



**Disability Federation of Ireland**

**Submission to the Department of Social  
Protection**

**on the Public Consultation on the Reasonable  
Accommodation Fund grants**

**May 2022**

## Summary of key recommendations

- A review and reform of the RAF must consider the economic and social context and circumstances of disabled people, including very high poverty rates and low employment
- A revised RAF must be based on the approach now mandated by the UN CRPD, protecting the rights of disabled people, in particular those laid out in Articles 27 and 28.
- The RAF review must consider and help to deliver on Ireland's commitments under the UN CRPD, EU Pillar of Social Rights, Roadmap to Social Inclusion and other relevant policies.
- Broaden the RAF criteria to include NGOs.
- Adopt a person-centred needs based approach.
- Replace medical model of disability language and approach with social model.
- Address bureaucratic barriers and increase grant rates.
- Address and act on Cost of Disability Report.
- Provide greater flexibility and funding for disability awareness training.
- Undertake regular promotional campaigns to address the ongoing lack of awareness of the RAF.
- Consider other areas such as support to self-employed disabled people, grants and supports for regional hubs and professional qualifications.
- DFI also supports the submissions and recommendations made by other disability organisations, including many DFI members such as Epilepsy Ireland, NCBI and AHEAD, amongst others, who have significant expertise and lived experience in this area.

## Introduction

The Disability Federation of Ireland, DFI, welcomes the opportunity to contribute to this consultation on the Reasonable Accommodation Fund (RAF) grants, and the comprehensive, open and well-publicised consultation that has taken place on the RAF. We hope to continue to be part of the ongoing process of updating and improving the operation of the RAF, towards ensuring that people with disabilities who want, and are able, to work are supported and enabled to do so. DFI is an umbrella organisation with over 120 member organisation, representing disability organisations

across Ireland. This submission is based on feedback from members, as well as our experience through our own community and national policy work.

## Context

Before moving on to the issues raised by the current consultation, we would like to highlight a few general points regarding the situation of people with disabilities in Ireland, in particular in relation to employment and income. It is important to understand the current social and economic context that disabled people live with when planning policy supports to address the barriers they face.

- According to the most recent EU SILC data, Ireland has the highest percentage of people with disabilities at risk of poverty and exclusion in Western Europe (37.8%)<sup>1</sup>. This is one of the highest rates (we rank 23 of 27 member states), almost 10% higher than the EU average.
- The recently released 2021 CSO SILC data shows that people not at work due to illness or disability have at risk of poverty rates of 39.1% (a 5.7% increase on 2020, while the general population's AROP rate declined), deprivation rates of 39.6%, and 19.2% live in consistent poverty. These rates are now a shocking 3-4 times higher than those of the general population.
- The employment rate of people with disabilities in Ireland continues to be extremely low. European Disability Forum's (EDF) 2020 report showed Ireland as having the lowest employment rate across the whole EU - 32.3%. This is almost 20% lower than the EU average of 50.8%<sup>2</sup>.
- Ireland had the highest employment gap also: "persons with disabilities are a staggering 42.1 percentage points less likely to be employed than persons without disabilities."<sup>3</sup>
- The INDECON report for the Department of Social Protection concluded that disabled people live with extra costs that "vary from €9,600 - €12,300 per year for people with severe disabilities to €8,700 - €10,000 per year for those with limited disabilities."<sup>4</sup>
- Only about 9% of people with disabilities, circa. 56,000 people, are supported through specialist disability services.<sup>5</sup>

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<sup>1</sup> [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Tab\\_1\\_at-risk-of-poverty\\_or\\_social\\_exclusion\\_AROPE\\_by\\_level\\_of\\_activity\\_limitation,\\_2019\\_v3.png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Tab_1_at-risk-of-poverty_or_social_exclusion_AROPE_by_level_of_activity_limitation,_2019_v3.png)

<sup>2</sup> European Disability Forum, *Poverty and Social Exclusion of People with Disabilities: European Human Rights Report: Issue 4 – 2020*, p26.

<sup>3</sup> EDF, op cit, p 50.

<sup>4</sup> <https://www.gov.ie/en/publication/1d84e-the-cost-of-disability-in-ireland-research-report/>

<sup>5</sup> Department of Health, *Disability Capacity Review to 2032*, 2021.

- Only 0.3% of all people with disabilities get a Personal Assistant (PA) service.
- By 2026 the number of people with a disability will have increased by approximately 20% (NDA).

## **UN CRPD, SDGs, EU Pillar of Social Rights, Roadmap to Social Inclusion**

A key recent development in the context of disability policy in Ireland which the review of the RAF will have to consider and reflect, is the ratification by Ireland of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) in 2018. This means that Ireland, and the Department of Social Protection, now have a range of commitments to meet in its policy to support disabled people, including in this context, crucially, the rights guaranteed under Article 27 on work and employment and Article 28 on adequate standard of living<sup>6</sup>.

In particular Article 27 of the UN CRPD emphasises the state's obligation to recognise the right of persons with disabilities to work, on an equal basis with others. Ireland also has a responsibility under the convention to safeguard and promote the right to work for people with disabilities by taking steps to:

- Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures.
- Ensure that reasonable accommodation is provided to persons with disabilities in the workplace.

Article 28 also commits to the right to "the continuous improvement of living conditions", and that states "shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability". It also commits to ensuring access to appropriate and affordable services, devices and other assistance for disability-related needs, to ensure access by persons with disabilities to social protection programmes and poverty reduction programmes and to ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training and financial assistance. The RAF was designed and developed before Ireland

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<sup>6</sup> See [https://www.disability-federation.ie/assets/files/pdf/dfi\\_state\\_report\\_submission.pdf](https://www.disability-federation.ie/assets/files/pdf/dfi_state_report_submission.pdf) for more on this.

had ratified the UN CRPD, and thus its approach, framework, language etc will need to be reviewed to ensure that it is underpinned by the rights based framework that the UN CRPD codifies.

Ireland must also, in updating its approach to reasonable accommodation to address the structural barriers to employment that disabled people face, consider its responsibilities under the *Sustainable Development Goals* and the *EU Pillar of Social Rights*, as well as under *Public Sector Duty*.

The *EU Pillar for Social Rights*, for example, emphasises equal opportunities under Principle 3, outlining the right to equal treatment and opportunities regarding employment and explicitly calling for the fostering of equal opportunities for underrepresented groups. Principle 17 states that “people with disabilities have the right to... services that enable them to participate in the labour market and in society, and a work environment adapted to their needs.”

Moreover, the review of the RAF must also factor in the commitments on disability under the *Roadmap to Social Inclusion*, notably the commitment both to increase the number of people with disabilities in employment by 2025, and to reduce the poverty rates of disabled people, as well as employment specific commitments detailed in policy documents such as the *Comprehensive Employment Strategy* and *Make Work Pay*. A more effective RAF with a higher uptake by employers and employees could help contribute to bringing about both increased employment rates for disabled people and reduced poverty rates.

## **Issues and Recommendations on the RAF**

### **Broaden Criteria to include NGOs**

DFI has had queries from member organisations in recent years, as well as other NGOs and civil society organisations, indicating that they have been declined in their applications for the Workplace Equipment Adaptation Grant, based on the fact that more than 50% of their funding comes from the state. We would strongly recommend that this restrictive qualification criteria be changed. Disability organisations, for example, have been carrying over ongoing and increasing funding deficits of more than €40 million for a number of years, and their funding is extremely stretched and often insufficient to support the amount of services they need to deliver. They are not as well-resourced as the public or private sector, and public funding received by NGOs does not cover the aspects of reasonable accommodation which the RAF is designed to address. Thus DFI recommends that this

exclusionary anomaly, where currently private sector profit-making organisations can qualify for a grant but community and voluntary NGOs cannot, be addressed and the criteria broadened to include charities and NGOs in receipt of public funding.

## **Address Bureaucratic Barriers**

Aside from the above, many organisations and individuals report that the process of applying for RAF grants and supports is complex, cumbersome, hard to track, time-consuming and bureaucratic. This is particularly challenging for smaller organisations (as many disability organisations are – for example the majority of DFI members), including SMEs in particular – both in terms of the time it takes for an application to be processed and agreed, and the need to pay for items and services in advance, without the certainty of knowing the grant will be awarded. This can sometimes be a barrier to employing disabled people, or in some cases lead to a failure of recruitment, which seems very regrettable. DFI recommends that these concerns and problems are addressed in the forthcoming updating of the RAF offering, including by potentially creating a single, combined, streamlined application process and tracking system, speeding up processing times and making information available to enable employers and employees to clearly track the application process and know what stage it is at and when they can expect it to be concluded.

## **A Person-Centred and Needs Based Approach**

The RAF scheme and supports were developed in a different time, and thus need to be updated, both technically and in terms of the understanding of the needs that require support to transcend the systemic barriers that prevent disabled people from entering and staying in the workplace. The current grants offered focus on narrow criteria and needs, which in some cases are out of date or inconsistent due to technological developments over the intervening period, for example. Developments in Assistive Technology move extremely fast in recent years, and an effective RAF needs to be able to respond to and accommodate these positive developments. Instead of a technical specified approach which tends to mean gaps in provision exist, there should be a move to a needs-based and person-centred approach, which considers the needs of individual disabled people (across the full spectrum and range of disabilities) seeking employment. This approach would also involve cross and inter-Departmental work, for example looking at issues like the lack of Personal Assistance support for employees and how that prevents people from securing employment or transition points from

higher and further education into employment, as well as other ongoing in-work supports that the RAF does not currently address. A revised RAF scheme should adopt a holistic, person-centred and human rights based approach which considers each employee's needs, as well as their entitlements under the UN CRPD.

## **Updating Language: From Medical to Social Model of Disability**

The model and understanding of disability often used in the RAF is the outdated deficit model of disability – exemplified in the references, for example, under the WSS, to 'loss of productivity' or 'reduced functional capacity', which many disabled people find problematic and not in keeping with the UN CRPD. This kind of language has also been highlighted and critiqued more generally by disability and human rights organisations, including DFI, in submissions last year to DCEDIY on the review of the Equality Acts<sup>7</sup>. The language used can also sometimes exclude invisible disabilities and/or mental health difficulties.

The revised RAF should thus adopt a social model of disability definition and language, like that used in the UN CRPD - a model that situates disability as resulting from the way that society is structured, and the way that it creates obstacles for people with disabilities. The language and approach used should promote a more positive, non-deficit model view of disability in line with a person-led, human rights perspective more in keeping with the above.

## **Increase Funding Rates**

Like many other disability related grants across the system (for example the Housing Adaptation Grant), the threshold maximum amount that can be awarded under the RAF has not been updated in more than a decade. This is despite the fact that there have been significant cost escalations across the economy over this period, notably in construction cost (required for physical adaptations and accommodations), but also more recently with ongoing increases in fuel costs and inflation. Also, while the increase in the Wage Subsidy Scheme in Budget 22 was welcome, the Oireachtas Disability Group last year called for the scheme to be increased to 65% of the minimum wage. There are other issues also, such as the ongoing need for personal professional supports such as sign language interpretation or personal assistance, or capital investments to future-proof workplaces. The revised

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<sup>7</sup> See [https://www.disability-federation.ie/assets/files/pdf/equality\\_submission\\_-\\_final.pdf](https://www.disability-federation.ie/assets/files/pdf/equality_submission_-_final.pdf)

RAF should thus provide sufficient funding for ongoing professional supports, offer sufficient thresholds for capital investment to make workplaces disability inclusive and accessible, and ensure that ongoing changes to the Minimum Wage are mapped and see resultant increases in the Wage Subsidy Scheme amounts. The thresholds should also be reviewed and increased more frequently to ensure they keep pace with developments in the economy.

## **Consider Cost of Disability Report and Act on Findings**

As mentioned earlier, the INDECON report on the extra cost of having a disability provided significant extra information and analysis on the many extra costs that disabled people face, whether employed or not. It also highlighted the importance of supporting those with a disability who can work to secure employment – one of its key findings was “Individuals with a disability experience significant challenges in accessing employment. A high priority should be given to facilitating an increase in employment opportunities for individuals with disabilities”. The report also provides significant data on disabled people’s employment status, income gaps, extra costs related to being in employment (p.63, 69) feedback from survey participants on employment experiences and challenges, as well as useful examples of good practice in employment supports in other countries. The review of the RAF should consider these findings and the data in the INDECON report carefully, and act on the recommendations and relevant data when updating the RAF provision.

## **Disability Awareness Training Support**

Unfortunately, there is a low uptake of the training support provision of the RAF, due to a range of issues including a lack of awareness of the scheme, the fact that organisations must have an identified disabled employee to receive a grant and the narrow descriptions of training topics. The provisions and funding here could be more effective if they are broadened out to support training in companies and organisations seeking to increase their employment of disabled people and thus proactively seeking training for their organisation even in advance of having disabled staff members. More actively supporting measures by employers to proactively improve physical and digital accessibility would also prevent future disabled employees having to battle inaccessibility in the workplace. A report by IHREC and ESRI last year outlined how people with disabilities are at much higher risk of employment disadvantage and have less access to decent work. The report



also highlights the discrimination disabled people experience in attaining employment, and that they are less likely to secure high-skilled positions<sup>8</sup>. Disability awareness training is thus essential to address and transform discriminatory attitudes among employers, co-workers and society at large that are a barrier to the employment of disabled people. The revised RAF should thus provide increased resources for employers to provide a broader range of disability awareness training and accessibility improvements.

## **Awareness Raising and Promotion of RAF**

Significant feedback indicates that, unfortunately, there is a substantial lack of awareness about the RAF and the supports it offers amongst many employers, employees, and even in some cases, Intreo and related staff. The recent media campaign to publicly promote the RAF consultation is an excellent development, and should be emulated through a broad information and awareness raising campaign that promotes the newly revised RAF, once it is launched, and at regular intervals after that. Support to organisations such as AHEAD, Employers for Change, Open Doors Initiative and similar projects may also be effective here in raising awareness, as will linking in with trade unions and employer's organisations such as IBEC, ISME etc.

## **Other Issues: Self-employment, Digital Hubs, Standards and Professional Qualifications etc**

A number of other issues need to be considered when reviewing the RAF.

In particular the issue of self-employment should be considered and factored into a revised RAF. Self-employment can be a more viable option for some disabled people, as it gives them the flexibility to work to their own schedule, in some cases avoiding inaccessible workplaces and other barriers to employment. Disabled individuals who have set up or are interested in setting up their own business should get the same supports that are provided to private sector businesses to support disability inclusion.

It may also be worth considering how the RAF can apply to or link in with newly developing community based digital hubs, which are springing up around the country in the context of the move to remote working that has been brought about by the experience of the pandemic in recent years. Can the RAF also support these new hubs and community working spaces to

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<sup>8</sup> ESRI and IHREC, Monitoring decent work in Ireland, [https://www.esri.ie/system/files/publications/BKMNEXT414%20%281%29\\_0.pdf](https://www.esri.ie/system/files/publications/BKMNEXT414%20%281%29_0.pdf)

provide supportive and accessible co-working and remote working spaces that are fully accessible for disabled individuals and entrepreneurs?

The RAF review may also wish to develop a list of approved and suitably qualified organisations and experts who can deliver RAF supports, for ease of information and accreditation for both employers and employees.

## **Conclusion**

The development of the RAF was a very positive development, and while it has delivered some positive changes and supports, it is timely for it to be reviewed. As outlined above, a number of aspects of the RAF approach and specifications need to be updated, made more efficient and user-friendly, and promoted more in order to deliver on the RAF's potential. Moreover, the RAF should now be revised to ensure it is fully underpinned by the approach of the UN CRPD, and the rights and entitlements guaranteed by it.

At a time when Ireland is again experiencing high levels of employment, but still very low levels of employment of disabled people compared to EU averages, there is thus the potential for the RAF to contribute both to delivering Ireland's commitments to increase employment levels (and hopefully thus also reducing poverty rates), while also increasing diversity and inclusion in the Irish labour force and helping employers to tap into cohorts of workers who have historically been excluded or faced barriers to securing and sustaining employment.

This would also support Ireland to deliver its commitments under the UN CRPD, EU Pillar of Social Rights, Roadmap to Social Inclusion, and the various policy documents mentioned above, to support disabled people to live independently and to make economic contributions to the state like all others, as many wish to do, in spite of the many social and economic barriers they face to doing this. It would also prove economically beneficial over time as more disabled people enter the labour force and start to increase the state's tax take through their income tax contribution and reduced reliance on income supports. Making changes to the RAF, as per the above recommendations and those made by other disability organisations in their submissions (which DFI also supports), would be a positive step in the right direction in working to dismantle the systemic barriers which pose a significant obstacle to disabled people seeking and retaining employment.



**DFI is about making Ireland fairer for people with disabilities.**

**We work to create an Ireland where everyone can thrive, where everyone is equally valued.**

**We do this by supporting people with disabilities and strengthening the disability movement.**

**There are over 120 member organisations in DFI. We also work with a growing number of other organisations that have a significant interest in people with disabilities.**

**DFI provides:**

- Information
- Training and Support
- Networking
- Advocacy and Representation
- Research, Policy Development and Implementation
- Organisation and Management Development

**Disability is a societal issue and DFI works with Government, and across all the social and economic strands and interests of society.**

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