useful in itself but the overall sense is that there is no one point of contact for employers. This was clearly enunciated in the findings from the WAM (Willing, Able Mentoring) project stated that the employers felt that there was no centralised support mechanism to turn to for help.<sup>54</sup>

*(iii) The Supported Employment Programme & Supported Employment + AT (SEAT)*

The Supported Employment Programme aims to support both the employee and the employer and there is at least one service in each county. It offers the following services to the employer

- Access to a larger labour pool.
- Free advice and support during recruitment and selection.
- Access to information on financial incentives available.
- Additional training can be provided by the Job Coach.
- Ongoing advice and support provided by the Job Coach.

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<sup>52</sup> <http://www.theabilityawards.com/aboutawards.htm>

<sup>53</sup> [www.ncbi.ie/information/education-and-employment/employing-a-person.php](http://www.ncbi.ie/information/education-and-employment/employing-a-person.php)

<sup>54</sup> PwDI Education & Training, Key to Inclusion & Training Conference (December 2007) Paper on the WAM Project.

SEAT is part of the National AT Training Centre and aims, among other areas of focus, to promote AT to employers and relevant employment agencies both locally and nationally. It provides training and information and last year held an Employers Seminar in conjunction with the Dublin Institute of Technology.

*(iv) Commercial Providers:*

There is a number of companies in Ireland that offer a support service for employers in both sectors on disability on a commercial basis. These includes organisation such as *Access Ability* ([www.accessability.ie](http://www.accessability.ie)). It is possible to use the Disability Awareness Grant (FÁS) mentioned above to cover 90% of the cost of training provided by these agencies.

*Public Sector*

Within Ireland, the Department of Finance has the responsibility for implementing the aims of the National Disability Strategy and ensuring that the 3% quota is met across the public sector. In 2007 Irish Government published a new ‘Code of Practice for the Employment of People with a Disability in the Irish Civil Service’ which takes in recruitment, reception & integration into the workplace, career development, accommodation, safety and the implementation of the Code. There are also plans to appoint a Disability Advisory Officer to advice on the development of the Code.

The National Disability Authority (NDA) is “the lead state agency on disability issues, providing independent expert advice to Government on policy and practice”<sup>55</sup>. To this end the NDA “has prepared new guidance and supporting materials to help public bodies to report on their legal obligation under the Disability Act: promote and support employment of people with disabilities and reach the target of 3% of staff with disabilities.”<sup>56</sup>

### **3.2 Participation Possibilities - Sheltered Workshops and Integrated Work**

This part of the report presents a general account of some of the Sheltered Workshops and subsidized work in Ireland. The situation with regard to regular employment has been covered in the other section.

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<sup>55</sup> The National Disability Authority is the lead state agency on disability issues, providing independent expert advice to Government on policy and practice.

<sup>56</sup> <http://www.nda.ie/>

The National Disability Authority summarises the situation as regards sheltered employment in Ireland as follows: “Sheltered work, with its origins in the 1950s and 60s, is a separated place of work where people with disabilities undertake tasks within a centre operated by a disability service provider. Centres where sheltered work takes place include sheltered workshops, community workshops and industrial/ occupational therapy units of psychiatric hospitals. “Workers” have no contractual agreements and receive no salary although they do receive a small allowance and retain their disability payments. Official estimates put the numbers of people in sheltered work at approximately 7,900 in some 215 centres.”<sup>57</sup> According to an Irish Times article (27 August 2007), there are 4,000 people with intellectual difficulties working in Sheltered Employment carrying out work such work as shrink-wrapping two-for-one offers for supermarkets, putting inserts into mail shots or making cardboard boxes.

RehabCare (part of the Rehab group) runs 19 Sheltered Workshops in Ireland and they “provide work opportunities for individuals who wish to work in an environment that is sensitive to their needs. Sheltered Workshop services comprise a combination of sheltered work and other programmes with a rehabilitative, developmental and therapeutic focus for people with disabilities who require a range of personal supports.”<sup>58</sup> The Rehab Group is an independent, “not-for-profit” organisation which provides training, employment, health and social care and commercial services for some 60,000 people each year in Ireland, the UK, the Netherlands and Poland.<sup>59</sup>

Of late there have been allegations of exploitation in the Sheltered Workshop and as a result both the Health Service Executive (HSE) and the Equality Authority (EA) are carrying out separate investigations. The HSE have established a working group to oversee this investigation and it plans to conclude its review by May 2008.<sup>60</sup> In fact, the director for The Forum of People with Disabilities, Donal Toolan referred to this situation at the conference, *Changing the Landscape: How policy and legislation are promoting the inclusion of disabled people in Ireland and around the world*, (January 2008). When he said: “It’s worth pointing out that major concerns have been expressed about the legal implications of arrangements

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<sup>57</sup> [http://www.nda.ie/cntmgmtnew.nsf/0/128A0739509D6860802570D1003B9D4A/\\$File/dadisabilit%20andwork.pdf](http://www.nda.ie/cntmgmtnew.nsf/0/128A0739509D6860802570D1003B9D4A/$File/dadisabilit%20andwork.pdf) - NDA Disability Agenda 2006 pg 6

<sup>58</sup> <http://www.rehab.ie/care/sheltered.aspx>

<sup>59</sup> [www.rehab.ie/about/PDFS/RehabAnnualReport2006.pdf](http://www.rehab.ie/about/PDFS/RehabAnnualReport2006.pdf)

<sup>60</sup> <http://www.ireland.com/newspaper/frontpage/2007/0827/1187332635291.html>

whereby profitable workshops, being staffed by people with disabilities, are being paid rates far below the minimum wage.”

### *Integrated Employment*

Rehab Enterprises Ltd states on its website that it ‘is the world's first company to provide truly integrated social employment opportunities for workers with disabilities.’ Under this system the workforce is made up of approximately 50% people with a disability and 50% without. They employ approximately 400 people are currently employed in three companies: Rehab Recycle, Rehab Logistics and Workability. These companies are based in Ireland, as well as in Eindhoven in The Netherlands and Lodz in Poland.<sup>61</sup> While these companies operate in the open market they have received, directly or indirectly, significant state subsidy.

### *Subsidised Work*

The principle subsidised labour market scheme that caters for people with disabilities is the *Community Employment (CE)* scheme. All the participants’ allowance, the salary of the supervisor, the training allowance and a contribution towards materials is paid by the state through FÁS.

## **4 Facts and figures**

This part of the report seeks to look at the available figures on the re-integration activities and where appropriate cite examples. The data available to draw on is very limited. Data will be provided on the number of people with a disability of a working age in Ireland and, where possible, on the number who have participated in employment initiatives. Some figures and indicative results will also be given on how many people actually secured employment as a result of their participation in named employment initiative.

The information provided below must be read with the following three points in mind. Firstly, work on the integration of people with disabilities and on mainstreaming in general is relatively new to Ireland; it really only began to gain any momentum at all over the last decade. One of the consequences of this is that there is little available data on the output and outcomes of employment initiatives. Secondly, studies which have been carried out are often not published or not made

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<sup>61</sup> <http://www.rehab.ie/about/groupdivs.aspx>

available in a timely manner. For example, the most recent published follow-up survey of FÁS participants is that for 2004 while a review of vocational training provision for people with disabilities (2003) and a review of sheltered employment for people with disabilities were not published and the Minister responsible told parliament in 2003 that she had no plans to publish them.<sup>62</sup> Similarly a recent (2006) evaluation of the Employment Support Scheme<sup>63</sup> carried out for FÁS does not appear to have been published. Thirdly while there are some projects that were established to facilitate access to employment for group with congenital disabilities (e.g. Supported Employment & People with Intellectual Disabilities) the general tendency is not to differentiate between people with congenital disability and those with an acquired disability. In fact the declared preference of people with a disability is that of mainstreaming which means that 100% of all services available to the non-disabled be rendered accessible to people with a disability. This new approach does not favour segregation. This tendency informs data collection.

#### **4.1 The Open Labour Market**

According to the Central Statistics Office (CSO) *National Census 2006*, 9% (393,785) of the Irish population have a congenital or an acquired disability. Of this number 360,529 are of working age (15 years +). However 266,688 (74%) of this group are *not* in the workforce. Similarly, data from the Quarterly National Household Survey shows that while the overall employment rate (for people aged 15 and over) is almost 60%, in certain groups a much lower proportion of people are in employment. In particular only one in five people with disabilities (21.6%) are employed.<sup>64</sup>

The gap between the number of people willing and able to work and the jobs open to them is considerable. The Census of 2002 points out that people with a disability who do not deem themselves to be in the 'difficulty in working' category still experience lower employment rates than non-disabled people.<sup>65</sup> The former group had employment rates of 45% while the later were experiencing

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<sup>62</sup> Dáil Éireann - Volume 571 - 30 September, 2003.

<sup>63</sup> Now replaced by the Wage Subsidy Scheme.

<sup>64</sup> For a more detailed discussion of the issues see B. Gannon and B. Nolan *Disability and Labour Market Participation*, Equality Authority, 2004.

<sup>65</sup> NDA, *Disability & Work: What the Research tells us*, 4<sup>th</sup> Annual Disability Conference (October, 2005)



70% employment. Similarly, the Census tells us that 95% of males holding a degree are in employment while this figure for male graduates with a disability ran at 70%. Similar differences were shown for women.

## **4.2 Public Sector employment**

Employment & Career Progress of People with a Disability in the Irish Civil Service, published by the Institute for Public Administration (IPA), in 2002 aimed to examine the issue of career progress in the Irish Civil Service. With regard to workers with a disability it stated that of the 800 workers (2.7% of the workforce), 1/3 had a physical impairment and 1/4 a sensory disability. This percentage was slightly below the target of 3%. The current Centre for Independent Living (CIL)'s website notes that the Irish civil service has a total of 750 workers with a disability.<sup>66</sup> This represents a drop in numbers. CIL on the same webpage makes the distinction between workers with an acquired and those with a congenital disability by pointing out that 1/3 of 750 workers acquired disabilities after starting employment.

In 2007 Irish Government published a new 'Code of Practice for the Employment of People with a Disability in the Irish Civil Service' which takes in recruitment, reception & integration into the workplace, career development, accommodation, safety and the implementation of the Code. Furthermore proposals have been put forward on how to monitor more effectively the number of employees with disabilities and on the appointment of a Disability Advisory Officer to advise on the development of the Code.

## **4.3 FÁS Services**

The 2004 follow-up survey of FÁS participants (the most recent published) shows that of participants on all FÁS programmes, only 21% of persons on a disability payment were in employment compared to an average of 40% of all participants.<sup>67</sup> The survey found that participants in receipt of a disability payment were very satisfied with their FÁS programme in a number of areas. Respondents stated that they found their FÁS course useful (94% ) and 75% said that their programme helped 'a lot' in improving their confidence. Respondents who obtained

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<sup>66</sup> [http://www.cilireland.com/training\\_vehicle\\_employment.html](http://www.cilireland.com/training_vehicle_employment.html)

<sup>67</sup> FÁS, *2004 Follow-Up Survey of FÁS Participants*, 2005.

employment were also significantly more likely to state that they would not have found a job without having done the course (82% compared to 56% of others). On the negative side, respondents were significantly less likely to have stated that their programme helped them to identify job opportunities, helped them to get a job or gave them new job skills. They were also significantly less likely to obtain a certificate on completion of their course (53% compared to 37% of others).

#### **4.4 FÁS General Employment Services**

The NDA summary of ‘What the Research Tells Us’ delivered at their 4<sup>th</sup> Annual Conference 2005 made the point that people with a disability using FÁS services “are more likely to be placed in a semi-sheltered environment rather than in open employment or training compared with their components from the unemployment register.”<sup>68</sup> In fact only 10% of people with a disability went on to take up a job while approximately 34% of those on unemployment payments secured employment in the open market.

#### **4.5 FÁS Supports for Employers and Wage Subsidy Schemes**

The FÁS Annual Report 2004 noted that a number of programmes aimed at encouraging employers to employ people with a disability (the Disability Awareness Training Support Scheme, and the Employee Retention Grant Scheme) “continued to perform below expectations, despite active promotion efforts”<sup>69</sup>. However, the current Minister for Enterprise, Trade & Employment was reported in the Newsletter of the People with Disabilities Ireland (PwDI) as having made a commitment to “re-examining the schemes and to see if they can be improved on,”<sup>70</sup>

An evaluation has been carried out for FÁS of the Employment Subsidy Scheme but this does not appear to have been published. The evaluation pointed out that there was evidence that such policy measures unintentionally reinforce rather than undermine the view that impairments of bodily structures or functions are equivocal to or result in inferior or lower capacities to work, more specifically productivity deficits and promoted a message of disability rather than ability in

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<sup>68</sup> NDA (2005) Report on 4<sup>th</sup> Annual Conference *Disability & Employment*, pg 21

<sup>69</sup> FÁS Annual Report & Financial Statement 2004

[www.fas.ie/en/PubDocs/AnnualReports/ANNUAL\\_REPORT04](http://www.fas.ie/en/PubDocs/AnnualReports/ANNUAL_REPORT04)

relation to persons experiencing impairment. The evaluation highlighted the adverse consequences of this as well as pointing to the inoperability of productivity assessment in many circumstances. The policy response was to introduce a new Wage Subsidy Scheme also targeted at people with disabilities with reduced productivity.

#### *FÁS Community Employment Scheme (CE)*

CE offers part-time and temporary placements in jobs based within local communities. In 2002, 4,115 people with disabilities participated in CE. Although overall participation rates on the scheme fell, the proportionate share of people with disabilities on the scheme increased from 13.3% in 2001 to 15.7% in 2002. There does not appear to be any recent analysis of disability progression rates from this programme.

#### **4.6 Supported Employment Programme**

There is no data available on the progression rate for participants of this nationwide service as FÁS is just developing its Supported Employment data collection systems and they are in the process of running a survey of all the providers. However the data on the pilot stage which was launched in 2000 and reviewed two years later shows that show that the programme did assist people with disabilities into the open labour market, and that 775 (40%) participants were placed in employment of whom 172 left after placement.<sup>71</sup> The vast majority of participants placed in employment worked in low-skilled positions. The Supported Employment Scheme is presently under going two evaluations, one by FÁS for all the members of its network and another wider piece of work that all also includes the independent Supported Employment Centres.

There are some exemplary workplaces, many of which are documented on disability websites, e.g. Workway, a survey carried out by St Michael's House. However the report on people with intellectual difficulties working in Irish supermarkets (presented at the *NDA 4<sup>th</sup> Annual Research Conference on the Employment*) raises concerns. The experience of the 42 people surveyed encapsulates the experiences of many who carry out similar work. The survey

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<sup>70</sup> PwDI, Cumhacht, Autumn 2007

<sup>71</sup> T. Martin Evaluation of the National Pilot for the Supported Employment Programme, FÁS, 2002.

showed that “workers tend to remain doing the same tasks year-in, year out ...repetitive entry-level jobs...” In addition, the research shows that “it is clear that no efforts have taken place to tackle obstacles by way of further on-the-job training and practical support.”<sup>72</sup> At the moment opportunities for people with disabilities to work and progress in a job that is in keeping with their abilities are more the exception than the rule.

FÁS is in the process of conducting an evaluation of its Supported Employment Network. In addition, IASE is carrying out a survey on the extent to which all SE services nationwide are availed of. These surveys are being conducted independently and will both be completed in 2008.

#### **4.7 Sheltered Workshops**

According to an *Irish Times* article dated August 2007, there are 4,000 people with intellectual difficulties working in Sheltered Employment carrying out work such work as shrink-wrapping two-for-one offers for supermarkets, putting inserts into mail shots or making cardboard boxes. There do not appear to be any recent published evaluations of the effectiveness of such programmes.

#### **4.8 Community based programmes**

Some data is available as to progression from a progression programme for people with disabilities run by a local NGO based in Dublin (Preparing for Employment – Enabled for Life Programme – Northside Partnership).<sup>73</sup> This part-time, community programme lasts for four months and is designed to assist recipients of Disability Allowance find employment. The following table and charts outline the current status on tangible progression for the participants from three courses<sup>74</sup>.

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<sup>72</sup> Dr B McCormack & J McCrea *A Study of Dublin Supermarkets*, St Michaels House

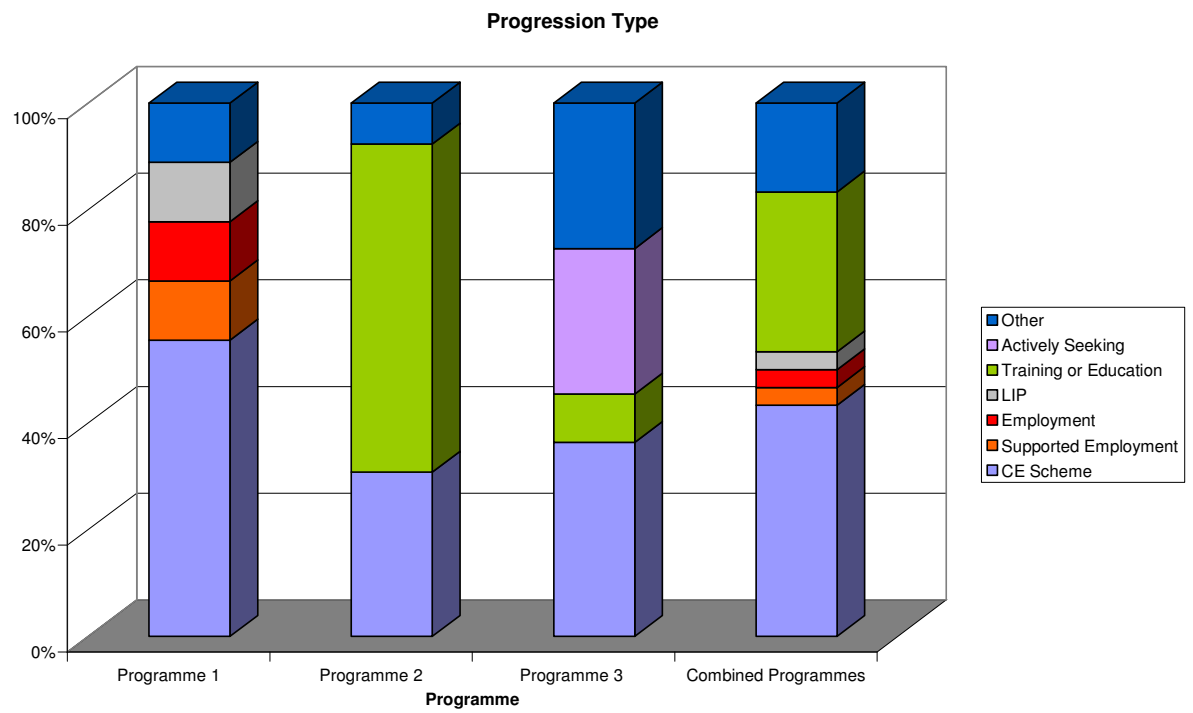
<sup>73</sup> This is discussed below in section 5.

<sup>74</sup> Northside Partnership, *Preparing for Employment – Evaluation Report*

Table 1- Progression Table

	Participants	Progression	Non-progression	Progression %
Programme 1	9	8	1	89
Programme 2	14	13	1	93
Programme 3	12	8	3	67
Combined Programmes	35	29	5	83

Figure 1 – Progression Type



## 5 Examples of best practice

### 5.1 Employ Ability

#### *General Information*

Title of Organisation: Employ Ability Ltd: Supported Employment

Role of Interviewee: Miriam Tighe, Co-ordinator

Date of Meeting: Friday 22<sup>nd</sup> February 2008

#### *History & Description*

Employ Ability, originally called the Dublin South West Supported Employment Service, was established in 2001 under the National Pilot Programme for Supported Employment which was funded and administered by the State Training Agency, FÁS. It was part of a national network of employment services for people with disabilities. Eight local disability organisations came together to form a consortium to set up the service; one of these organisations, St John of God Menni Services<sup>75</sup> acted as the lead organisation. Of those organisations involved three worked with people with physical disabilities, one with mental health and four with intellectual disabilities. Many of these organisations were already offering their clients support in the area of job seeking and employment but they had been lobbying for the development of a national supported employment service.

The network has developed from the pilot stage and is now known as the Supported Employment Programme; the principle elements of the pilot programme remain unchanged. All the services are now Limited Companies and were provided with an *Operating Standards Manual*. This has been written by FÁS and provides a brief overview of policies, procedures and practices along with details on financial and caseload reporting systems.

In 2008 Employ Ability has a staff complement of ten: a Co-ordinator, 8 Job Coaches and a part-time Administrator. The Job Coaches work with the clients and the employer from the initial stage of job seeking right through to on the job supports (see [www.employability.ie](http://www.employability.ie) for greater detail). All the Job Coaches have

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<sup>75</sup> The mission of Menni Services is to provide a network of day and residential services to people with learning disabilities in Southwest Dublin, Ireland.

completed, at the very least, a Foundation Diploma in Supported Employment as well as basic training in Mental Health.

The project has always been housed in the Bluebell Business Park in purpose built, bright premises that seem to be well suited to the needs of the staff and the clients. It shares the building with other service providers. Initial meetings between the Job Coach the client take place in the offices but the tendency is to encourage the client to meet in a work or social setting, thereby encouraging the process of integration.

Employ Ability serves a large portion of western Dublin. This area is characterised by high levels of unemployment and high social need. There are no figures available on the percentage of people with disability in the area. All the clients are referred by either the FÁS or from the Local Employment Service (LES). Prior to sending the client on to Employ Ability these services have to decide if the client is 'job ready'. To be 'job ready' he/she must be in a position to work a minimum of 18 hours per week.

### *Initial Problems and Context*

#### Organisation

- Not all the lessons that emerged after the evaluation of the Pilot Programme were taken on board.
- Procedures for sharing information and contacts for use among the eight organisations had to be established, e.g. a common database of clients who were referred to Employ Ability Ltd was established. Historically these organisations had operated independently and were not accustomed to this level of co-operation.
- Funding was awarded on annual basis.

#### Clients

- Many of the clients were faced with all the challenges that are associated with long-term unemployment as well as the additional challenges that a disability might pose.
- Lack of suitable transport
- Sometimes the client's family history and expectations acted as a barrier.

### *Targets*

The initial target set under the pilot programme stated that each Job Coach would place six clients in employment each year. There were no precise goals or target set for work with employers at this stage.

The Supported Employment Programme, Operating Standards manual, that is currently being used, sets the following indicative targets for the Job Coach's caseload of 25 clients:

Stage	% Time per Client	Time period
Needs Analysis	3 clients – 15%	2 months
Job Search	5 clients – 10%	4 months
Employer Support	5 clients - 60%	6 months
Individual Placement with Aftercare	12 clients – 15%	6 months

For 2008 the overall target engagement with clients for the project is 200. The target placement is 64 people (mainstream jobs). Clients who move on to a CE Scheme or further training are calculated separately.

### *Others involved in Delivering the Service*

With the client's consent other key people and agencies are invited to be involved in supporting the client move into employment. These could include the Mental Health Workers (e.g. Occupational Therapist, Community Mental Health Nurse), key workers from the specialist disability organisation, family members, trainers (e.g. FÁS Multimedia Centre), Health Board Guidance Officer.

### *Projectmanagement*

There is a Board of Directors who assumes legal responsibility for the project, this Board changes every three years. In addition, there is a Management Team which meets on a quarterly basis as well as other times when required. The Management Team is drawn from Menni Services.

### *Planning Process*

A business plan is developed and submitted to FÁS every year. Progress is monitored on a quarterly basis and on a yearly basis. Targets for placements are set by FÁS and are included in the overall plan.



### *Project Finance*

Employ Ability is financed by the state through FÁS under the National Development Plan 2007-2013. In addition, the project seeks and secures occasional once off funding to carry out defined pieces of work. The project has to submit details financial returns to FÁS every month.

### *Cost*

€500,000 per annum approx.

### *Solutions*

#### *Critical Success Factors*

- Profiling the client extremely accurately which can include identification of (i) supports that will facilitate the client, (ii) possible pitfalls and (iii) suitable & unsuitable working environments.
- Appropriate job match.
- Opportunity for work experience to try out possible areas of work along with adequate time to try and test new areas of work. These work experiences also give the Job Coach an opportunity to observe the client in the workplace and thereby better understand their needs and goals.
- Each client comes to Employ Ability with established contacts, e.g. in other service organisations, family members. The Job Coach and the client meet with these people when drawing up a work plan. These have proven to be very useful allies in the client's pursuit of employment.
- Essential groundwork that is carried out with the employers before and during employment. This involves engendering in the employer an understanding of the importance of induction, the need for flexibility and an openness to engage with the client.
- The continual contact maintained by the Job Coach with the worker and the employer means that there is always someone present who can negotiate on behalf of the worker. This was a critical factor in ensuring that the worker's skills developed on the job.

#### *Challenges and Bottlenecks*

- The guidelines laid down by FÁS for the project, i.e. the precise definition of 'job ready' limits the scope for working with those who are willing to work but unable to sustain more than eighteen hours a week. As does the process of evaluation which values quantitative outcomes.

- In the present economic climate people with a disability that function at a high level secure jobs themselves. So projects such as Employ Ability generally work with those with a lower level of ability and experience.
- Sometimes some of the referrals are inappropriate and the service is not in a position to assist.
- The issues around mental health are very challenging, in particular as poor mental health can impair intellectual ability (e.g. cognitive impairment which can occur with psychosis), even of those who are highly educated. 40-50% of the clients referred to the service have mental health issues.
- Very few clients are securing permanent, pensionable employment therefore they are not in the position to take decisions such as purchasing a house. Most of the jobs secured by the clients are low skilled positions.
- State agencies have very good policies in place but sometimes systems can not be overcome, e.g. while there are exam concessions such as extra time all applicants must sit the entry exam. This is an insurmountable obstacle for some clients despite the fact that they would be able to carry out the duties of the job. Other constraints that are evident in the civil service are that there are no options for job share or part-time permanent employment at the recruitment stage.
- A recent IBEC/FÁS report stated that 93% of the jobs that will be available on the Irish Job Market will require FETAC level 6 or higher. Yet most people with disabilities have not had the opportunity / may not have the capacity to achieve this level of educational attainment. Therefore, in the absence of further education/training, they will be competing for 7% of jobs available in the open labour market. Compounding this issue for Employ Ability is the fact that not all clients have shown a desire to gain further qualifications / pursue study.
- Many of the clients are very reluctant to move off state disability payments. The situation is further complicated when the client is not single and changing his/her payments may have implications for other members of the family.
- Sometimes the clients can find it hard to overcome entrenched cultural practises and may have a life style that is very set. In some ways the lifestyle even has some of the hall marks of institutionalisation.
- There is still no medium or long term security of funding for the service.

### *Means to Overcome Difficulties*

- The key to overcome many of the above for Employ Ability has been successful matching of the client and the position.  
See critical success factors above.

### *Data/Evaluations*

As very limited evaluation of the service has been carried out to date, it is difficult to make definitive assessments on this issue. The target engagement with clients in one calendar year is 200. The target placement in mainstream jobs is 64 for 2008. Clients who move to a CE Scheme or further training are calculated separately.

Informal data collection shows that the placement rate nationally varies greatly among the Supported Employment projects, in fact it ranges from six to 18 per Job Coach per year. However 18 is considered extraordinarily high. The average would be approximately half that. More specific data on Employ Ability will not become available until FÁS publishes the official evaluation in April/May 2008.

### *Is the project effective?*

There is an average drop-out rate of 46% nationally at Phase A. In many cases this is the result of inappropriate referrals. Also Employ Ability tends to work to the philosophy of giving each client the opportunity to explore the possibility of moving on rather than only taken on those who will definitely succeed.

### *Is the project efficient?*

There are some differences in the means of judging this, FÁS tended to judge effectiveness in the same way they do with training courses, which is purely numerical.

### *Is the work of the project durable?*

Yes there are many examples of individuals who have continued in their job for over a year and who have developed their skills in doing so. The one caveat is the lack of progression and promotion. Many are still at entry level. This is not necessarily discriminatory but often relates to lack of progression opportunities in entry level roles and lack of skills to enable progression to areas of greater responsibility.

### ***Additional Points to Consider***

#### ***Employers***

- In general Irish employers have not shown themselves to be grant-sensitive. Availability of grants does not appear to be a deciding factor. However there was one grant that was felt to have potential i.e. the Wage Subsidy Scheme (WSS).<sup>76</sup> The WSS gives the employer grant assistance for workers with disabilities to make up any shortfall in productivity. This only applies for those who work for at least 20 hours per week and who have proven productivity rates of 50-80%. Also employees must relinquish all state disability payments for the employer to avail of the WSS. These employees are subject to the same conditions of employment as all other staff.
- Employ Ability did not have much dealings with the Work Retention Grant as it is aimed at those who are already in the workplace.
- Generally employers who are willing to employ people with a disability have a family or friend with a disability or were involved in some disability activity e.g. the Special Olympics.
- SMEs have generally found to have more flexibility than the larger bodies.

#### ***Evaluation***

- One evident challenge is to develop a way to lend weight to the qualitative as well as quantitative evaluation.

## **5.2 Preparing for Employment – Enabled for Life programme**

### ***General Information***

Title of Organisation: *Preparing for Employment, Enabled for Life Programme*, Northside Partnership, Dublin

Role of Interviewee: Ms. Cepta Dowling, Manager Enterprise and Employment

Date of Meeting: Monday 25<sup>th</sup>, February 2008

### ***History & Description***

#### ***History & Description of Initiative***

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<sup>76</sup> Although see section 4 above as to more negative conclusion as to such schemes.

The *Preparing for Employment* Programme was established in 2003 by the Northside Partnership<sup>77</sup> on the suggestion of and in conjunction with the Department of Social & Family Affairs. It was designed to help individuals in receipt of Disability Allowance gain new confidence and skills and thereby assist them in finding employment. *Preparing for Employment* comprises 3 elements: (i) Enabled for Life Course, (ii) Start Your Own Business Course and (iii) Employer Disability Awareness. It was based in Darndale Family Centre in the village; this centre is used by many community organisations.

*Preparing for Employment* lasts three months and consists of group-based work in the morning (3 mornings per week) and one-to-ones in the afternoons. The group-based training assists participants identify the right career path and, if necessary, an appropriate training programme or educational route. The one-to-one sessions give the participants the opportunity to talk with the trainer alone about any issues as they arise. Upon completion of the course all participants are assigned a mediator. The mediator's role is to continue to encourage them and to help them turn their goals into reality.

The second pilot phase lasted two years from 2005-2007. This phase was funded by Dormant Accounts<sup>78</sup>. After which an evaluation took place. During the first half of 2008 the project is undergoing a period of redirection and is in the process of moving from the pilot stage into the mainstream with the view to permanently establishing *Preparing for Employment*.

Staff: Rhiannon Murphy is the *Preparing for Employment* Co-ordinator and is employed by the Northside Partnership. She works with participants on a one-to-one basis. The group-based training is delivered by a private training company *Career Decisions*. Rhiannon's role along with providing individual support is to bring the different elements of the programme together.

#### *Initial Context and Problems*

- The participants were extremely open-minded to *Preparing for Employment*.

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<sup>77</sup> The Northside Partnership is local agency that contributes to the social and economic development of its designated area. It is a community organisation and receives funds from central government. All urban disadvantaged areas have Partnerships.

<sup>78</sup> Dormant Accounts is a fund available to community groups. The money for this grant comes from bank accounts that have been legally declared inactive.

- Prior to establishing this programme very little effort had been made to encourage local people with disabilities to take up work. This fact gave rise to varying attitudes, at times within the same person, for example, a sense of gratitude and pleasure for the opportunity to develop or 'learnt helplessness' which is common among people who have not been involved in their own decision making.
- Due to long term poverty many of the participants had experience severe social and economic disadvantage and exclusion.

#### *Aims and Targets*

The initial goal for the participants was employment, however in effect each person's goal was set by him/herself and some were not ready for work. So they set training or work on a Community Employment Scheme as their goal.

*Preparing for Employment* wished to engage with employers and play a role in assisting employers overcome the element of 'fear of employing a person with a disability' that sometimes exists. In order to achieve this *Preparing for Employment* offered free disability audits to employers. This work had the additional spin-off of creating awareness of disadvantage in general among people who may not have been truly aware before of the work Northside Partnership carries out in this regard.

#### *Others Involved in Delivering the Service*

Guest speakers, e.g. MABS (Money Advice and Budgeting Service), VEC (Vocational Educational Committee), Dept of Social and Family Affairs are invited to address the group. This is done so that the participants can establish contacts in key organisations. In addition each participant is linked up with the Mediator in the Local Employment Service. The mediator will continue to work with them long after *Preparing for Employment* is completed.

The staff at the Darndale Family Centre where *Preparing for Employment* was held played an important role in facilitating the smooth running of the programme by the interest they took in the participants.

#### *Project Management*

On a daily basis *Preparing for Employment* is managed by the Co-ordinator, Rhiannon Murphy who in turns answers to Cepta Dowling, Manager Enterprise & Employment. The initiative is part of the overall work of the Northside Partnership which is run by a Board of Directors from the local community.

#### *Planning*

Now that the pilot stages are complete and the lessons learnt have been incorporated *Preparing for Employment* is being restructured to render it more cost effective and efficient. When this is complete the next step is to secure ongoing funding thereby ensuring that *Preparing for Employment* is permanent. The plan is that this will be achieved by the end of June 2008.

#### *Project Finance*

Initial Pilot 2003-4 was funded by the Department of Social and Family Affairs. The follow-up stage (2006-7) was funded by Dormant Accounts.

#### *Cost*

€300,000 + over a two year period (2006-2007).

#### *Solutions*

##### *Critical Success Factors*

- The people who part-took in Preparing for Employment chose to do so themselves, there was no selection process, it was self-selection therefore each individual was very committed to seeing the process through.
- There was a great mix of individuals, with different backgrounds and experiences, on the programme.
- Everything that was planned by those organising the programme ran smoothly.
- The aims and goals of Preparing for Employment were clear to all and closely followed.

- The staff involved were deeply committed to and motivated by the programme. They were able to create an atmosphere that engendered engagement.
- Relationships with outside organisations underwent change; tendency to work on a mutually exclusive basis was replaced with one of interagency co-operation.
- Holding Preparing for Employment in an established, lively community centre proved to be a very positive factor. It integrated the programme and the participants into community activity.
- Preparing for Employment was adequately funded for the two year period.

#### *Challenges and Bottlenecks*

- In the present economic climate people with a disability who were successful secured jobs themselves. This meant that Preparing for Employment generally worked with those with little or no work experience and undeveloped skills.
- Many of the participants had to overcome negative early school experiences.
- Some participants found it difficult to decide to come off welfare payments.
- In some individual cases there was a protectiveness around change.
- Mental health and arising issues.

#### *Means to Overcome Difficulties*

- Communication with those involved to arrive at the optimum solutions.
- The one-to-one sessions were very powerful means of arriving at solutions.
- Engendering the confidence and enthusiasm in the participants to recognise and speak up about arising difficulties.
- Awareness of the need to increase independence in the participants as the programme neared the close.

#### *Data/Evaluations*

Table 1 and Figure 1 (set out in section 3.4 above) have been taken from the Preparing for Employment evaluation carried out by Rubicon and outline the progression from three programmes. The summary notes the participants' estimation of their experience of the *Preparing for Employment* as follows:

All participants reported very positive responses - improved confidence, self-esteem and direction. They all had plans to progress and most felt that their



outlook on life had changed for the better due to the course. All had significant praise for the facilitator and project co-ordinator.

In addition the evaluation shows that all the employers (10) involved in the awareness programme felt it had a positive impact.

*Is the project effective?*

As set out above, the project has been effective in achieving quite high levels of 'progression' (as defined by the project). On the one hand, (as shown in Figure 1) it must be recalled that this does not mean that progression was to the open labour market. On the other, the relatively disadvantaged nature of the participants and the need for a phased approach must also be borne in mind. Data is not available as to longer term progression.

*Is the project efficient?*

No detailed assessment of efficiency has been carried out although the project believes that it has been efficient in the use of resources. However it was recognised that the two year pilot period was one of relative financial 'luxury' and that future funding may be somewhat less. So work is being done at the moment on keeping the high standard as well as improving efficiency.

*Is the work of the project durable?*

Anecdotal evidence would show that the participants continue to have the impetus to work long after *Preparing for Employment*. It was recognised that it takes time for the person with a disability to secure a job in the open market. First it may be necessary to return to education or training and then proceed onto a CE Scheme. With regard to the later it was felt that the quality of some CE Schemes has improved of late and that certain Schemes do offer good work experience opportunities.

***Additional Points to Consider***

- In a programme such *Preparing for Employment* it is essential to get all the stakeholders on board. To do so there must be absolute clarity around aims and objectives.
- It is important to document well the learning that occurs during the pilot stages.

### ***Analysis and discussion***

As can be seen from the description above, the two case studies are good examples of what can and is being achieved in terms of assisting people with disabilities in getting into the labour market. They also, however, highlight the limitations of Irish policy in this area in that they are small-scale programmes with limited integration with broader labour market and social security measures. There is also an absence of ongoing evaluation<sup>79</sup> and target setting for such programmes. The main lesson which one might draw from the Preparing for Employment programme, for example, is that similar programme should be in operation in all parts of Ireland, properly funded on an ongoing basis, and structurally integrated with the local labour market and social security services.

## **6 Conclusions and recommendations**

In conclusion, Ireland could not be described as a good example to be followed by other jurisdictions. As we have seen,

- the employment rate for people with disabilities is low (only 22% compared to 60% overall);
- there is an absence of comprehensive labour market policies to assist people with disabilities in returning to employment;
- there is an absence of research as to what needs to be done and a lack of thorough evaluation of what is being done and the extent to which it is working;
- there are few if any structured links between the social security agencies and the labour market agencies as regards people with disabilities.

While, as outlined in this report, there are a number of interesting measures which exists in Ireland and while there is considerable discussion about the need to change the approach adopted, these are all very small-scale or remain on paper. Given that projections as to labour market growth in the coming decade suggest that the picture will be less positive than the massive labour market growth experienced in the last decade, it is also possible that Irish policy makers have missed an ideal window of opportunity to reverse previous policies. Overall, other

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<sup>79</sup> Although, as set out in this report, there is a practice of evaluating programmes, these evaluations are not usually built into the programme design but are carried out after the event with whatever data is available, they do not form part of a structured process, and are often unpublished and/or ignored.

than specific small-scale local projects, there are few examples of best practice in an Irish context in terms of helping people with disabilities into the labour market.

In terms of recommendations, the main recommendation would be that any country which wishes to succeed in this area should do all the things which Irish policy-makers have *not* done. In particular, policy makers should

- give a high level of political priority to the issue and ensure that this is communicated to the responsible agencies;
- carry out detailed research as to the actual barriers to employment and the needs of people with disabilities;
- pilot different approaches to assisting people with disabilities, evaluate these thoroughly (ensuring that the lessons from evaluations are taken on board), and ensure that those which work are mainstreamed; and
- ensure structured links between the relevant organisations.

## **Appendix 1: Revenue Job Assist – double deduction**

Revenue Job Assist gives employers double wage deduction in their accounts for a period of three years in regard to employers PRSI if they recruit a person who has been unemployed for 12 months or more. The scheme also enables such a person to receive extra tax allowances for three tax years if they take up employment.

### *Employment*

- must be for a minimum of 30 hours per week;
- must be for at least 12 months;
- must not have come about as a result of a redundancy in the position in the past 26 weeks;
- must not have come about as a result of unfair dismissal of the previous employee;
- Revenue Job Assist can apply to both new and existing jobs.

### *Employers*

Double wage deduction under Revenue Job Assist is for a period of three years for:

- wages paid to a qualifying employee;

- employer's PRSI contributions paid in respect of such wages (provided employer is not availing of PRSI exemption scheme).

### *Employee*

Secondary benefits and medical cards can be retained for a period of three years from the date an employee returns to work. Other secondary benefits such as rent/mortgage subsidy and fuel allowance can be retained for a period of three years (subject to weekly income). The family income supplement can also be claimed if family income falls below a certain limit (subject to conditions).

Applicants must have been claiming one of the following for 12 months or more:

- unemployment benefit;
- unemployment assistance;
- blind pension;
- disability allowance (note that this group is likely to include 'young disabled');
- disability benefit;
- invalidity pension;
- one- parent family payment.

Tax credit does not apply to those in receipt of the back- to- work allowance or other employment schemes. Periods spent on FÁS training courses, back to education courses, community employment or job initiative programme are all accepted as periods of unemployment, provided applicants were in receipt of one of the above payments immediately before taking up a course or scheme.

Revenue Job Assist does not apply if a person is becoming self- employed.

## Appendix 2: Wage Subsidy Scheme

The FÁS Wage Subsidy Scheme (introduced in 2005) provides financial incentives to employers, outside the public sector, to employ disabled people who work more than 20 hours per week. A person on the Wage Subsidy Scheme is subject to the same conditions of employment as other employees. These conditions include PRSI contributions, annual leave, tax deductions and the going rate for the job.

Subsidies available through this scheme are Structured under 3 separate strands and employers can benefit under one or all, simultaneously.

### *Scheme Structure*

**Strand 1** is the wage subsidy payment. Where it is agreed that a disabled employee has a productivity level between 50% to 80% of normal work performance, a maximum subsidy up to €8,295 per annum is provided. If it is agreed that the disabled employee had a productivity level below 50% of normal work performance, a maximum subsidy up to €10,323 per annum is provided. The amount of the subsidy will vary depending on the number of hours per week the disabled employee is employed.

**Strand 2** applies where a company employs more than two disabled people. The company can avail of a grant to cover the additional supervisory, management and other work based costs. This top-up is based on the overall number of disabled employees employed and will range on a sliding scale from an additional 10% of wage subsidy for 3 to 6 disabled employees to a maximum of 50% of wage subsidy for 23+ disabled employees.

**Strand 3** is where an employer employs 30 or more disabled workers. The employer can avail of a grant of €30,000 per annum towards the expense of employing an Employment Assistance Officer.

## **National report United Kingdom**

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## **Introduction**

This report examines policies and programmes in the United Kingdom (UK) to support disabled people into work, and is based on a review of some of the recent literature and a small number of interviews with key informants.

The brief defines the personal scope as “persons who are disabled from birth or who became fully or partially disabled before they reached adulthood”. It goes on to say that this includes “older disabled persons (who) fit within the target definition. Therefore we should not associate the term young disabled persons only with young people.” The UK does not distinguish between people who are disabled from birth or before they reach adulthood and people who become disabled since reaching adulthood in its disability related employment programmes, although the Connexions service provides services to young people, including employment advice and guidance to disabled people up to the age of 25 (Connexions is described in Chapter Two below). This report therefore focuses on the main Department for Work and Pensions disability related employment programmes. These are New Deal for Disabled People, Pathways to Work, Work Preparation and WORKSTEP. It also looks at the Job Introduction Scheme and Access to Work.

These programmes range from those targeted toward people who are relatively close to the labour market (New Deal for Disabled People and Pathways to Work) to specialist services designed for disabled people who face more complex challenges in finding and staying in work (Work Preparation and WORKSTEP). The UK’s policy and programmes to support disabled people into work are currently undergoing a process of change with the national roll out of Pathways to Work having been completed during early 2008; Remploy closing many of its sheltered factories as it refocuses its core business on supporting disabled people into mainstream employment; and proposals to reform the specialist Jobcentre Plus programmes for people with additional needs. This report will outline and discuss these programmes and identify some of the lessons emerging during this period of change.

Chapter One describes recent policies and current legislation; Chapter Two sets out the institutional framework and also describes how it is decided that a person is unfit for work and the attitude of employers to employing disabled people;



Chapter Three describes the programmes to support disabled people in (to) work; while Chapter Four presents data on disability and employment. Chapter Five presents Case Study One which looks at the route into work via Pathways to Work and WORKSTEP; while Chapter Six presents Case Study Two which looks at the route into work via Remploy-provided New Deal for Disabled People and WORKSTEP. Chapter Seven draws conclusions and makes some recommendations based upon the literature and the case studies.

## 1 The policy context

Since the Second World War UK policies to provide work for disabled people have changed focus from an emphasis on government supported businesses and job quotas toward measures to support disabled people into sustainable mainstream employment underpinned by legislation to outlaw discrimination against disabled people in recruitment and employment.

During the Second World War measures were set up to support disabled people, many of whom were injured ex servicemen, return to work. The Supported Employment Programme was introduced in 1942 and two years later Industrial Rehabilitation Units were set up to provide intensive training before returning to work. The Disabled Persons (Employment) Act of 1944 established the Disabled Persons Employment Corporation to provide work in supported businesses for disabled servicemen, ex-miners and others. The Corporation was renamed 'Remploy' as the first factory opened in South Wales making furniture and violins. Remploy went on to develop a network of factories throughout the UK employing disabled people in supported businesses manufacturing a range of products including school furniture, motor components and protective clothing ([www.remploy.co.uk](http://www.remploy.co.uk)).

The Disabled Persons (Employment) Act of 1944 also introduced employment quota schemes, which required all employers with 20 employees or more to recruit at least three per cent of their employees from registered disabled people. However, very few employers were prosecuted for non compliance and the quotas introduced by the 1944 Act proved to be ineffective (Finn, 1993, cited by Stafford and Roberts, 2004).

Today Remploy continues to operate a nationwide network of supported businesses. However, the company has diversified its operation to provide programmes to find work for disabled people in mainstream businesses in line with the change in the direction of government policy over the past two decades away from segregation of disabled people towards inclusion in mainstream education and work.

The change in direction reflects a move away from the medical model of disability with its emphasis on medical and rehabilitative solutions towards a

social model (Mabbett, 2005; Stafford, 2006). The social model considers that disability is defined by the failure of society to remove social barriers and obstacles rather than the inability of disabled people themselves:

*'Disability stems from the failure of a structured social environment to adjust to the needs and aspirations of citizens with disabilities rather than from the inability of a disabled individual to adapt to the demands of society.'* (Hahn 1986, cited by Stafford and Roberts, 2004).

The policy implications of the social model of disability are that barriers in the social environment to disabled people's full participation in all areas of life, including access to work, must be removed (Stafford, 2006). This includes policy measures to remove both direct and indirect discrimination against disabled people within the workplace and more broadly throughout society, including education and training.

In 1979 the Committee on Restrictions against Disabled People was tasked with identifying social barriers that create discrimination against disabled people. The Committee recommended that anti-discrimination legislation should be introduced to make discrimination on the grounds of disability illegal. However, despite changing public perceptions about disability, there was a hiatus of over a decade and a half before the Disability Discrimination Act was eventually introduced in 1995 (Stafford and Roberts, 2004).

The first provisions of the Disability Discrimination Act 1995 came into force in December 1996 (Roberts et al, 2004). Following amendments in recent years, it outlaws discrimination against disabled people for reasons related to disability in areas including: employment; access to goods, facilities and services; the management, buying or renting of land or property; and education. Since 2002 it has been unlawful under the Special Educational Needs and Disability Act 2001 for education providers to discriminate against disabled people for an unjustified disability-related reason (Roberts et al, 2004). The Disability Discrimination Act 2005 Act introduced a positive duty on public authorities – the Disability Equality Duty - to promote equality of opportunity for disabled people (Roberts et al, 2006).

The 1995 Act was seen by many as fundamental in shifting the focus away from the medical model towards a social model of disability that seeks to remove disadvantage by changing social institutions to accommodate everyone's needs and abilities (Priestley, 2000; Roberts et al, 2004; Stafford, 2006).

In support of the view that work is the best route out of poverty for most people, the Government introduced policies that can be described as mixing 'sticks' (the threat of benefit sanctions for those who do not participate) and 'carrots' (a range of financial and other support mechanisms to assist people into work) (Bennett and Walker, 1998). Soon after taking office in 1997 the new Labour Government introduced new policy regimes for young and long-term unemployed claimants, lone parents and disabled people. These involve a mix of counselling, job placement, work experience and training, variously underwritten by the threat of benefit sanction (Bennett and Walker, 1998). Some of the programmes are mandatory, others voluntary (Roberts, 2007).

The New Deal for Disabled People (NDDP), which was introduced in 1998, is a voluntary programme, providing a Job Broker/Personal Advisor to help disabled people enter or remain in work (Stafford et al, 2007). Until the roll out of Pathways to Work, the New Deal programmes provided the major strand of the strategy to encourage and help disabled people into mainstream work. This and the other programmes described in this section are discussed further in Chapters Three, Five and Six.

In 2001, three years after the introduction of New Deal for Disabled People, the Government reformed the specialist disability related employment programmes to support people with the most complex issues in finding, entering or staying in work with the reformed Supported Employment Programme renamed WORKSTEP and the Industrial Rehabilitation Units (which had been renamed Vocational Rehabilitation in 1991) becoming the Work Preparation programme.

### **Government's 20-year strategy for disabled people**

Despite the introduction of the Disability Discrimination Act, recent figures from the Office for National Statistics show that disabled people continue to experience high levels of disadvantage in the UK employment market (Disability Rights Commission, 2007) (See Chapter Four).

In 2005 the Prime Minister's Strategy Unit set out in its report 'Improving the Life Chances of Disabled People' a 20 year strategy to bring about substantive equality for disabled people. The report states that:

*“By 2025, disabled people in Britain should have full opportunities and choices to improve their quality of life and will be respected and included as equal members of society”* (Prime Minister's Strategy Unit, 2005).

The strategy to realise this aim involves actions in four key areas:

- independent living,
- families with young disabled children,
- transition into adulthood,
- support and incentives for getting and staying in employment (Prime Minister's Strategy Unit, 2005).

The policies and programmes to provide support and incentives for getting and staying in employment can be divided into several mutually supporting strands:

- Employment-related policies including perceived barriers to work and job retention and advancement.
- Reform of benefits.
- Medical Services, including interface with rehabilitation and occupational health services.
- Policies for carers.

### **Employment related policies and reform of incapacity benefits**

The Government believes that with appropriate support a large number of people on incapacity related benefits could find sustainable employment. The Treasury set a Public Service Agreement target of increasing the employment rate of disabled people over the three years 2003 - 2006 and significantly reducing the difference between the rate of unemployment of disabled people and that of the population in general. The policy is informed by at least three interrelated motivations. These are, to integrate disabled people further into society:

*"Disabled people need to be integrated into society and their needs fully taken into account: Society has come a long way with respect to gender and ethnicity issues, although there is still much progress to be made. However, recognition of disability issues arguably lags behind in terms of the extent to which it is incorporated into the structures of business, government and wider society." (Prime Minister's Strategy Unit, 2005).*

The second motivation for supporting disabled people into sustainable employment is set within the wider employment policy goal:

*'... to ensure a higher proportion of people in work than ever before by 2010. Worklessness, particularly on a long-term basis, is a constraint on Britain's growth potential - the strength of the economy depends on how many people are in work and on how productive they are. It is also a major cause of poverty and deprivation - for most families and individuals, employment is the single most effective means of avoiding poverty. The Government's strategy for delivering employment opportunity for all - the modern definition of full employment - involves maintaining macroeconomic stability and ensuring a dynamic and flexible labour market that equips people to adapt to change.'*

(HM Treasury, 2003)

Employment related policies and reform of incapacity benefits must be seen in the context of the Government's aspiration is to achieve an employment rate of 80 per cent (Leitch, 2006; Freud, 2007).

Freud points to the success of the current government's employment policies: the employment rate for working age adults has increased by 1.8 percentage points since 1997 and at 74.5 per cent is now close to its highest ever historical level; while over the same period, long-term unemployment has halved on the international definition and is down by nearly three quarters in terms of the claimant count (Freud, 2007).

However, if progress is to be maintained, Leitch (2006) argues that it will be necessary to improve the UK's skills base which currently lags behind its international competitors: out of 30 OECD countries, the UK lies 17th on low skills, 20th on intermediate skills and 11th on high skills. At present there are five

million working age adults in the UK who lack functional literacy; 17 million adults in the UK have difficulty with numbers; while more than one in six young people leave school unable to read, write or add up properly (Leitch, 2006).

Leitch argues that low skills levels not only hold back productivity and growth but in the face of increasing global competition will lead to further inequality and marginalisation of unskilled and low skilled groups within the labour market:

*“Around 50 per cent of those with no qualifications are out of work. As the global economy changes, the employment opportunities of those lacking a platform of skills will fall still further. The millions of adults lacking functional literacy and numeracy skills risk becoming a lost generation, increasingly cut off from labour market opportunity. Equipping disadvantaged groups with a platform of skills, including literacy and numeracy, will be increasingly essential to improving their employment opportunities.”* (Leitch, 2006)

Leitch proposes a series of measures which include:

- Raising people's aspirations and awareness of the value of skills, creating a new universal adult careers service to diagnose skill needs with a skills health check available for all; and
- Integrating public employment and skills services to deliver sustainable employment, enable more disadvantaged people to gain skills and find work (Leitch, 2006).

Freud points out that while the Government has tackled an inheritance of long-term dependency on unemployment benefits, there are still 3.1 million people who have been on benefits for over a year, 95 per cent of whom are on ‘inactive’ benefits, which includes 2.3 million people in receipt of incapacity benefits (Freud, 2007).

Freud suggests that achieving the 80 per cent employment rate will require about one fifth of the ‘economically inactive’ population to move into work and argues that the Government will therefore need to focus its strategy on all of the inactive groups, which will need to include reducing the numbers claiming incapacity benefits by one million by 2015 (Freud, 2007).

The third interrelated motivation to support disabled people into sustainable employment is the intention to bring about a change in the balance of “rights and responsibilities” and thus the social contract between the individual and the State. David Blunkett, a former Secretary of State for Education and Employment characterised the Government’s welfare policies as:

*‘... fundamentally altering the culture of welfare to one in which those who can work are expected to do so or to take active steps to improve their employability and search for work.’* (Blunkett, 2000, cited by Stafford and Roberts, 2004)

Freud argues that in return for more support in obtaining employment:

*“it would seem appropriate for the state to expect more work related activity from those on benefit. Recent evidence suggests that expecting more from those on incapacity benefits, alongside the right support, can deliver greatly improved outcomes.”* (Freud, 2007).

The policy with regard to incapacity benefits is thus to reverse the situation that developed in the communities worst affected during the economic restructuring of the 1980s and 1990s when people of working age were encouraged to claim incapacity benefits rather than unemployment benefits. During the 1980s through to the latter half of the 1990s the number of incapacity benefit claimants more than trebled in the context of high rates of unemployment generally, and while the number of new claimants fell by one-third during the following decade, the total number of people in receipt of incapacity benefits remained constant as people remain on incapacity benefits for longer periods (DWP, 2006) with some communities affected by the loss of local industries being seen by government as having a “high reliance” on incapacity-related benefits (DWP, 2002).

The impact of a raft of programmes to support disabled people into work introduced into a tight labour market by the Labour Government, has been to stabilize and then start to reverse the 25 years increase in the number of people receiving incapacity benefits. The Government now aims to accelerate this downward trend and further reduce the number of incapacity benefit claimants by one million through the continuing reform of incapacity benefits, the roll out of the Pathways to Work programme nationally and reform of Work Preparation and



WORKSTEP, with further emphasis on moving people into independent sustainable work.

### **Changes to incapacity benefits**

The Welfare Reform Act 2007 introduced a range of measures reforming the benefit system, including reform of incapacity benefits and Housing Benefit, and national roll out of the previously piloted Pathways to Work programme. The Act aims *“to move away from the focus on benefits to equipping people with the necessary tools to achieve a better life”* (DWP, 2006). The policies for disabled people are a key component of this agenda. Pathways to Work, which has been piloted in parts of the country since 2003, and rolled out nationally during early 2008, provides enhanced support to return to work for claimants of incapacity benefits. The package of support focuses on assisting claimants back into work through work focused interviews and work related financial support and benefits delivered through the “Choices” programme which includes New Deal for Disabled People and the Condition Management Programme.

Pathways to Work is being introduced alongside the reform of Incapacity Benefit with the introduction of the new ‘Employment and Support Allowance’. From October 2008, this new integrated contributory and income-related allowance will replace Incapacity Benefit and Income Support paid on the grounds of incapacity for all new claimants. It will be paid at three different rates; the assessment rate (equivalent to Jobseeker’s Allowance) will be paid for the first 13 weeks while the claimant undergoes the Personal Capability Assessment to assess their entitlement and the support needed to get back into work (DWP, 2007). Provided the medical conditions are satisfied most claimants will receive the Work Related Activity (equivalent to State Pension) rate. However, there are sanctions attached for non-compliance with conditions of entitlement – receipt of the Work Related Activity rate will be conditional on claimants undertaking work-related interviews, agreeing an action plan and participating in some form of work-related activity. If benefit claimants do not fulfil these agreed responsibilities, the new benefit will be reduced in a series of tranches, ultimately to the level of the Assessment Rate. Claimants with the most severe health conditions or disabilities, will be paid the Support Rate set at a higher level than the Work Related Activity rate without the need to fulfil other conditions (DWP, 2006).

## **Proposed reform of specialist disability related employment services**

In response In response to the National Audit Office recommendation that the specialist programmes which have developed, sometimes in an ad hoc manner, over the past 60 years should be rationalised (NAO, 2005), the Department for Work and Pensions has announced that it intends to combine Work Preparation, WORKSTEP and the Job Introduction scheme into a single modular programme with three support functions to offer an more integrated support package that can be more easily focused to meet the needs of customers. The proposed modular programme would have three elements: Work Entry; Transitional Supported Employment; and Long-Term Supported Employment. The Department for Work and Pensions considers that a customer who needs intensive support to prepare for and get a job would also need transitional supported employment and would therefore sign up for the first (Work Entry) and second (Transitional Supported Employment) elements; while a customer with, for example, a long-term deteriorating condition who would be likely to require longer-term supported employment would signed up for the first (Work Entry) and third (Long-Term Supported Employment) elements of support. The intention is that the package of supported employment would be delivered by a public, private or voluntary sector provider. The policy intention is that a customer would experience the service as a single package rather than movement from one programme to another with the potential discontinuities and delays (DWP, 2007).

## **2 Institutional frame work**

Chapter Two sets out:

- the institutional framework for the delivery of employment related services to disabled people;
- options available for disabled people to work outside the mainstream labour market;
- how decisions are made about capacity to work; and
- the attitude of employers to recruiting and employing disabled people.

### **The Institutional Framework for the provision of employment related services to disabled people**

Employment related services to disabled people in the UK are provided by a mix of the public, private and not for profit sectors. Several government departments are involved in the broad policy to increase the number of disabled people in work.

#### **Department for Work and Pensions**

The government department with lead responsibility for disability issues is the Department for Work and Pensions (DWP). DWP administers most UK social security programmes and benefits for pensioners and people of working age and is responsible for delivering Attendance Allowance, Disability Living Allowance and Carer's Allowance to disabled people and their carers through the executive agency Disability and Carers Service ([www.dwp.gov.uk](http://www.dwp.gov.uk)).

DWP provides benefits – including Incapacity Benefit and Incapacity Benefit in Youth - and programmes to people of working age via the executive agency Jobcentre Plus. The key stated objectives of Jobcentre Plus include to:

- Increase the effective supply of labour by promoting work as the best form of welfare and helping unemployed and economically inactive people move into employment.
- Help people facing the greatest barriers to employment to compete effectively in the labour market and move into and remain in work ([www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk) ).

Jobcentre Plus is the main provider, either directly or via funding other organisations in the private and not for profit sectors, of the major programmes to support disabled people into work. These include New Deal for Disabled People, Pathways to Work and the programmes to support disabled people with more complex issues in finding and keeping work - Work Preparation, WORKSTEP, the Job Introduction Scheme and Access to Work. These programmes are described in Chapter Three.

The Office for Disability Issues, which is located within the Department for Work and Pensions, is a cross government unit set up in 2005 to provide the focus for disability issues across all government departments, oversee the implementation of the Government's 20 year strategy for disabled people described in Chapter One above, coordinate the development of policy and delivery of services for disabled people and support the Minister for Disabled People who is responsible for disability legislation, disability rights and independent living funds ( [www.officefordisability.gov.uk](http://www.officefordisability.gov.uk) ).

There are also several DWP- sponsored bodies made up of executive, advisory and tribunal Non Departmental Public Bodies (NDPBs), public corporations as well as short term bodies which provide services to disabled people either directly or indirectly ( [www.dwp.gov.uk](http://www.dwp.gov.uk)). These include:

The *Equality and Human Rights Commission* which on 1 October 2007 integrated the *Disability Rights Commission (DRC)* has a remit to work to eliminate discrimination in order to promote equality and human rights for everyone.

*Equality 2025* is a new advisory body to help government understand the needs and wishes of disabled people when making policy and designing programmes.

The Disability *Employment Advisory Committee* provides strategic advice and recommendations to Ministers about the barriers that disabled people face and the support they need in finding sustainable employment. The Committee also provides confidential advice on labour market policies.

The *Disability Living Allowance Advisory Board* advises the Secretary of State for Work and Pensions and medical services doctors concerning Disability Living Allowance and Attendance Allowance.

The purpose of the *National Employment Panel* is to bring an employer perspective to measures intended to support people into sustainable employment who face disadvantages in the labour market.

### ***New Deal for Disabled People and Pathways to Work programme delivery***

The New Deal for Disabled People and Pathways to Work programmes are delivered by a mixture of public, private and not for profit organisations.

In some parts of the country NDDP is delivered directly by Jobcentre Plus while in others it's delivered by private and not for profit organisations.

Pathways to Work is similarly delivered differently in different parts of the country. 'Jobcentre Plus led Pathways to Work' is currently operating in 40 per cent of the country, while from April 2008, the remaining 60 per cent of the country has Pathways to Work delivered by external contractors. (These programmes are described and discussed in more detail in Chapters 3, 5 and 6)

### ***Work Preparation and WORKSTEP providers***

The Department for Work and Pensions contracts with Work Preparation and WORKSTEP providers from the private, public and not for profit sectors to deliver these programmes.

### **Adult Learning Inspectorate**

Inspects WORKSTEP providers.

### **Department of Health**

The Department of Health works jointly with DWP in developing and delivering the Condition Management Programme, which as part of the Pathways to Work programme, aims to support people who are claiming benefits due to ill health to manage their condition to enable them to enter or return to work ( [www.dh.gov.uk](http://www.dh.gov.uk)). The Condition Management Programme is described in Chapter Three.

The Department of Health is also piloting Retention and Rehabilitation schemes for disabled people.

Department for Education and Skills

The Department for Education and Skills runs the Skills for Life Strategy.

### **Learning and Skills Council**

The Learning and Skills Council (LSC) is responsible for planning and funding all education and training in England with the exception of universities.

The Learning and Skills Council's main roles are to:

- raise participation and achievement by young people
- increase adult demand for learning
- raise skills levels for national competitiveness
- improve the quality of education and training delivery
- equalise opportunities through better access to learning
- improve the effectiveness and efficiency of the sector.

The Learning and Skills Council runs the Employer Training Pilot which provides subsidies to employers to allow the most vulnerable and low-skilled sections of the workforce to undertake literacy and numeracy and other basic skill training (NAO, 2005) ([www.lsc.gov.uk](http://www.lsc.gov.uk)).

### **Connexions**

'Connexions' is a multi agency government service providing support to young people aged between 13 and 19 and young people who have learning difficulties and/or disabilities up to the age of 25. Connexions provides information, advice and guidance, including on access to jobs and careers. The service encourages local employers to offer training to young people, and give time off for training to 16 -17 year olds. Connexions also has a gatekeeper role to Jobcentre Plus disability related employment services and may refer a young person who wishes, for example, to set up a business, to the Access to Work programme (described in Chapter 3 below). The Connexions service is currently undergoing a process of transition, with responsibility and accountability for programme delivery being passed from 'Connexions partnerships' to local government authorities ([www.connexions.gov.uk](http://www.connexions.gov.uk)).

## **HM Revenue and Customs**

Provides Working Tax Credit which has a disability component.

## **Department for Trade and Industry**

Business Link provides support for self employed.

## **Supported Businesses**

Remploy is a Non Departmental Public Body which is run as a private company. Remploy is the largest employer of disabled people in the UK and is the largest provider of the WORKSTEP programme. Remploy receives a grant-in-aid from the Department for Work and Pensions each year in exchange for delivering the WORKSTEP programme. Remploy is also a provider of NDDP and Work Preparation ([www.dwp.gov.uk](http://www.dwp.gov.uk)). As described Chapter One, the Disabled Persons (Employment) Act of 1944 established the Disabled Persons Employment Corporation to provide work in supported businesses for disabled servicemen, ex-miners and others. It ran a network of sheltered factories, which were generally low-to-medium-skill manufacturing facilities ([www.remploy.co.uk](http://www.remploy.co.uk)).

However, Remploy is refocusing its business in the context of:

- changing perceptions in the UK of and about disabled people, including disabled people's wish to work in mainstream employment, and increasing willingness amongst some employers to employ disabled people, both because of the Disability Discrimination Act and current skills shortages;
- deterioration in recent years in the operating climate for Remploy's sheltered factories ([www.remploy.co.uk](http://www.remploy.co.uk)) (These issues are discussed in more detail in Case Study Two).

## **Residential Training Colleges**

There are several Residential Training Centres for disabled people in the UK. An independent evaluation of Residential Training indicated that while some aspects of the provision are working well, there are significant areas that need to be improved. Following the report the DWP introduced new contracts in April 2007 with more emphasis and focus on providing employment outcomes. DWP is now working *“closely with the providers to examine the case for further reform”* (DWP, 2007).

## **Distinction between young disabled who are able to work and those who are not able to work**

Decisions about benefit entitlement, including entitlement to incapacity benefits, are made by DWP staff known as ‘Decision Makers’. Normally when making decisions about entitlement to Incapacity benefit, Attendance Allowance and Disability Living Allowance the evidence available to the Decision Maker will include advice from a healthcare professional who has been approved by the Department for Work and Pensions’ Chief Medical Adviser.

Medical services for Jobcentre Plus are contracted to a private company which supplies the approved healthcare professionals who provide the Jobcentre Plus Decision Maker with the medical opinion of functional capacity. The Decision Maker is responsible for determining whether the incapacity threshold is met using all the available evidence. The Chief Medical Adviser to the Department for Work and Pensions is responsible for validating all medical processes on behalf of Jobcentre Plus ([www.dwp.gov.uk](http://www.dwp.gov.uk)).

During the first 28 weeks of incapacity most people who have a regular occupation are assessed on their ability to do their own job. This is known as the ‘Own Occupation Test’.

After 28 weeks a claimant to Incapacity Benefit must undergo a ‘Personal Capability Assessment’. The test of incapacity has evolved over the past fifteen years from a clinical examination to a test of capabilities (Roberts, 2007). In 1994 the UK replaced the existing clinical examination with a functional test known as the ‘All Work Test’. In April 2000 the ‘All Work Test’ was renamed the ‘Personal



Capability Assessment' under the slogan 'a new test that will focus on ability rather than disability'. From 2008 the Personal Capability Assessment is being further refocused onto the capacities that people have to move into work (Roberts, 2007).

The Personal Capability Assessment is presently based on a functional approach awarding points for degrees of impairment in specified areas of activity relevant to the person's disability such as walking, sitting or bending. The threshold for benefit in any one area is set at 15 points; points from different areas can be aggregated to reach the threshold ([www.dwp.gov.uk](http://www.dwp.gov.uk)).

Some groups are exempt from the test on the grounds that their level of functional impairment is such that they would clearly be found incapable of work. The exempt groups consist of those with specified severe and progressive conditions or severe disabilities. In addition, those who are terminally ill and claimants in receipt of the highest rate care component of Disability Living Allowance are exempt ([www.dwp.gov.uk](http://www.dwp.gov.uk)).

There have been criticisms of the delivery of medical services and, as a consequence, recommendations have been implemented to improve the service (see NAO, 2001; Public Accounts Committee, 2002). In 2003, a second National Audit Office review found that significant progress had been made in areas such as improving processing times and the quality of medical reports (NAO, 2003).

### **Attitude of employers**

The Disability Discrimination Act was introduced in 1995 to combat the disadvantage and discrimination disabled people have historically experienced from many UK employers. The Act makes it unlawful for employers to discriminate against employees or job applicants on the grounds of disability. At the same time as the Disability Discrimination Act was introduced the ineffectual quota scheme established by the Disabled Persons (Employment) Act of 1944 was abolished.

The Disability Discrimination Act 1995 defines disability as: people who have, or have had, a long-term physical or mental impairment that has a substantial

adverse effect on their ability to carry out normal day-to-day activities (Roberts et al, 2004; 2006).

‘Long-term’ is usually defined as 12 months or more. The Act covers a range of functions and conditions, including: mobility, manual dexterity, speech, hearing, eyesight and memory. People with a learning disability or with a long-lasting clinically well-recognised mental health condition are also covered.

Disability discrimination is generally defined as less favourable treatment of a disabled person for a reason related to their disability or a failure to make reasonable adjustments – for example, to practices, policies and procedures, such as their recruitment arrangements, or premises (Roberts et al, 2004; 2006).

When introduced in 1995 the Act made it unlawful for employers with at least 20 employees to discriminate against disabled employees. By October 2004, the provision had been extended to cover all employers (Roberts et., al., 2004; 2006).

The Act and its subsequent amending legislation also made it unlawful for service and education providers to treat disabled people less favourably for disability related reasons and set minimum standards for disabled access to public transport.

The Disability Discrimination Act 2005 Act extended the definition of disability to include people with HIV, multiple sclerosis, and cancer from the point of diagnosis and introduced the Disability Equality Duty - a positive duty on public authorities to promote equality of opportunity for disabled people which requires them to publish a Disability Equality Scheme, backed up by an action plan and regular monitoring (Roberts et al, 2006).

Research carried out for the Department for Work and Pensions by Roberts et., al., (2004) into employers and service providers response to the Disability Discrimination Act found that while nearly all employers (94 per cent) stated that their workplace always sought to recruit the best person for the job regardless of any disability, many felt that taking on a disabled person is a major risk for the employer (33 per cent), and that their workplace would find it difficult to retain an employee who became disabled (47 per cent). The study found that in general most organisations had given little thought to the potential adjustments that could be made to assist disabled people through the job application and interview

process. The cost of making adjustments for disabled employees was of concern to employers, especially small ones, while there was a degree of uncertainty amongst employers about what constitutes 'best practice' (Roberts et al, 2004).

Workplaces which have in the past employed or currently employ disabled people were more likely to say that it is easy to employ a person with a disability. For example, 14 per cent of employers who were currently employing disabled people felt that it is easy to employ someone with severely impaired vision compared to just five per cent of employers who did not currently employ a disabled person.

The study found that the ease with which an organisation felt that it could employ someone with a disability depended on a number of factors, in particular, the nature of the organisation, which determined the range and diversity of jobs available, and the requirements of the specific role an organisation was recruiting to.

Many employers in the study said that if a disabled person had the best skills for the job that they would be the preferred candidate. However, some employers admitted that if two job applicants had equal skills they would probably appoint the non disabled candidate. Some respondents said that they believed that disabled employees would be less productive than non disabled employees (Roberts et al, 2004).

Stafford et al, (2007) found that employers recruiting NDDP participants were not representative. They were more likely to be in the public and not for profit sectors, have in-house personnel departments or specialised personnel staff, have a written equal opportunities policy covering employment of disabled people and have recently encountered staff shortages (Stafford et al, 2007).

Roberts et al, (2004) also found that employers make distinctions between different types of disability in assessing the employability of a disabled person.

For example, while 31 per cent of employers interviewed felt that it would be easy to employ somebody who uses a wheelchair, 68 per cent thought it would be difficult or impossible. Only 24 per cent of employers thought that someone who is profoundly deaf would be easy to employ while 76 per cent that it would be difficult or impossible; and only eight per cent of employers felt someone who has

severely impaired vision would be easy to employ while 92 per cent thought it would be difficult or impossible.

Thirty eight per cent of employers felt it would be easy to employ somebody with learning difficulties. However, 59 per cent considered it would be difficult or impossible. There was a perception that candidates with learning disabilities would be able to cope with repetitive and manual tasks but that it would be inappropriate to place them in jobs which demanded multi-tasking or complex subject matter. Thus the ability of companies to employ people with learning difficulties was considered by many respondents to be dictated by how many manual jobs they had within the organisation.

There were misconceptions about mental illness. For example, a person with schizophrenia was considered by the majority of employers (73 per cent) to be difficult or impossible to employ (Roberts et al, 2004). This perhaps suggests that many employers have a media rather than a medical understanding of schizophrenia.

### **3 Instruments, support and facilities to obtain access to, and retention of employment for disabled people**

There is a raft of programmes to support disabled people into work in the UK. These include:

- Macro economic policies which include the National Minimum Wage, a zero band National Insurance contribution rate and Tax Credits to “make work pay”.
- The promotion of ‘lifelong learning’ through the Learning and Skills Council, including Work Based Learning for Adults and Work Based Learning for Young People.
- Geographically targeted Employment Zones.
- The Disability Discrimination Act.
- Two government funded Independent Living Funds, which pay grants to people with high support needs to enable them to live independently.

The main programmes are provided directly or funded by Jobcentre Plus which is part of the Department for Work and Pensions. These are:

- The New Deal programmes – specifically the New Deal for Disabled People (NDDP), which prior to the national roll out of Pathways to Work was the Government’s main disability related employment programme for people claiming incapacity benefits.
- Pathways to Work, which was piloted in selected areas of the country since 2003 and rolled out nationally during early 2008, provides a series of mandatory work focused interviews and interventions known as the ‘Choices’ package, which includes New Deal for Disabled People and NDDP-type approaches and the Condition Management Programme, to support return to work.
- Programmes targeted on those people who face additional challenges in finding and staying in work: Access to Work, the Job Introduction Scheme, Work Preparation and WORKSTEP.
- Work Trials to enable employers to try out unemployed people in a job for up to 15 days before deciding whether or not to take them on permanently, during which time the person continues to receive their benefit.
- Reform of Incapacity Benefits including
  - Permitted Work rules which allow a person who is in receipt of an incapacity benefit to undertake a limited amount of paid work,
  - the 52 week linking rule - which reduces the risk of taking up paid work by allowing a person who moves off Incapacity Benefit into work to return to the same level of benefit they were previously receiving within 52 weeks.
  - the introduction of the new Employment and Support Allowance in October 2008.

The programmes examined in the two Case Studies below are:

### **New Deal for Disabled People**

The New Deal for Disabled People was introduced in 1998 and prior to the national roll out of Pathways to Work was the Government’s main disability related employment programme for people claiming incapacity benefits. NDDP is a voluntary programme, providing a country wide network of Job Brokers and Personal Advisors to disabled people to help find or remain in work. The services provided include:

- Matching skills and abilities to the needs of employers
- Identifying training needs and working with local training providers

- Helping with job applications
- Financial and other support during the first six months in work.

### **Pathways to Work**

Pathways to Work was introduced as a pilot scheme in 2003 and the national roll out completed in early 2008 as announced in the 2006 Green Paper: A new deal for welfare: Empowering people to work (DWP, 2006). As a result of the low take up of the voluntary arrangements under NDDP (see Case Study One below) new incapacity benefit claimants will be required to have a work focused interview unless they have a severe disability or are likely to make a claim for only a short time. The key elements of Pathways to Work are:

- A series of mandatory work focused interviews starting eight weeks after a new claim for incapacity related benefits;
- new specialist advisers known as Incapacity Benefit Personal Advisers;
- coordinating timing of the medical assessments with work focused interviews;
- interventions known as the 'Choices' package to support return to work, which includes the Condition Management Programme (developed by Jobcentre Plus and local National Health Service providers) and many of the existing programmes to support incapacity benefit claimants into work, including New Deal for Disabled People, or similar;
- a Return to Work Credit for up to 52 weeks for people whose gross earnings fall beneath a given threshold (Blyth, 2006).

### **Condition Management Programme**

The Condition Management Programme is a work focused rehabilitation programme which emphasises self-management, delivered as part of Pathways to Work 'Choices' in partnership with Jobcentre Plus Personal Advisers ([www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)).

A key aim of the Condition Management Programme is to help customers manage their own condition and re-focus on their potential to work. It contains the following components:

- Education to encourage customers to learn to manage and take responsibility for their own care
- Reassurance, advice and confidence building
- Behavioural principles to manage pain
- Instilling a work focused ethic directed towards return to work

- Rehabilitation ([www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)).

In addition to specific interventions, there is a perceived need to change clinical attitudes and behaviour to better support work retention when someone becomes sick or disabled. Therefore, one broader aim of Pathways approach is to encourage clinicians, especially local General Practitioners, to see an early return to work as in the best interests of their patient ([www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)).

#### The Work Preparation Scheme

The Work Preparation Scheme is open via a Jobcentre Plus Disability Employment Adviser to disabled people to prepare to start work for the first time or return after a long period away due to ill health or a disability by focusing on their specific needs, which may include confidence building by enabling a person to get accustomed to a work environment before progressing onto full employment. It can also help people who are at risk of losing their job because of their disability by helping them to overcome difficulties that are affecting their work. The Work Preparation Scheme usually lasts 6 weeks, but is flexible and can last only a few hours or up to 13 weeks depending on the needs identified. Participants can remain on their existing benefits while on the programme and expenses such as travel costs are reimbursed. ([www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk) ).

#### **WORKSTEP**

WORKSTEP, which replaced the previous supported employment scheme in 2001, provides support for disabled people who face complex challenges in finding and/or keeping a paid job, and is intended to provide opportunities to move on to unsupported employment. Disabled employees on this programme are paid the same wage as other employees doing the same or similar work.

WORKSTEP may also provide annual funding of up to £4,800 to the employer throughout the duration of employment. WORKSTEP is open to all disabled people, as defined by the Disability Discrimination Act, who are over the age of 16 years and can demonstrate that they require additional support in order to work effectively (DWP, 2007).

**The Access to Work programme** aims to remove practical barriers that disabled people face in getting or retaining work by providing support such as help with travelling costs or special equipment or adaptations. Advisers work with disabled people and their employers to find the most appropriate help in a specific

circumstance, for example, an interpreter at interviews or a support worker for a blind person. Under the Access to Work scheme, disabled people in self-employment get all 'approved costs' paid for, while those wishing to start up in self-employment receive practical help and advice (DWP, 2007).

### **The Job Introduction Scheme**

The Job Introduction Scheme pays a weekly grant to an employer towards wages or other employment costs such as additional training for the first six weeks that a disabled person is employed. To qualify, the job can be full or part-time, but must be expected to last for at least six months (DWP, 2007 and [www.dwp.gov.uk](http://www.dwp.gov.uk)).

## **4 Facts and figures regarding access to and retention of work for disabled people**

### **Definitions of Disability**

There are various definitions and measures of disability in the UK (Stafford, 2007). These have changed over time and may differ from definitions of disability in other parts of Europe (Mabbett, 2005). The main definition of disability in the UK is now provided by the Disability Discrimination Act (Roberts et., al., 2004; 2006).

### ***Disability Discrimination Act***

The Disability Discrimination Act 1995 defines disability as: people who have, or have had, a long-term physical or mental impairment that has a substantial adverse effect on their ability to carry out normal day-to-day activities.

'Long-term' is usually defined as 12 months or more. The Act covers a range of functions and conditions, including: mobility, manual dexterity, speech, hearing, eyesight and memory. People with a learning disability or with a long-lasting clinically well-recognised mental health condition are also covered. The Disability Discrimination Act 2005 extended protection to cover people who have HIV, cancer and multiple sclerosis from the moment they are diagnosed (Roberts et., al., 2004; 2006).

### ***'Improving the Life Chances of Disabled People'***

The report 'Improving the Life Chances of Disabled People' defines disability as 'disadvantage experienced by an individual resulting from barriers to independent



living or educational, employment or other opportunities that impact on people with impairments and/or ill health’.

### ***The Labour Force Survey (LFS)***

Since spring 1998, The Labour Force Survey has provided information about disability using the following range of definitions:

***Current DDA disabled:*** Includes people who have a long-term health problem or disability which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities.

***Work limiting disabled:*** Includes people who have a long-term health problem or disability which affects the kind or amount of paid work which a person might do.

***Long term disabled:*** Includes people who meet the criteria for either current DDA or work-limiting definitions of disability (or both) (Disability Rights Commission, 2007).

### **Facts and Figures**

Analysis of the Family Resources survey 2003 – 2004 by the Disability Rights Commission shows that there are over 10 million disabled people in Britain; of which, 4.6 million are over State Pension Age and 700,000 are children (Family Resources Survey 2003-2004). Disability rates increase with age; while 9 per cent of people aged 16-24 are disabled, this increased to 44 per cent in the 50 to retirement age category (Labour Force Survey, 2006, reported by Disability Rights Commission, 2007). Research by the Institute for Public Policy Research found that only 17per cent of disabled people were born with their disabilities ([www.IPPR.org.uk](http://www.IPPR.org.uk)).

### **Disabled people and employment**

The Disability Rights Commission’s analysis of the Office for National Statistics Labour Force Survey, Sept - Dec 2006 shows that:

- There are 6.9 million disabled people of working age in Britain, one fifth of the total working age population. Fifty one per cent (3.5 million) are men and 48 per cent (3.3 million) are women.
- There has been a gradual increase in the size of the working age disabled population over time, from 6.4 million in 1999 to 6.9 million in 2006 – a

growth of eight per cent over a seven year period. Over the same period, the non disabled population increased by two per cent.

- Since 1999, disabled people's overall employment rate has increased steadily by four percentage points, from 47 per cent to 50 per cent. Despite this, inequalities in the proportions of disabled and non disabled people in work persists, with only half of disabled people in work, compared with over four fifths of the non disabled population.
- Employment rates vary greatly according to the type of impairment a person has. Disabled people with mental health problems have the lowest employment rates of all impairment categories, at only 21 per cent.
- Disabled people in employment are more likely to work in manual and lower occupations, and less likely to work in managerial, professional and high-skilled occupations.
- At £10.28 per hour, the average gross hourly pay of disabled employees is around ten per cent less than that of non disabled employees (£11.03 per hour).
- Disabled people are twice as likely as non disabled people to have no qualification and only half as likely as non disabled people to have a degree.
- Disabled people continue to experience high rates of unemployment: the unemployment rate for disabled people in 2006 was nine per cent, compared with five per cent for non disabled people.
- Nearly half of the disabled population of working age in Britain are economically inactive. However, one third of inactive disabled people say that they would like to work, compared with just under one quarter of non disabled people.
- There are 2.4 million disabled people out of work and on state benefits: over one third of the total disabled population of working age (Disability Rights Commission, Disability Briefing, May 2007).

### **Regular jobs and sheltered employment**

Sheltered workshops are now referred to as supported factories/businesses.

Remploy is the main provider of supported employment through its national network of 83 factories employing 5,000 disabled people ([www.remploy.co.uk](http://www.remploy.co.uk)).

However, in line with the general direction of employment policy for disabled people in the UK, Remploy's focus has increasingly shifted from providing employment in supported factories towards finding jobs for disabled people in

mainstream employment. Remploy does not have the funding to expand its employment services and maintain its heavily loss-making factories and many of the supported factories are likely to be closed ([www.remploy.co.uk](http://www.remploy.co.uk)).

## **Type of job**

### ***Mainstream employment***

As reported in Chapter Two, the ease with which an organisation felt that it could employ someone with a disability depended on a number of factors, in particular, the nature of the organisation, which determined the range and diversity of jobs available, and the requirements of the specific role an organisation was recruiting to.

Chapter Two also shows that there was a perception among employers that candidates with learning disabilities would cope with repetitive and manual tasks but that it would be inappropriate to place them in jobs which demanded multi-tasking or complex subject matter. Thus the ability of companies to employ people with learning difficulties was considered by many respondents to be dictated by how many manual jobs they had within the organisation (Roberts et., al., 2004).

### ***Supported business***

As described in Chapter 1, Remploy was created after the Second World War to help disabled ex servicemen and others into work. It ran a network of sheltered factories, which were generally low-to-medium-skill manufacturing facilities.

The operating climate has deteriorated in recent years as increasing competition from Asia and Eastern Europe has accelerated the decades long decline of Remploy's low-to-medium-skill supported factories. Remploy is discussed further in Chapter Six.( [www.remploy.co.uk](http://www.remploy.co.uk) ).

## **5 Case study one: pathways to work gateway to workstep**

This case study is based on a small number of face to face interviews carried out between February and April, 2008.

The author would like to thank the Department for Work and Pensions/Jobcentre Plus; Office for Disability Issues; Ready4WorkTeam; Solutions4Data; and Work Directions for giving so generously of their time, knowledge and expertise.

### **5.1 Description of case study/best practice**

This is a study of the route by which a person with complex disability related employment issues is given support to take up employment through the Jobcentre Plus programmes – Pathways to Work, Work Preparation, WORKSTEP and Access to Work.

The case study follows the route a disabled young person might take when making a first claim for either Incapacity Benefit in Youth or Incapacity Benefit in Nottingham. Under the Pathways to Work programme everyone making a new or repeat claim for Incapacity Benefit or Incapacity Benefit in Youth - with the exception of people with severe disabilities or making only a short term claim - is interviewed after eight weeks by a Jobcentre Plus Incapacity Benefit Personal Adviser.

Most new claimants are then referred by the Jobcentre Plus Incapacity Benefit Personal Adviser to the Pathways to Work programme provider, which in Nottingham is Work Directions, a private company under contract to Jobcentre Plus. Depending on how 'job ready' the customer is, Work Directions may employ a raft of instruments available under Pathways to Work to prepare and place the customer into work or, if they have more complex issues in finding, entering or staying in employment, refer them back to the Disability Employment Adviser at Jobcentre Plus. The Disability Employment Adviser may then draw on the specialist advice of the Jobcentre Plus Work Psychologist and the customer be referred onto a Work Preparation programme followed by WORKSTEP, possibly with support from the Access to Work programme, which provides support, such as help with travelling costs or special equipment or adaptations, to remove practical barriers that disabled people face in getting or retaining work.

## **5.2 Problem and context**

The context is the Government's policy aim to progress as many people with more complex issues in finding and remaining in work away from incapacity benefits into sustainable unsupported employment or, if necessary via supported jobs with mainstream employers and from there onto sustainable unsupported employment. This is part of the broader policy context of mainstreaming both education and work for disabled people and the Government's view expressed in Chapter One that getting a higher proportion of the working age population into employment is essential for continuing economic progress and the best route out of social exclusion and poverty for everyone, including disabled people.

## **5.3 Institutions, actors and programmes involved**

### **Disabled Person**

#### **Jobcentre Plus**

Jobcentre Plus is an executive agency of the Department for Work and Pensions.

The key objectives of Jobcentre Plus include to:

- Increase the effective supply of labour by promoting work as the best form of welfare and helping unemployed and economically inactive people move into employment.
- Help people who face the greatest barriers to employment to compete effectively in the labour market and move into and remain in work.

Jobcentre Plus provides directly or funds the major programmes to support disabled people into work, including the programmes discussed in this case study – Pathways to Work, Work Preparation, WORKSTEP and Access to Work.

([www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)).

#### **Jobcentre Plus Decision Maker**

On making a new or repeat claim to Incapacity Benefit or Incapacity Benefit in Youth the customer's benefit entitlement is assessed by a Jobcentre Plus Decision Maker and the claim paid by the Benefit Delivery Centre. Normally when making decisions about entitlement to Incapacity Benefit the evidence available to the Decision Maker will include advice from a healthcare professional who has been approved by the Department for Work and Pensions' Chief Medical Adviser.

### **Approved Healthcare Professional**

Medical services for Jobcentre Plus are contracted to a private company which supplies the approved healthcare professionals who provide the Jobcentre Plus Decision Maker with the medical opinion of functional capacity. The Decision Maker is responsible for determining whether the incapacity threshold is met using all the available evidence. The Chief Medical Adviser to the Department for Work and Pensions is responsible for validating all medical processes on behalf of Jobcentre Plus ([www.dwp.gov.uk](http://www.dwp.gov.uk)).

### **Jobcentre Plus Incapacity Benefit Personal Adviser**

Under the Pathways to Work programme everyone making a new or repeat claim for Incapacity Benefit or Incapacity Benefit in Youth - with the exception of people with severe disabilities or making only a short term claim - is interviewed after eight weeks by a Jobcentre Plus Incapacity Benefit Personal Adviser. This is the first in a series of mandatory work focused interviews.

### **Disability Employment Adviser**

The Disability Employment Adviser is a Jobcentre Plus employee who is responsible for providing support to customers who, because of the severity or complexity of barriers associated with their disability, need extra help in finding and remaining in work.

The role of the Disability Employment Adviser is to:

- Encourage and support employers in developing and implementing good employment practices to recruit, retain and develop people with disabilities.
- Assist the customer to overcome any negative views of the effects of their disability on their job aspirations.
- Facilitate the provision of ongoing help, advice and support to return to work.
- Ensure Incapacity Benefit customers taking up Permitted Work (See Chapter Three), sign up to an Action Plan, and contact the customer after 52 weeks to offer support for the move into normal work.
- Offer assistance to employers and employees to enable disabled people who are having difficulties in coping with their jobs, and therefore are at risk of losing them, to continue employment.
- Provide basic information on the Access to Work programme, and where appropriate, refer the customer to an adviser.
- Identify work preparation needs.

The Disability Employment Adviser can signpost customers to New Deal for Disabled People where appropriate and also, consider referrals to Work Preparation; use of the Job Introduction Scheme and referral to WORKSTEP provision for those who face the greatest barriers to work but who it is anticipated can overcome these barriers with appropriate support. The Disability Employment Adviser may also make referrals to Residential Training colleges.

### **Work Psychologist**

The Work Psychologist is based within and is an employee of Jobcentre Plus. Work Psychologists are peripatetic covering a geographical area that includes a number of Jobcentre Plus benefit offices. The role of the Work Psychologist is to provide:

- Coaching and mentoring for advisers.
- Consultancy and case conferencing to advisers to support them with customers who have complex needs and facilitate case conferences with groups of advisers that help identify progression strategies.
- Skills development workshops, which include advanced interviewing techniques, such as for example, Motivational Interviewing and Solution Focused approaches.
- Employment assessments with individual customers to help progress to work including:
  - Psychological interviewing skills
  - Psychometric testing
  - Job analysis
  - Vocational counselling
- Workplace assessment and redesign of work environments.
- Retention work with employees and their employers to identify solutions that will enable an employee to either continue with existing role or be re deployed into a more suitable role. This includes advice on adjustments to the content of the job or alternative job roles, development activities for the job holder, and alternative supervision strategies for the employer (DWP, 2007; [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)).

### **Pathways to Work Provider – Work Directions**

Work Directions UK, which is part of the international Ingeus Group of Companies, was established in 2002, and now delivers Pathways to Work across several areas of the UK - London, Birmingham, Nottinghamshire and Edinburgh -

as well as delivering welfare to work programmes in France and Germany (www.workdirections.co.uk ).

### **Work Preparation/ WORKSTEP Provider – Ready4Work, Nottinghamshire County Council**

The Department for Work and Pensions contracts with WORKSTEP providers from the private, public and not for profit sectors to prepare participants for supported employment and supporting people once they are in employment. In Nottinghamshire, WORKSTEP providers include: Nottingham City Council, Remploy, ‘Employment Opportunities’ and the largest provider in Nottinghamshire, Nottinghamshire County Council through ‘Ready4Work’. The Ready4Work team offers help, advice and support in finding employment for disabled people or people with health conditions who live in Nottinghamshire.

### **Employer – Solutions4Data**

Solution4Data was set up by Nottinghamshire County Council in 1982 providing services to both the public and private sector including:

- Scanned images for instant retrieval
- Microfilm documents for long term secure retention
- Braille services including large print, audio tape and CD.

## **5.4 Programmes**

### **Pathways to Work**

Pathways to Work was introduced as a pilot scheme in 2003 and the national roll out completed in early 2008. As a result of the low take up of the voluntary arrangements under NDDP new incapacity benefit claimants will be required to have a work focused interview unless they have a severe disability or are likely to make a claim for only a short time. The key elements of Pathways to Work are:

- A series of mandatory work focused interviews starting eight weeks after a new claim for incapacity related benefits.
- new specialist advisers known as Incapacity Benefit Personal Advisers.
- coordinating timing of the medical assessments with work focused interviews.
- interventions known as the ‘Choices’ package to support return to work, which includes the Condition Management Programme (developed by Jobcentre Plus and local National Health Service providers) and many of the



existing programmes to support incapacity benefit claimants into work, including New Deal for Disabled People.

- a Return to Work Credit for up to 52 weeks for people whose gross earnings fall beneath a given threshold (Blyth, 2006).

### **Work Preparation**

Work Preparation helps disabled people to address employment related issues associated with their disability and prepare to enter work. This might include confidence building, identification of suitable types of work and work experience.

Participation in the programme is dependant on the individual's needs. The average length of participation is six weeks but is flexible and can last only a few hours or up to 13 weeks depending on the needs identified. Participants can remain on their existing benefits while on the programme and expenses such as travel costs are reimbursed. Work Preparation aims to build confidence, match skills and abilities with suitable work and provide supported work experience. Most Work Preparation courses involve a period of unpaid work experience with an employer. ( [www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk) ).

Following agreement of a Personal Work Profile and Development Plan the customer will have access to:

- opportunities to update skills
- confidence building techniques
- support in writing CVs
- guidance in making decisions about appropriate career options and choices
- help in developing job finding skills
- work trials and experience.

Participation in Work Preparation may lead directly into unsupported employment or to training or education; or the completion of Work Preparation programme may lead onto the WORKSTEP programme.

### **WORKSTEP**

WORKSTEP provides support for disabled people who face complex challenges in finding and/or keeping a paid job, intended to provide opportunities to move on to unsupported employment. The programme aims to help people develop their skills and abilities while on the programme and to help people progress off the support wherever this is appropriate.

WORKSTEP is open to all disabled people, as defined by the Disability Discrimination Act, who are over the age of 16 years and can demonstrate they require additional support in order to work effectively. Disabled employees on this programme are paid the same wage as other employees doing the same or similar work (DWP, 2007).

WORKSTEP may also provide annual funding of up to £4,800 to the employer throughout the duration of employment.

## **5.5 Desired results/goals for parties involved**

### **Government**

The desired outcome for Government is to move the disabled person off incapacity benefits and into sustainable employment. This involves not only entry into work but progression into unsupported paid employment. The Government believes that given the cost of incapacity benefits amounted to around £12 billion in 2003-04, helping disabled people find and retain work will save substantial amounts of public money and introduce a virtuous circle of work, spending and tax contributions. The Government also believes that work is good for the health and well-being of most disabled people which has both monetary and non monetary benefits.

Evans of the Social Market Foundation outlined the underpinning assumptions behind this desired outcome:

*“Improving the employment rate of disabled people to the national average would boost the UK economy by £13 billion, equivalent to six months economic growth. Improving the skills of disabled people to world leading levels by 2020 would give a boost equivalent to 18 extra months growth over 30 years, some 35 billion ...The relatively low participation of young disabled people has a profoundly negative effect on their life chances...the prize to the UK is greater than simply increased productivity and employment. It is partly about quality of opportunity and fairness – enabling people to reach their full potential regardless of their background and circumstance...(and) it is also about tackling poverty, in particular child poverty” (Evans, 2007).*

Pathways to Work is aimed at disabled people who are relatively near to being job ready. WORKSTEP on the other hand is designed for disabled people who face more complex challenges in finding and retaining work. When WORKSTEP was introduced in 2002 to replace the Supported Employment Programme the policy intention was that customers would progress through the programme into unsupported work.

### **Disabled person**

Disabled people may be more or less ambitious in terms of their careers. Some may want to move directly into or progress quickly into unsupported employment and from there progress to more senior roles both within and beyond the organisation. Some may seek seniority and influence within their organisation and/or political influence at a national or international level. Others may want jobs in order to be able to afford an independent lifestyle but are not seeking promotion within the organisation, rather their priority may be a job where they feel competent and comfortable with routines and expectations and confident with their colleagues. Customers for WORKSTEP face complex challenges to finding and staying in work and need additional and sometimes sustained support. Many people on the WORKSTEP programme remain on it for the whole of their working life, which conflicts with the government's policy aim for the programme.

### **Employer**

Employers, including employers within supported businesses, are expected to operate within a competitive business environment. One of their priorities is that their employees' output contributes to meeting financial targets, if necessary with additional financial support.

However, as shown in Chapter Four employers have concerns that disabled people might not be as productive as non disabled staff and may also be expensive in terms of the "reasonable adjustments" to premises and practices that are required under the Disability Discrimination Act. Chapter Four also showed that some employers have misconceptions about disabled people.

## **5.6 Financial inputs**

### **Pathways to Work**

An independent cost benefit analysis of Pathways to Work has not yet been undertaken as the programme has only been rolled out nationally during the early part of 2008. However, on 14 November 2007, the Minister for Employment and Welfare Reform, Caroline Flint, told the House of Commons that to April 2007, the Government had spent £271 million on its Pathways to Work programme, covering 40 per cent of the country. She told the House that the Government expects the nationally rolled out Pathways to Work programme to cost around £400 million per year and estimates that the cost per job in Jobcentre Plus led Pathways areas is around £2,500 (House of Commons, November, 2007).

### **Work Preparation**

In 2006/07 Work Preparation had a budget of £12m and had 8,000 programme starts supporting nearly 7,500 disabled individuals (some individuals accessed the programme more than once) (DWP, 2007). The National Audit Office calculated that the average unit cost of Work Preparation is £1,400 (National Audit Office, 2005).

### **WORKSTEP**

In 2006/07 WORKSTEP had an annual budget of £66m which supported over 17,000 people during the year – at any one time there are approximately 14,000 people on the programme (DWP, 2007). The Department for Work and Pension's figures exclude WORKSTEP delivered by Remploy. The National Audit Office figures on the other hand include people on WORKSTEP delivered by Remploy in its calculation of unit costs. The NAO figures show the total number of participants for 2003-4 was 23,000, with a programme cost of £189.2 million and a unit cost of £8,200. Remploy is funded by a block grant to deliver WORKSTEP through supported employment in its factories which have an average unit cost of £18,000 and which therefore raise the average national unit cost of WORKSTEP (Remploy's delivery of WORKSTEP is discussed further in Case Study Two).

The National Audit Office found that WORKSTEP providers were running at only 88 per cent of their contracted places owing to budget constraints (National Audit Office, 2005).

WORKSTEP provides up to £4,800 a year to an employer in respect of a supported employee. This is intended for training, rather than being a subsidy. The WORKSTEP provider is paid £500 per person to draw up a development plan and £250 for a work placement. The development plan must show how the £4,800 will be used by the employer.

The WORKSTEP Factory Support Grant is a discretionary grant available to businesses contracted to provide employment for disabled people under the WORKSTEP programme. In 2006/07 approximately £600,000 worth of grants were agreed (DWP, 2007). The grant is intended to help provide long-term improvements to the commercial viability of businesses that will in turn increase the employment and personal development opportunities for WORKSTEP employees. The Department for Work and Pensions acknowledges that its staff are not trained to make judgements on what is or is not a good business investment and proposes that in the future all funding should be directed to individual customers. The Department for Work and Pensions is thus proposing to discontinue the Factory Support Grant. (DWP, 2007).

### **Access to Work**

Access to Work support was directly provided to approximately 24,000 people within 2006/07. However, because Access to Work is not time limited, estimates suggest that a further 16,000 people are continuing to directly benefit from support provided in the previous two years under the Special Aids and Equipment element (DWP, 2007). The National Audit Office calculated that for the year 2003-4 the budget was £55.8 million which funded provision for 34,800 people at an average unit cost of £1,600 (National Audit Office, 2005).

### **Job Introduction Scheme**

The Job Introduction Scheme can pay a wage subsidy of £75 per week to an employer for the first six or thirteen weeks that they employ a disabled person.

To qualify for the Job Introduction Scheme, the job can be full or part-time, but must be expected to last for at least six months. Disability Employment Advisers decide on eligibility for the Job Introduction Scheme and manage the scheme.

In 2006/07 around half a million pounds was spent on the Job Introduction Scheme to support around 750 disabled people during their first six or thirteen weeks of employment (DWP, 2007).

## **5.7 Process**

The following section describes the process from a person making a claim for Incapacity Benefit or Incapacity Benefit in Youth to finding work.

*Step 1* The programmes to support disabled people into sustainable employment are triggered when someone makes a new or repeat claim for incapacity benefit. For people with more complex disability related employment issues there may be several stages and interventions involved from making a claim to Incapacity Benefit or Incapacity Benefit in Youth to finding sustainable employment and a person may not complete the whole route.

Everyone who makes a new claim for Incapacity Benefit or Incapacity Benefit in Youth has a mandatory work focused interview with a Jobcentre Plus Incapacity Benefit Personal Adviser eight weeks after making a claim - except in cases where this is deferred or waived due to the nature of the illness. However, these people can ask the Disability Employment Adviser for support or access to provision on a voluntary basis if they choose.

At the interview the Incapacity Benefit Personal Adviser uses a screening tool to carry out a Personal Capability Assessment which focuses on what work a customer is able to do and also determines whether they are entitled to benefit.

Following the first mandatory work focused interview, everyone, with the exception of people with severe disabilities, is referred to the Pathways to Work provider for further support. The support available in Provider-led Pathways to Work areas may differ from that delivered in Jobcentre Plus-led areas because private providers are given flexibility to tailor the programmes, within given parameters. However, in all cases the initial work focused interview is the responsibility of Jobcentre Plus, and in Provider-led areas providers will undertake subsequent work focused interviews (DWP, 2007).

**Step 2** In Nottingham a private organisation, Work Directions, has been contracted to provide and deliver the Pathways to Work programme. On referral from the Jobcentre Plus Incapacity Benefit Personal Adviser, Work Directions will allocate each customer a Personal Adviser who from this point on will be the disabled work seeker's case manager and initial point of contact. The Personal Adviser will carry out a series of at least five mandatory work focused interviews with the customer. The series of work focused interviews is intended to bring the customers into a work focused environment and encourage job seeking activity or take-up of training/employment programmes and to let people know about the financial and other support available ([www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)). Failure to attend a work focused interview could result in benefit sanctions.

Once the new Employment and Support Allowance is introduced in October 2008 receipt of the Work Related Activity rate (equivalent to State Pension) will be conditional on claimants undertaking work related interviews, agreeing an action plan and participating in some form of work-related activity. If benefit claimants do not fulfil these agreed responsibilities, the new benefit will be reduced in a series of tranches, from the Work Related Activity rate ultimately to the lower level of the Assessment Rate (equivalent to Jobseeker's Allowance). Claimants with the most severe health conditions or disabilities, will be paid the Support Rate set at a higher level than the Work Related Activity rate, without any additional conditions (Green Paper, 2006).

During the first work focused interview the customer will be expected to agree, with their Personal Adviser, an action plan based on their capabilities and circumstances. The plan sets out the steps that the client is willing and able to take in preparation for any potential entry into or return to work.

The interviews and action plan consist of a mix of the following - dependent on the individual's circumstances:

- Helping the customer understand the nature of the disability benefit they are receiving and the medical tests.
- Exploring options for work focused activity, including help with clarifying job goals, developing job seeking and retention skills and encouraging routes back to work through work trials, the permitted work rules or voluntary work.
- Identifying where basic skills may be an issue and encouraging take up of assessment and support through basic skills courses and confidence building.

- Facilitating and negotiating return to work by providing jobsearch support through New Deal for Disabled People Job Brokers (in Jobcentre Plus delivered Pathways to Work areas) and Disability Employment Advisers.
- 'Better off calculations' to show the financial effect of being in work, and advising on the range of financial incentives available to help people back into work, for example the Return to Work Credit, where customers who take up work of at least 16 hours a week can qualify for a weekly payment of £40 a week for 12 months if their salary is below £15,000 a year.
- Assessing and advising on childcare options, how to stabilise housing circumstances and manage finances.
- Advice on applying for jobs, writing CVs, calling employers and preparing for interviews.
- Access to computers, the internet, phones and newspapers.
- Financial assistance for travel expenses and interview clothing.

If a customer identifies their health condition as a barrier to work and wants support to manage it, the Personal Adviser will make a referral to the Condition Management Programme, which in Nottingham is provided directly by Work Directions and includes regular workshops such as 'Confidence building', 'Stress, anxiety and relaxation', and 'Coping with pain'.

Work Directions will provide continuing support once the customer has found a job, including filling in benefits forms and advice on career progress and development.

Jobcentre Plus staff interviewed for the Case Studies expressed concerns about the possible competing pressures on market driven private providers to deliver the Pathways to Work programme. In a profit driven environment they wondered whether there might be pressures to process as large a number of disabled people off incapacity benefits as quickly as possible in order to trigger payments rather than provide the longer term sustained support that disabled people with more complex challenges need. One concern expressed was that there would be a temptation to cherry pick those disabled people who are nearest to being work ready at the expense of providing extra support to people who are further from the labour market and thus need more input and support to become work ready (Interviews, 26/2/2008; 11/3/2008; 9/4/2008).



Evidence from New Deal for Disabled People suggests that private providers may in some cases have been cherry picking clients who need the least support to get into work rather than focusing extra effort on those who need longer term investment before they become work ready (NAO, 2005). While people with the most complex needs should be referred back to the Jobcentre Plus Disability Employment Adviser, there are many customers whose circumstances require more intensive support from the Pathways to Work 'Choices' programme but do not warrant referral to Work Preparation or WORKSTEP. It is these customers that Jobcentre Plus staff are concerned may not always get the support they need to find work (Interviews, 26/2/2008; 11/3/2008; 9/4/2008).

These fears are borne out by the National Audit Office study which found with respect to New Deal for Disabled People that:

*“There is the risk that some providers are selective in which clients they will help. We found anecdotal evidence that some providers select customers who will progress most quickly into employment in order to meet performance targets. This means the hardest to help may be overlooked. Some Disability Employment Advisers reported that their local job brokers would only take on clients who had less severe health conditions and were closest to the labour market.” (NAO, 2005).*

Another concern expressed by Jobcentre Plus staff who were interviewed for the Case Study is whether private providers have the skill and experience in-house to identify people with additional needs and to deliver the Condition Management Programme (Interviews, 26/2/2008; 11/3/2008; 9/4/2008).

However, the National Audit Office reports that understanding the role of the Condition Management Programme also presents difficulties for Jobcentre Plus staff:

*“Early evaluation of the Condition Management Programme suggests considerable variation in delivery, in part reflecting a lack of understanding of the programme by many of the Incapacity Benefit Personal Advisers” (NAO, 2005).*

**Step 3** People with the most complex needs may be referred directly by the Incapacity Benefit Personal Adviser to the Disability Employment Adviser or back to the Disability Employment Adviser by the Pathways to Work provider.

Disability Employment Advisers interviewed for the Case Study expressed the concern that the Pathways to Work provider was not referring the more complex customers back to the Disability Employment Adviser but neither were they being progressed to work (Interview, 26/2/2008).

However, Work Directions felt they were equipped to support the full range of customers' needs from those who are work ready to those who are far from being so (Interview, 11/3/2008). The introduction of Pathways to Work is very new in Nottingham and it may well be the case that these are teething difficulties that will get sorted out as the provider and Jobcentre Plus develop a fully effective working arrangement. On the other hand this may be indicative of a structural problem that the National Audit Office picked up with reference to New Deal for Disabled People which is now a component of Pathways to Work Choices programme:

*“The relationship between New Deal for Disabled People, Work Preparation and Workstep is not so clear and is not easily explained as there is no single straightforward route. Disability Employment Advisers and Incapacity Benefit Personal Advisers we spoke to consider New Deal for Disabled People to be for disabled people ready to find work who require less intensive support. However, in some areas we found job brokers, who deliver the New Deal, also offered support to people with complex needs which reflects the initial intention of the programme that job brokers take on anyone who wishes to register.” (National Audit Office, 2005).*

For those customers who are referred back Jobcentre Plus, the Disability Employment Adviser will consider whether it is appropriate to draw on the support of the Jobcentre Plus Work Psychologist.

The Work Psychologist will interview the customer to ascertain their abilities, aspirations and needs, and what transferrable skills they have and whether, for example, residential training would be appropriate to develop a new set of skills.

During discussions with the customer and the Work Psychologist, it may be agreed that the customer's needs can best be addressed through support provided by the Work Preparation and/or WORKSTEP programmes, perhaps with support from the Access to Work programme.

The Access to Work programme, which aims to remove practical barriers that disabled people face in getting or retaining work by providing support such as help with travelling costs or special equipment or adaptations, is delivered directly by Jobcentre Plus Regional Office in Nottingham.

**Step 4** There are several providers of Work Preparation and WORKSTEP programmes in Nottinghamshire aimed at supporting disabled people with more complex issues in finding and remaining in work. The Case Study assumes the customer is referred to the Nottinghamshire County Council Ready4Work team, which is the largest provider of Work Preparation and WORKSTEP in Nottinghamshire. Following the referral the Ready4Work Personal Adviser will assess the customer's needs and expectations, draw up a Vocational Profile and a Development Plan. At this point the customer could be referred on to either Work Preparation or WORKSTEP programmes. The aim is to find either a supported or an unsupported job for the customer.

Under the WORKSTEP programme Ready4Work provides:

- Individual work profile and Development Plan
- Benefit advice
- CV building
- Interview skills
- Job search support and job matching
- Work place assessments
- Follow up support once in paid employment.

The WORKSTEP provider - Ready4Work - will also work closely with the Disability Employment Adviser at the Jobcentre Plus to arrange any other support to assist the customer into work, such as for example, Access to Work funding. The customer will be found a job in either a supported business or a supported placement in either the public or private sector. In the case study the assumption is that the customer is found employment with Solutions4Data.

Solutions4Data currently has a team of nine employees including the manager, five of whom are supported employees under the WORKSTEP programme and four of whom, including the manager, are unsupported employees.

A person who is found work by Ready4Work through WORKSTEP with Solutions4Data will receive on going support, training and development based on an agreed work plan to assist progress into mainstream employment.

Staff interviewed at Solutions4Data who are in the WORKSTEP programme had been with the company (and the programme, including its forerunner, the Supported Employment Programme) for respectively 12 and 19 years.

One condition of entitlement for WORKSTEP is that the customer works a minimum of 16 hours per week. This contrasts with the Supported Employment Programme - the forerunner to WORKSTEP - which allowed people to work for a minimum of eight hours (NAO, 2005).

The requirement to work a minimum of 16 hours was criticised by the manager of Solutions4Data who said that one of his staff, who had been with the company for 12 years, had recently suffered a decline in her health and could no longer work a 16 hour week. As a result her WORKSTEP support - including the £4,800 annual payment to the company - had been discontinued (Interview, 14/4/2008).

One member of staff who was in the WORKSTEP programme faced transport barriers to work because he cannot catch buses and trains. He was able to take up and retain his employment at Solutions4Data through an Access to Work payment to cover the daily costs of the 24 mile round taxi journey to and from work (Interview, 14/4/2008).

## **5.8 Conclusion**

### **Progression to unsupported work**

It is too early to be sure of the impact of Pathways to Work. Early studies show an effect on employment but present differing findings as to whether there is a statistically significant effect on incapacity benefit receipt or earnings.

The studies report a nine and a half percentage point increase in the proportion of people who are employed ten and a half months after making an enquiry about at the Jobcentre about claiming Incapacity Benefit (Adam et al, 2006), and a 7.4 percentage increase a year and a half after the initial incapacity benefits enquiry (Bewley, Dorsett and Haile, 2007).

An in-house report for the Department for Work and Pensions has found an increase in the Incapacity Benefit six month off flow rate of around eight percentage points, with early indications that this appears to be leading to a reduction in Incapacity Benefit caseload sizes (Blyth, DWP Working Paper no. 26). However, other studies have not found a statistically significant effect on Incapacity Benefit receipt (Bewley, Dorsett and Haile, 2007).

There are different findings reported on the impact on net earnings. While one study found no statistically significant impact on earnings (Bewley, Dorsett and Haile, 2007) another found a positive impact on earned income with average net monthly earnings increased by £72 from a base of £172 (Adam et al, (2006).

The picture with regard to the specialist programmes - Work Preparation and WORKSTEP - is clearer. The National Audit Office found that of the approximately 7,500 people a year that Work Preparation supports, only around 1,600 enter employment within six months and the job entry performance within this varies significantly across contracts and from region to region (National Audit Office, 2005).

The report found that variation is due in part to the:

- different types of contracts that are currently let in different areas leading to different types of service (some contracts focus more on assessment and pre employment progression rather than job entry). For example, there are 16 different providers in London, each with a different package of services with different contracts and costs (National Audit Office, 2005); and
- varying performances of existing providers.

However, one Work Preparation provider interviewed for the case study said that despite economies of scale that would undoubtedly come from national contracting, contracts and provision should nevertheless remain at the local level

where there is essential knowledge of local employment conditions (Interview 4/3/2008).

The National Audit Office found similar variation in the performance and quality between providers of WORKSTEP with in some cases the need for “significant improvement”. The report highlighted that between April 2001 and October 2005 one third of WORKSTEP providers did not progress a single person to open unsupported employment (National Audit Office, 2005).

Commenting on the National Audit Office report the Department for Work and Pensions said:

*“While progression towards work can be a positive for all, we need to ensure that this progression translates into an actual job in more cases. We therefore want to both increase levels of consistency across the country and increase overall job entry performance.”*

( DWP, 2007)

The National Audit Office was surprised to find that Jobcentre Plus had very little reliable data available for a programme receiving such a large amount of government funding. Jobcentre Plus did not have a definitive list of WORKSTEP providers or know what support they offer customers, were unaware of the profile of participants or how long they spent on the different stages of the programme. Thus Jobcentre Plus is unable to analyse the performance of its WORKSTEP providers (National Audit Office, 2005).

For example, the Department for Work and Pensions consultation paper points out that under WORKSTEP all customers should have a clear development plan covering goals and skills development (DWP, 2007). However, the evidence from independent evaluations indicates that does not always happen (Purvis, Lowrey and Dobbs (2006). In response, Jobcentre Plus is now developing and piloting a ‘Distance Travelled’ tool to keep track of the providers’ progress in meeting their goals.

However, the National Audit Office found that the problem was not only the lack of tools but lack of resources to apply the tools which means inspections of providers are not always undertaken to plan and providers are not visited as

regularly as they should be. Department for Work and Pensions inspection staff also told the National Audit Office that they had insufficient power to require providers to meet their contractual obligations or improve the quality of the service they provided because contracts are rarely withdrawn. Since 2002, the Adult Learning Inspectorate has also inspected WORKSTEP providers, which has added extra authority to the process of quality control. However, the Adult Learning Inspectorate has reported that 53 per cent of providers are “unsatisfactory” (NAO, 2005). The question of contract design, management and monitoring is discussed further in section Chapter Seven.

### **Good practice**

The Case Study found an example of good practice at Ready4Work and Solutions4Data. The employer, Nottinghamshire County Council, provides a supportive business and personnel environment for people who need extra help in staying in work and had the capacity to offer more suitable jobs, where appropriate, to staff who did not thrive in an office environment. For example, one member of staff at Solutions4Data, who had learning difficulties, and found it hard to focus on the work, had recently been found a manual position, still under the WORKSTEP scheme, in the Council’s Gardens Department (Interview, 14/4/2008). Two members of staff interviewed at Solutions4Data had been with the company on the WORKSTEP programme and its predecessor since soon after leaving school, for 12 and 19 years respectively. Clearly the Ready4Work provider of WORKSTEP and the employer had failed to “progress” these customers. However, there are other criteria for good practice than moving into unsupported employment and Solutions4Data provides a safe working environment with good management-staff relations, where the people employed through the WORKSTEP programme undertake meaningful work suitable for their level of ability and feel comfortable with their colleagues (Interviews, 14/4/2008). The manager said that most of his staff on WORKSTEP would struggle to cope in a more competitive environment and that in fact one or two of his staff struggled in this supported environment.

One member of staff interviewed, who had been with the company for 12 years, had recently suffered a decline in her health and could no longer work a 16 hour week. As a result her WORKSTEP support - including the £4,800 annual payment to the company - had been discontinued (Interview, 14/4/2008). The company adjusted its working arrangements to accommodate her need for reduced

hours (as required under the Disability Discrimination Act) and was able and willing to absorb the associated loss of output. This might be more difficult for a small company without the support of a large parent organisation. However, the employer Nottinghamshire County Council saw it as its duty to employ disabled people who face extra challenges at work and who may not always be as productive as non disabled people. The manager of Solutions4Data had also worked in the private sector and said that in his experience the attitude was less likely to be supportive. However, the Ready4Work provider said that there were private companies in Nottingham who were willing to take people on WORKSTEP who did not ask for the financial support.

Despite criticism by the National Audit Office and others and the Department for Work and Pensions' declared intention to consolidate three of the specialist schemes into one modular programme, Solutions4Data provides evidence of where the specialist schemes, WORKSTEP and Access to Work, combine effectively to support people who face additional challenges in finding and remaining in employment. One member of staff at Solutions4Data who was in the WORKSTEP programme faced transport barriers to work because he is unable to use public transport. He would therefore not have been able to have been employed at Solutions4Data for the past 19 years if he had not received an ongoing payment through the Access to Work scheme administered directly by Jobcentre Plus to cover the daily costs of the 20 mile round taxi journey from his home to work (Interviews, 14/4/2008).



## **6 Case study two: New deal for disabled people and workstep with specific reference to reemploy**

This case study is based on a small number of face to face interviews carried out between February and April, 2008.

The author would like to thank the Department for Work and Pensions/Jobcentre Plus; Office for Disability Issues; Ready4WorkTeam; Remploy; Work Directions and Professor Bruce Stafford for giving so generously of their time, knowledge and expertise.

### **6.1 Description of case study best practice**

This is a case study of the route by which a person with disability related employment issues is given support via Remploy-provided New Deal for Disabled People and WORKSTEP to take up sustainable employment. The role of both the New Deal for Disabled People and Remploy are currently subject to change. In Provider-led Pathways to Work areas the New Deal for Disabled People has become a component of the broader Pathways to Work programme. Remploy is refocusing its core business from factories employing disabled people to being a national provider of programmes to support disabled people into mainstream employment including New Deal for Disabled People. These changes are at the heart of UK policy to reform disability related employment programmes. The Case Study therefore examines the reasons for these developments within the context of developing Government policy to move as many people as possible from incapacity benefits into unsupported mainstream employment.

### **6.2 Problem and context**

#### **The New Deal for Disabled People**

In 1997 the new Labour Government inherited historically high unemployment rates from the outgoing Conservative Government with very high numbers of people on disability benefits. As described in Chapter One, during the economic restructuring of the 1980s and 1990s men who became unemployed in regions hit by the closure of heavy industries were often encouraged to switch from claiming unemployment benefits to invalidity benefits. While this kept the politically sensitive rate of unemployment lower than would otherwise have been the case, it

caused a large increase in the numbers of people claiming long term invalidity benefits so that during the 1980s through to the latter half of the 1990s the number of incapacity benefit claimants more than trebled with a Government report in 2002 describing some areas of the country as having a “high reliance” on incapacity-related benefits (DWP, 2002). The New Deal for Disabled People (NDDP) was introduced in 1998 as a voluntary programme as one of a raft of policies intended to support people (back) into work.

## **Remploy**

Remploy is refocusing its business in the context of:

- changing perceptions of and about disabled people, including disabled people's wish to work in mainstream employment wherever possible and increasing willingness of some employers to employ disabled people, both because of the Disability Discrimination Act, and tight labour markets and consequent skills shortages; and
- The impact of overseas competition on Remploy's manufacturing businesses ([www.remploy.co.uk](http://www.remploy.co.uk)).

The Prime Minister's Strategy Unit in January 2005 said that:

*"Disabled people need to be integrated into society and their needs fully taken into account: Society has come a long way with respect to gender and ethnicity issues, although there is still much progress to be made. However, recognition of disability issues arguably lags behind in terms of the extent to which it is incorporated into the structures of business, government and wider society."* (The Prime Minister's Strategy Unit, 2005)

The report continued:

*"DWP should, from 2006 onwards, increase the flexibility of budgets within its current supported employment programmes away from programmes which fail to integrate disabled people in mainstream employment and into programmes which assist disabled people progress towards open employment."* (Prime Minister's Strategy Unit, 2005).

The review of Remploy's future began when the National Audit Office reported in 2005 that the current structure of Remploy was unsustainable. Remploy's factories

are focused on low-to-medium-skill areas of manufacturing which have been in steady decline for decades, a process which has been accelerated in recent years by the rise in competition from Asia and Eastern Europe.

This adverse operating climate was acknowledged by the National Audit Office's 2005 report:

*"Many of the Remploy businesses are not currently sustainable and are unlikely to be so in the future. The average cost per person in a Remploy business is disproportionate to the average salary and there is little scope for improvement in the traditional manufacturing businesses." (NAO, 2005).*

### **6.3 Institutions and actors involved**

Many of the institutions and actors involved in this process are, not surprisingly, the same as those involved in the route to work via Pathways to Work and WORKSTEP described in Case Study One.

#### **Disabled Person**

##### **Jobcentre Plus**

Jobcentre Plus is an executive agency of the Department for Work and Pensions. The key objectives of Jobcentre Plus include:

- Increase the effective supply of labour by promoting work as the best form of welfare and helping unemployed and economically inactive people move into employment.
- Help people facing the greatest barriers to employment to compete effectively in the labour market and move into and remain in work.

Jobcentre Plus provides directly or funds the major programmes to support disabled people into work, including the programmes discussed in this case study - New Deal for Disabled People and WORKSTEP ([www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)).

##### **Jobcentre Plus Decision Maker**

On making a new or repeat claim to incapacity benefit the customer's benefit entitlement is assessed by a Jobcentre Plus Decision Maker and the claim paid by the Benefit Delivery Centre. Normally when making decisions about entitlement

to Incapacity Benefit the evidence available to the Decision Maker will include advice from a healthcare professional who has been approved by the Department for Work and Pensions' Chief Medical Adviser.

### **Approved Healthcare Professional**

Medical services for Jobcentre Plus are contracted to a private company which supplies the approved healthcare professionals who provide the Jobcentre Plus Decision Maker with the medical opinion of functional capacity. The Decision Maker is responsible for determining whether the incapacity threshold is met using all the available evidence. The Chief Medical Adviser to the Department for Work and Pensions is responsible for validating all medical quality processes on behalf of Jobcentre Plus ( [www.dwp.gov.uk](http://www.dwp.gov.uk) )

### **Jobcentre Plus Incapacity Benefit Adviser**

Since the introduction of Pathways to Work everyone making a new or repeat claim for incapacity benefit - with the exception of people with severe disabilities or making only a short term claim - is interviewed after eight weeks by a Jobcentre Plus Incapacity Benefit Adviser. This is the first in a series of mandatory work focused interviews.

### **Disability Employment Adviser**

The Disability Employment Adviser is a Jobcentre Plus employee who is responsible for providing support to customers who, because of the severity or complexity of barriers associated with their disability, need extra help in finding and remaining in work.

### **New Deal for Disabled People and WORKSTEP Provider – Remploy**

Remploy is a Non-Departmental Public Body reporting to the Secretary of State for Work and Pensions. Remploy was founded in 1944 to help disabled people into work after the Second World War. It ran a network of sheltered factories, which were generally low-to-medium-skill manufacturing facilities.

Remploy now has a network of 83 factories which employ 5,000 disabled people and receives annual funding from the Department of Work and Pensions of around £135 million a year ([www.rempoy.co.uk](http://www.rempoy.co.uk)).

Remploy is in now the process of refocusing its business onto supporting disabled people into mainstream employment and is closing some of its network of factories while at the same time expanding its employment services operation so that it now places more disabled people in mainstream employment every year than are employed in its factories ([www.remploy.co.uk](http://www.remploy.co.uk)).

## **6.4 Programmes**

### **New Deal for Disabled People**

The New Deal for Disabled People was introduced in 1998 and prior to the national roll out of Pathways to Work was the Government's main disability related employment programme for people claiming incapacity benefits. NDDP is a voluntary programme, providing a country wide network of Job Brokers and Personal Advisors to disabled people to help they find or remain in work ([www.dwp.gov.uk](http://www.dwp.gov.uk); Stafford, 2007)..

### **WORKSTEP**

WORKSTEP provides support for disabled people who face complex issues in finding and/or keeping a paid job, intended to provide opportunities to move on to unsupported employment. The programme aims to help people develop their skills and abilities while on the programme and to help people progress off the support wherever this is appropriate.

WORKSTEP is open to all disabled people, as defined by the Disability Discrimination Act, who are over the age of 16 years and can demonstrate they require additional support in order to work effectively. Disabled employees on this programme are paid the same wage as other employees doing the same or similar work (DWP, 2007).

WORKSTEP may also provide annual funding of up to £4,800 to the employer throughout the duration of employment.

## **6.5 Desired results/goals for parties involved**

### **Government**

The desired outcome for the Government is to get the disabled person off incapacity benefit and into sustainable employment. The Government believes

that given the cost of incapacity benefits amounted to around £12 billion in 2003-04, helping disabled people find and retain work will save substantial amounts of public money as a virtuous circle of work, spending and tax contributions develops. The Government also believes that work is good for the health and well-being of most disabled people which has both monetary and non monetary benefits.

### **Disabled person**

The desired outcome for disabled people is to find work that is worthwhile and rewarding both in financial and personal terms. Customers for New Deal for Disabled People and WORKSTEP face different challenges and need different amounts of support, with NDDP customers likely to be nearer to being work ready than WORKSTEP customers.

### **Employer**

Employers operate within a competitive business environment. One of their priorities is that their employees' output contributes to meeting financial targets. However, as shown in Chapter Four employers have concerns that disabled people might not be as productive as non disabled staff and may also be expensive in terms of the "reasonable adjustments" to premises and practices that are required under the Disability Discrimination Act. Chapter Four also showed that some employers have misconceptions about disabled people.

## **6.6 Financial inputs**

### **The New Deal for Disabled People**

Government funding for Job Brokers is outcome related. Job Brokers receive a registration fee for each participant and outcome payments for both job entries and sustained employment.

Outcome funding is based on finding the customer employment or self-employment of more than eight hours per week; with more paid for a full-time job entry of 16 or more hours per week. The amount of the payments is negotiated as part of the contract and varies between Job Brokers (Stafford et al., 2007).

When New Deal for Disabled People was first introduced, sustained employment was achieved when a participant had been in work for at least 26 weeks out of the

first 39 weeks following job entry. This was revised in 2003, so that now Job Brokers can now claim the sustained outcome payment once the customer had completed 13 weeks' employment (Stafford, et., al., 2007).

### **Remploy's delivery of WORKSTEP**

Remploy receives a grant-in-aid from the Department for Work and Pensions each year in exchange for delivering the WORKSTEP programme. Remploy is the largest single provider of the WORKSTEP programme and is separately contracted to deliver other Jobcentre Plus programmes, including New Deal for Disabled People and Work Preparation (DWP, 2004).

The grant given to Remploy, from the Government, to deliver WORKSTEP has increased from £95.7m in 1999/2000 to £133.8m in 2006/7 - according to a study by PricewaterhouseCoopers in July 2006:

*"exceeding the agreed funding envelope - with no significant increase in the number of supported disabled people employed by Remploy. Overall this has led to an increased burden on the Department's annual disability employment budget." ( PricewaterhouseCoopers and Duckworth 2006 ).*

The report shows that the average annual subsidy for Remploy factory workers is £18,000 per person per year, with the highest subsidies over £48,000 per person. This compares with other annual supported employment costs of £5,000 per person.

In response to the report, Ann McGuire, the Minister, made clear the company would need to modernise to become financially sustainable and support significantly more disabled workers into work. This is in line with the general change in policy focus from work in supported businesses to work in the open market.

The Pricewaterhouse Coopers study concluded that:

*"it is possible to support a greater number of disabled people into work, in a manner more closely aligned with government policy, at a cost comparable with other providers and, after a transition period, within the organisation's annual funding envelope of £111m. To achieve this, however, more of the*

*funding must be spent on job placement activity; and less on sustaining Remploy's factories." (PricewaterhouseCoopers and Duckworth, 2006 ).*

The National Audit Office found that Remploy Interwork – the job placement arm - provides better value for money than Remploy's supported factories and has a good record of placing people into unsupported employment (NAO, 2005).

## **6.7 Process**

The following section describes the process from a person making a claim for Incapacity Benefit to finding work via New Deal for Disabled People and/or WORKSTEP.

**Step 1** As described in Case Study One, the programmes to support disabled people into sustainable employment are triggered when someone makes a new or repeat claim for an incapacity benefit.

Since the introduction of Pathways to Work everyone who makes a new claim for an incapacity benefit has a mandatory work focused interview with a Jobcentre Plus Incapacity Benefit Personal Adviser eight weeks after making a claim - except in cases where this is deferred or waived due to the nature of the illness ([www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)).

At the interview the Incapacity Benefit Personal Adviser uses a screening tool to carry out a Personal Capability Assessment which focuses on what work a customer is able to do and also determines whether they are entitled to (continuing) benefit.

**Step 2** Following the first mandatory work focused interview, everyone, with the exception of people with severe disabilities, is referred to the Pathways to Work programme. At present there are two models for the delivery of Pathways to Work – one led by Jobcentre Plus, the other by the Provider. The support available in Provider led Pathways to Work areas may differ from that delivered in Jobcentre Plus areas because private providers are given flexibility to tailor the programmes, within given parameters.

The New Deal for Disabled People provides a national network of Job Brokers/Personal Advisors to disabled people of working age who are either not



in work and in receipt of qualifying benefits, or at risk of losing their employment due to disability. The job-broker/personal adviser will:

- Match skills and abilities to the needs of employers
- Identify training needs and working with local training providers
- Help with job applications
- Advise on financial and other support during the first six months in work.

The role of the New Deal for Disabled People within the raft of Department for Work and Pensions programmes to support disabled people into work has changed and may differ between Jobcentre Plus led and Provider led Pathways to Work. Prior to the introduction of Pathways to Work, The New Deal for Disabled People was the Government's main programme to support disabled people who were relatively close to the labour market into employment.

However, since the national roll out of the Pathways to Work, the New Deal for Disabled People has become a component of the Pathways to Work 'Choices' programme in Provider-led Pathways to Work. Although no longer referred to as 'New Deal for Disabled People', Work Directions, the Provider of Pathways to Work in Nottingham, has a similar range of job broker services available in-house through the Choices programme. In Coventry Remploy provides New Deal for Disabled People.

The Provider may refer people who have complex issues in finding work back to the Jobcentre Plus Disability Employment Adviser to consider referral to Work Preparation or WORKSTEP. However, as described in Case Study One, the National Audit Office found that;

*“The relationship between New Deal for Disabled People, Work Preparation and Workstep is not so clear and is not easily explained as there is no single straightforward route. Disability Employment Advisers and Incapacity Benefit Personal Advisers we spoke to consider New Deal for Disabled People to be for disabled people ready to find work who require less intensive support. However, in some areas we found job brokers, who deliver the New Deal, also offered support to people with complex needs which reflects the initial intention of the programme that job brokers take on anyone who wishes to register.” (National Audit Office, 2005).*

In Jobcentre Plus-led Pathways to Work areas the Incapacity Benefit Personal Adviser will undertake all of the work focused interviews. S/he will have the Disability Employment Adviser and the Work Psychologist to draw on where customers need additional support through Work Preparation and WORKSTEP. However, when additional specialist support is not required s/he will be able to refer the customer to the New Deal for Disabled People programme provider who may be a public, private or not for profit organisation. Remploy is one such provider. Amongst other towns and cities, Remploy delivers New Deal for Disabled People in Coventry.

*Step 3* Remploy has, through its Interwork arm been expanding its high street employment agencies through which it provides access to both the New Deal for Disabled People and WORKSTEP. A person referred by Jobcentre Plus to Remploy to provide the New Deal for Disabled People job broker services will be allocated a personal adviser who will work with the customer to draw up an individual employment profile detailing experience, skills and opportunities. The personal adviser will work with the customer to develop confidence and communication skills and help to build up their CV. They will also use their knowledge of the local employment market and relationships with employers to find the customer a suitable job. If necessary Remploy will provide continuing support once the customer had found employment. A third of all WORKSTEP customers are with Remploy. However in 2003-04 Remploy accounted for three-quarters of WORKSTEP progressions from supported to open employment, almost all through Remploy Interwork (NAO, 2005).

Training and skills enhancement are key aspects of both the New Deal for Disabled People and WORKSTEP. Remploy requires a minimum of five per cent of employees' time to be devoted to training and learning activities; and received a grading of "good" for employment training in its 2004 inspection by the Adult Learning Inspectorate. In 2001, Remploy has set up learning centres in its factories which the National Audit Office found to be extensively used. Some factories had also developed partnerships with local colleges to provide on site courses (Interview, 7/4/2008). Remploy encourages its employees to use the centres (Interview, 7/4/2008). The National Audit Office found high demand for literacy and numeracy courses, which are provided under the Department for Education and Skills' national Skills for Life Strategy. One of the factories received funding for its new learning centre from the Learning and Skills

Council's Employer Training Pilot. This is designed to improve poor skills amongst the most vulnerable and low-skilled sections of the workforce who may otherwise not undertake training. Providers are graded by the Adult Learning Inspectorate on a scale from (1) outstanding, to (5) weak. Remplo received a grade 2 for employment training. (NAO, 2005).

**Step 4** In addition to accepting eligible people referred by the Disability Employment Adviser Jobcentre Plus allows a range of providers to carry out the eligibility process for access to WORKSTEP on their own behalf. For example, if the customer has complex needs Remplo can refer them directly onto one of their own Work Preparation or WORKSTEP programmes. Case Study interviewees expressed mixed views about the benefits of 'self referral'. The provider felt that self referral is useful and can speed up the process of getting a person on to the programme (Interview 4/3/2008). Disability Employment Advisers on the other hand suggested that providers might not always keep to the rigorous criteria for referral to WORKSTEP and that there is a danger that some people who do not need the specialist support could be referred directly by a provider onto one of their own programmes thus taking a place that would be better allocated to someone else whose needs meet the criteria for WORKSTEP support.

Jobcentre Plus acknowledges that the direct route onto WORKSTEP has advantages but shares the concerns of the Case Study interviewees that customers facing the greatest barriers are not always being adequately prioritised. Jobcentre Plus is therefore considering channelling all referrals to WORKSTEP via the Disability Employment Adviser to ensure that specialist disability employment services are only available to individuals who need them (DWP, 2007).

## **6.8 Conclusion**

### **Choice**

Stafford et al, (2007) found that although the rate of take-up of New Deal for Disabled People has increased over time, the overall take up rate defined as the percentage of qualifying claims that result in an NDDP registration within six months of the start date of the claim has been very low - for the year ending May 2006 only 3.1 per cent of the eligible recent claim population (Stafford et al 2007).

New Deal for Disabled People is voluntary and despite research that suggests that one third of disabled people want to work, take up, at three per cent of on flow to the qualifying benefits is very low. While Stafford et., al. (2007) report that the New Deal for Disabled People appears to have “positive net benefits from a societal perspective (Stafford et al, 2007), the low rate of take up means that these benefits are small in aggregate terms and, importantly, the New Deal for Disabled People will not on its own contribute sufficiently to meeting the Government’s policy goal of getting one million disabled people off incapacity benefit and into sustainable unsupported mainstream employment by 2015. Partly as a result of the low take up of New Deal for Disabled People the Government introduced the new Pathways to Work programme which replaces the voluntary programme of New Deal for Disabled People with mandatory participation and benefit sanctions for those who do not comply. The question of choice will be discussed in Chapter Seven.

### **Good practice**

Despite Remploy factories not progressing large numbers of employees on the WORKSTEP programme on to unsupported employment, Remploy provides a good secure environment for its workforce (NAO, 2005). This includes providing training in cooperation with local colleges (Interview, 7/4/2008) and through Department for Education and Skills programmes. Remploy encourages staff to participate and there is a high demand for literacy and numeracy courses provided under the Department for Education and Skills’ national Skills for Life Strategy (NAO, 2005). Training is discussed further in Chapter Seven.

## **7 Conclusions and recommendations**

Disability related employment policies in the UK are undergoing a period of transition. Providing low to medium skilled low wage employment in supported factories with little chance of progression for disabled people is no longer considered to be appropriate in the light of changing attitudes to disability which demand equality and inclusion in all aspects of society.

The UK is refocusing its policies on inclusion of all disabled people in society and intensifying its effort to get disabled people off incapacity benefits and into sustainable unsupported employment. The stated policy aim is that by 2015 one million people will have moved from Incapacity Benefit into work. This is in the

context of the broader aim of achieving an historically high employment rate of 80 per cent. The policy has two key motivations: one economic; that moving people from incapacity benefits to work will reap benefits for all stakeholders including the Exchequer (and the tax payer) as well as the disabled person as a virtuous circle of work, increased earnings and personal spending and tax contributions is established. At the same time new skills will become available to an economy where in some sectors they are in short supply.

The second motivation to move disabled people off benefits and into work is based upon the view that work is good for health and well-being. Freud, cites Waddell and Burton's (2006) review of the evidence in order to support this argument:

*“There is a strong evidence base showing that work is generally good for physical and mental well-being. Worklessness is associated with poorer physical and mental health and well-being. Work can be therapeutic and can reverse the adverse health effects of unemployment. That is true for healthy people of working age, for many disabled people, for most people with common health problems and for social security beneficiaries....Overall, the beneficial effects of work outweigh the risks of work, and are greater than the harmful effects of long-term unemployment or prolonged sickness absence. Work is generally good for health and well-being.”* (Waddell and Burton, 2006)

A raft of measures has been and is being put into place in support of this policy aim. These include both macro and micro economic policies and supply and demand side measures. Minimum wage and in-work tax credits have been introduced to “make work pay”. The mainstream welfare to work programme until this year has been the New Deal for Disabled People. In parts of the country NDDP has now become one component of the new Pathways to Work programme. Pathways to Work which has been rolled out nationally during the early months of 2008 has been introduced in the context of further reforms to Incapacity Benefit and the introduction in October 2008 of the new Employment and Support Allowance.

The New Deal for Disabled People is voluntary and despite research that suggests that one third of disabled people want to work, take up is very low at only around

three per cent of the eligible population. Partly as a result of the low take up of New Deal for Disabled People the Government introduced the new Pathways to Work programme. Pathways to Work replaces the voluntary programme of NDDP with mandatory participation and benefit sanctions for those who do not comply.

In response to the National Audit Office recommendation that the specialist programmes which have developed, sometimes in an ad hoc manner, over the past 60 years should be rationalised (NAO, 2005), the Department for Work and Pensions has announced that it intends to combine Work Preparation, WORKSTEP and the Job Introduction Scheme into a single modular programme with three support functions to offer a more integrated support package that can be more easily focused to meet the needs of customers. (DWP, 2007).

The conclusion will pick up three key issues identified in the Case Studies and literature: policy intent; programme design and coherence; and contract design, management and monitoring.

### **Policy intent: Choice and progression**

Choice is a central (stated) value of much of the current UK Government's social policy. The Government's welfare to work programmes are offering disabled people the opportunity to escape social and financial exclusion by moving into mainstream paid work, which the Government believes is also beneficial for disabled people's health. This is presented as being positive for all stakeholders as the health and well-being of disabled people improves alongside benefits to the Exchequer and tax payer. Private organisations are also likely to benefit from the annual £ multi-billion market identified by Freud:

*“Based on the analysis in this report, I have no doubt that this will be an annual multi-billion market. Such scale would attract commitment from a wide range of private service providers and voluntary groups.”* (Freud, 2007).

However, the opportunities offered to disabled people to progress into work through the existing disability related employment programmes have not so far been taken up in any great numbers.

The National Audit Office found that the Department for Work and Pensions' programmes only support a small number of people who could potentially benefit. In 2003-04, there were more than 2.6 million people of working age on incapacity benefits. In comparison, around 125,000 were involved in one or more of the Department for Work and Pensions' programmes. The National Audit Office acknowledges that while not everyone in receipt of incapacity benefits will be able to work, many with the right support would like and be able to (NAO, 2005).

The report suggests that possible reasons for low levels of participation could include lack of awareness of the support available. The solution is to provide more and better information and easier access to the programmes:

*“If customers are to have a choice of provider, the NDDP evaluation shows the importance of providing service users with sufficient information so that they can make informed choices and the need to review the client group's access to, and the location of, services.”* (Stafford, 2007).

However, another possible explanation for the low take up of programmes is that disabled people are expressing their preference - where they have a choice. This would appear to be irrational in the win-win scenario set out by the Government.

Stafford (2007) draws on the cost benefit analysis of New Deal for Disabled People undertaken by Greenberg and Davis (2006) to suggest that the Exchequer and therefore presumably the tax payer benefit but the benefits to the disabled person are much less clear:

*“NDDP produced sizeable positive net benefits for the Government and, hence, presumably made taxpayers better off. The findings for NDDP participants were much less certain; once increases in work-related costs are taken into consideration, it appears possible that they could have been either better or worse off as a result of NDDP - but probably not by large amounts.*

*Overall, it seems unlikely that the non-monetary benefits of increases in employment that resulted from NDDP were sufficient to offset costs associated with increased employment. As a consequence ... the programme probably resulted in no more than very modest improvement in the overall welfare of participants* (Greenberg and Davis, 2007).

It is not yet clear whether Pathways to Work will increase the net financial benefit to disabled people moving from Incapacity Benefit to work although at present any gains appear to be, at best, small. If there are negative or only very small positive net financial benefits to a disabled person moving into work then the argument that *employment is the single most effective means of avoiding poverty* (HM Treasury, 2003) is not strong for people in these circumstances. Thus the benefits are mainly to the Exchequer and ‘society’ and presumably also to the private companies with a stake in what Freud has “*no doubt ...will be an annual multi-billion market*” (Freud, 2007).

If there are no significant gains to the overall welfare of disabled people taking up work through government programmes then the case for moving disabled people off incapacity benefits into work via New Deal for Disabled People or Pathways to Work must rest upon the less tangible argument that work is good for the health and well-being of disabled people even if it doesn’t improve their living standards. This raises questions about the extent to which it is appropriate for government to decide on behalf of disabled people what is good for their health and well-being. Should government limit itself to providing opportunities, or should it take a more paternalistic approach with disabled people and compel them to do what it believes is good for them, with sanctions, including reductions in benefits - which is arguably not good for health and well-being - for those who fail to comply?

Whatever the answer, it is important to note Waddell and Burton’s caveat to their finding that work has a beneficial impact on health and well-being:

*“the provisos are that account must be taken of the nature and quality of work and its social context; jobs should be safe and accommodating”*  
(Waddell and Burton, 2006).

The National Audit Office suggests that the Department for Work and Pensions should develop a better understanding of the needs of disabled people and analyse further how the programmes and schemes address these needs. (NAO, 2005).

Discrimination against disabled people starts early and employment opportunities are already shaped for many disabled people before they reach adulthood. Data reported in Chapter Four show that disabled people are twice as likely as non disabled people to have no qualification and only half as likely as non disabled



people to have a degree. Worryingly these ratios have not improved over time. The data also show that disabled people in employment are more likely to work in manual and lower occupations, and less likely to work in managerial, professional and high-skilled occupations and earn less per hour than non disabled people (Disability Rights Commission, 2007).

To improve the employment opportunities of disabled people action needs to be taken at school. The policy of inclusion in mainstream education must be supported by sufficient resources to provide appropriate high quality support wherever necessary. Otherwise the policy could be counter productive and undermine many disabled people's confidence.

However, action also needs to be taken with employers. The National Audit Office suggests that the Department for Work and Pensions, in consultation with programme providers, needs to develop a clearer strategy for engaging with employers at a local level (NAO, 2005).

The strategy must include providing training and skills enhancement in the workplace. These are key aspects of both the New Deal for Disabled People (including the NDDP as a component of Pathways to Work) and WORKSTEP. However, the National Audit Office found that insufficient attention is paid to customer development. The review of Adult Learning Inspectorate reports found that only 22 per cent of WORKSTEP providers had satisfactory individual development plans in place for their customers (NAO, 2005).

To meet the need for skills identified by Leitch (2006) it will be necessary for businesses in the UK to accept greater responsibility as one part of a public-private partnership to contribute towards the provision of life long training and support for disabled people. The finding of good practice in Case Study One of training provided by Remploy in cooperation with local colleges provides a starting point (Interview, 7/4/2008).

However, evidence reported in Chapter Four of employers' perspectives and employers' responses to the Disability Discrimination Act (Roberts et., al., 2004) suggests that it may be necessary to encourage employers to take up their responsibility through further legislation.

### **Programme design and coherence**

The Case Studies have found lack of clarity about boundaries and roles between the specialist WORKSTEP programme and the new mainstream disability related employment programme, Pathways to Work. This supports the National Audit Office finding that:

*“The relationship between New Deal for Disabled People, Work Preparation and Workstep is not so clear and is not easily explained as there is no single straightforward route. Disability Employment Advisers and Incapacity Benefit Personal Advisers we spoke to consider New Deal for Disabled People to be for disabled people ready to find work who require less intensive support. However, in some areas we found job brokers, who deliver the New Deal, also offered support to people with complex needs which reflects the initial intention of the programme that job brokers take on anyone who wishes to register.” (National Audit Office, 2005).*

The delivery of Pathways to Work is itself currently fragmented with different delivery models in different parts of the country, while there is lack of clarity amongst Jobcentre Plus staff and programme providers about the role of the New Deal for Disabled People and the Condition Management Programme on Pathways to Work.

This suggests that it will not be sufficient for the Department for Work and Pensions to combine the three specialist programmes - Work Preparation, WORKSTEP and the Job Introduction Scheme - into one modular programme but that in order to avoid duplication of effort or worse, gaps in services, the proposed new modular programme will also need to be integrated with the mainstream Pathways to Work and New Deal for Disabled People to provide a ‘joined up’ and coherent programme to meet the full range of disabled people’s need for support in finding and retaining employment.

## **Contracts design and management**

The careful design and management of contracts is essential to achieving policy goals. In order to achieve improved progression within longer term supported employment it will be necessary to revise the way the Department for Work and Pensions draws up its contracts.

The policy aim of Work Preparation and WORKSTEP is, where possible, to prepare and progress people into unsupported mainstream employment. The National Audit Office found that both programmes are falling a long way short of meeting this aim. Of the approximately 7,500 people a year that Work Preparation supports, only around 1,600 enter employment within six months and the job entry performance within this varies significantly across contracts and from region to (NAO, 2005).

The National Audit Office also found considerable variation in the performance and quality between providers of WORKSTEP with in some cases the need for “significant improvement”. The report highlighted that between April 2001 and October 2005 one third of WORKSTEP providers did not progress a single person to open unsupported employment (NAO, 2005).

The funding arrangements for both Work Preparation and WORKSTEP are identified by Case Study interviewees and the National Audit Office as an important obstacle to progressing people into unsupported employment. WORKSTEP lacks financial incentives for providers to progress people towards independent working - indeed payment of £4,800 per annum can act as a disincentive for employers to progress staff off WORKSTEP and into unsupported employment (Interview 4/3/2008). In some cases employers viewed the £4,800 as a subsidy to cover lower productivity. However, the annual payment might also induce some employers to retain employees on WORKSTEP even after they have become experienced and productive in the post in order to retain the annual subsidy which in this case becomes a surplus.

The lack of progression off WORKSTEP means that no new places are created on the programme causing bottle necks which is reflected by the National Audit Office figures which show that 25 providers had not taken on a single new customer in the four and a half years between April 2001 and October 2005.

If disability related employment services are to be delivered in whole or part by private providers - and interestingly Freud finds that “*there is no conclusive evidence that the private sector outperforms the public sector on current programmes*” - then the contracts drawn up with the private organisations are one key to achieving the policy aims. Freud recommends that disability related employment programmes should be delivered through outcome-based, contracted provision with freedom to tailor programmes within a set of core parameters and standards (Freud, 2007).

Jobcentre Plus staff interviewed for the Case Studies expressed concerns about the possible competing pressures on market driven private providers to deliver the Pathways to Work programme. In a profit driven environment they wondered whether there might be pressures to make quick gains by processing as large a number of disabled people off incapacity benefits as quickly as possible in order to trigger payments rather than provide the longer term sustained support that disabled people with more complex challenges need. One concern expressed was that there would be a temptation to cherry pick those disabled people who are nearest to being work ready at the expense of providing extra support to people who are further from the labour market and thus need more input and support to become work ready (Interviews, 26/2/2008; 11/3/2008; 9/4/2008).

Evidence from the New Deal for Disabled People suggests that private providers may in some cases have been cherry picking clients who need the least support to get into work rather than focusing extra effort on those who need longer term investment before they become work ready:

*“There is the risk that some providers are selective in which clients they will help. We found anecdotal evidence that some providers select customers who will progress most quickly into employment in order to meet performance targets. This means the hardest to help may be overlooked. Some Disability Employment Advisers reported that their local job brokers would only take on clients who had less severe health conditions and were closest to the labour market.”* (NAO, 2005).

Freud argues that to create incentives to develop programmes across the spectrum of claimants and avoid cherry picking and concentrating effort on those people who are already nearest to the labour market, the Department for Work and

Pensions should draw up contracts with higher payments for the hardest to help (Freud, 2007).

Freud also proposes moving far beyond the current short term definition of “sustainability”.

*“Payments to providers could be made over – perhaps – a three year period, from when an individual client moved into work. Periods of temporary unemployment, breaks for training and progress in career terms would all be factored into the rewards for providers.”* (Freud, 2007).

The National Audit Office also recommends that, in drawing up contracts, the Department for Work and Pensions should consider placing greater emphasis on longer term sustainability of employment. The National Audit Office suggests that this could include revising the payment and outcome measures and offering better incentives for providers who deliver quality provision and progress clients effectively (NAO, 2005).

If the Department for Work and Pensions follows Freud’s recommendation to allow private providers freedom to deliver programmes within core parameters then it will need to dramatically improve its own monitoring and quality control regimes to avoid the risk of paying large amounts of public money for variable and in some cases shoddy services.

The National Audit Office found that the Department of Work and Pensions’ knowledge and understanding of what providers deliver is poor, largely because management information, especially for Work Preparation and WORKSTEP, is of insufficient quality (NAO, 2005).

The Adult Learning Inspectorate’s report that 53 per cent of WORKSTEP providers are “unsatisfactory” (NAO, 2005) provides strong evidence in support of Freud’s suggestion that the Department for Work and Pensions will need to develop sophisticated performance management tools and be prepared to remove contracts from providers who are not performing (Freud, 2007).

However, to return to the policy aim itself, the two examples of good practice found in the Case Studies - one good employment practices at Solutions4Data

supported by an effective combination of WORKSTEP and Access to Work programmes; the other provision of training at Remploy – run counter to the direction of Government policy to progress as many disabled people, including those with more complex issues in finding and remaining in work, into unsupported employment and raise questions about whether a market solution is appropriate for people who face additional and complex challenges in finding and retaining work. It would seem that for disabled people who face the most complex issues government will need to continue to intervene in the market with funded in-work programmes and stronger and properly enforced civil and employment rights for disabled people and obligations on employers. The question, as always, is where do the benefits and costs fall? One thing that is urgently needed in the UK is a change in corporate culture to accept a greater share of responsibility. This is exactly what the Government is trying to do with a combination of disability discrimination legislation and programmes to support disabled people into mainstream employment. But the government will need to ensure that these programmes are well designed, ‘joined up’ and crucially that contracts are in place to ensure that the private sector delivers value for public money and accepts a greater share of the responsibility as part of a public-private partnership to make provision, including contributing towards good quality life long training, for disabled people with the most complex needs.

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