



Extract from the report to the
Public Accounts Committee on
the disability policy within
education and employment

January
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I. Introduction and results

1. This report is about the effort made by the Ministries to ensure equal opportunities for persons with disabilities within education and employment. The Ministries under audit were: the Ministry of Education, the Ministry of Science, Technology and Innovation (the Ministry of Science), and the Ministry of Employment. The Government effort includes 1) the concrete initiatives directed towards persons with disabilities taken by the Ministries, and 2) the Ministries' consideration of the special requirements of persons with disabilities when executing their general tasks, i.e. the Ministries should incorporate the requirements of the disabled when preparing bills, strategies and projects aimed at the general public. The report is also dealing with the framework of the overall Danish disability policy, and in that context the Ministry responsible for the coordination of the disability effort is also involved. In the years 2002 to the end of 2007, the Ministry of Economy and Business Affairs was coordinating the effort and from the end of 2007 and onwards, the Ministry of the Interior and Social Affairs has been responsible for the coordination of the disability effort

2. Rigsrevisionen launched the examination in October 2008.

3. In 1993, Denmark acceded to the UN's "Standard Rules on the Equalization of Opportunities for Persons with Disabilities" and the Folketing (parliament) agreed a motion for a resolution (B43) to ensure equal treatment and equal opportunities for persons with disabilities. This motion highlighted that the objective of the Danish disability policy is to ensure that persons with disabilities can participate in community life on equal terms with other citizens. One of the characteristics of the Danish disability policy is that its long term objective concerning equal opportunities is to be achieved through compensation and sector accountability; compensation means that the society should offer the disabled various services and remedial measures to minimize the negative consequences of certain disabilities, whereas sector accountability means that all sectors of society are required to take into consideration the special requirements of persons with disabilities within their particular sector.

4. 2003 was European Disability Year which resulted in the Government's "Disability action plan" and the establishment of a long-term objective to make Denmark a fully accessible society. The action plan called for several initiatives in five different focus areas, including education and employment. Despite the fact that no statement of the current state of affairs in Denmark is available, there are indications, that persons with disabilities are encountering barriers in the focus areas *employment* and *education*. A study made in 2005 showed that the participation education rate for people with a disability was 10-15 per cent lower than for non-disabled people. Another study showed that only 50 per cent of the citizens with reduced physical or mental capacity had a job in 2007 against 79 per cent of the non-disabled citizens.

5. The purpose of the audit is to examine and assess whether the Ministry of Education, the Ministry of Science and the Ministry of Employment are targeted in their efforts to ensure equal treatment of persons with disabilities in education and employment. The examination concerns the period 2003-2009.

Parliamentary Resolution No B43 from 1993

"The Folketing calls upon all government and municipal institutions, and private companies to conform to the principles of equal opportunities for persons with disabilities and consider the requirements of the persons with disabilities and create opportunities for appropriate solutions whenever possible in the preparation of decisions, which may in any way require special considerations.

The 2003 action plan includes the following focus areas: housing, employment and education, accessibility to physical surroundings, public administration and quality of life.

6. The examination is addressing the following issues:

- The framework of the overall disability policy.
- Have the Ministries handled the management of the concrete initiatives directed at persons with disabilities in a satisfactory manner?
- Have the three Ministries taken into consideration the special requirements of persons with disabilities when executing their general tasks, i.e. preparation of bills, strategies and projects?

RESULTS AND MAJOR FINDINGS

The Ministry of Education, the Ministry of Science and the Ministry of Employment are introducing many initiatives to compensate persons with disabilities for the barriers they are encountering when they are getting an education, are about to take up employment or are employed. In addition, the Ministries are committed to ensuring that the special requirements of persons with disabilities are taken into consideration when the Ministries are performing their general tasks. Rigsrevisionen is of the opinion that the Ministries should be more focused in their efforts to ensure equal treatment. The Ministries should seek to provide a better overview of the requirements of persons with disabilities, and on the background hereof formulate the objectives and elaborate the target and actions plans for the prioritization of their initiatives.

Rigsrevisionen also recommends that the Ministry of the Interior and Social Affairs, in connection with the work related to the ratification of the UN's "Standard Rules on the Equalization of Opportunities for Persons with Disabilities", should increase its focus on the overall disability effort and consider whether an overall action plan should be prepared. The Ministry of the Interior and Social Affairs agree that the framework of the overall effort in the area would benefit from a strengthening on Government level, and the Ministry is considering how monitoring of compliance with the UN's "Standards Rules on the Equalization of Opportunities for Persons with Disabilities" should be organised.

This overall assessment is based on the following factors:

The framework of the overall effort directed towards persons with disabilities consists of a parliamentary resolution from 1993 (B43) that is based on the objectives of the UN's standard rules and a number of principle objectives taken from the Government's action plan from 2003. A ministry has been appointed coordinator of the efforts in the area, and a number of monitoring and follow-up requirements have been laid down.

- The objectives of the effort are based on the UN's "Standard Rules on the Equalization of Opportunities for Persons with Disabilities" and they are outlined in Resolution No B43 from 1993 on equal treatment of persons with disabilities. The effort directed towards persons with disabilities is relying on sector accountability according to which both the Ministries and municipalities are responsible for the equal treatment of persons with disabilities.
- In 2003, an action plan was prepared and its long-term objective was to make Denmark a fully accessible society. The action plan included a number of overall and long-term objectives with respect to equal treatment and the effort to be made in the five selected areas. The initiatives of the action plan have been implemented, but as of yet no total assessment of achievement of objectives has been made.

- In 1999, a ministry was appointed coordinator of the effort directed towards persons with disabilities, and a cross-ministerial committee was set up. The latter was replaced by a civil servant committee in 2002. According to the current coordinator of the activities, the Ministry of the Interior and Social Affairs, the task at hand is to ensure that issues concerning interface and grey zones are raised politically, and that the individual Ministries are held to their sector accountability. The current cross-ministerial civil servant committee handling issues relating to the disability policy is meant to create cohesion between the initiatives taken by the Government, including identification and handling of grey zones, and share knowledge among the Ministries.
- According to Resolution No B43, the Danish Disability Council should in cooperation with the Equal Opportunities Centre for Persons with disabilities monitor the conditions of disabled people and direct attention to areas where they are discriminated against. The Parliamentary Commissioner for Civil and Military Administration in Denmark is also required to monitor the area and express criticism, if called for.
- In the summer of 2009, Denmark acceded to the UN's "Convention on the Rights of Persons with Disabilities" from 2006 and thus committed to establishing the required institutions to ensure promotion and protection, and monitoring of compliance with the principles of the Convention. In connection with the establishment of the new framework, the Ministry of the Interior and Social Affairs has performed a number of surveys in order to determine how the monitoring of compliance should be organized.

The Ministries are taking many diverse initiatives to compensate persons with disabilities and promote their access to education and employment. The review of the initiatives showed that the Ministries handled the management of the concrete initiatives in a satisfactory manner. Still, the Ministries should focus more on ensuring that the actions taken are based on a complete overview of the issues in the area and prioritized in accordance with their importance with respect to achieving equal opportunities for persons with disabilities.

- In the period 2003-2008, the Ministries continuously launched initiatives in order to make it easier for persons with disabilities to get access to education and employment. The projects launched varied in size both in terms of expenditure related to their implementation and their significance for persons with disabilities.
- The Ministries have to varying degrees transformed the overall objectives of the Government's action plan into operational targets or action plans guiding the effort directed towards persons with disabilities in their respective ministerial remits. The Ministry of Employment has set operational targets for the efforts within employment directed at disabled people. In addition, the Ministry has, like the Danish National IT and Telecom Agency under the Ministry of Science, prepared action plans for some of their efforts in the area. The Ministry of Education and the Danish University and Property Agency under the Ministry of Science have on the other hand not specified the overall objectives of their efforts concerning accessibility to education in either targets or actions plans.

- The three Ministries are cooperating with various organisations of disabled people, the Danish Disability Council and others with expert knowledge within the field. Through research institutions, advice units, etc., the Ministries also monitor the development in the conditions of persons with disabilities in their respective ministerial areas.
- The efforts made by the Ministries are generally based on documented needs or problems, and the Ministries have set targets for their initiatives. Some of the targets are outcome-based.
- The seven pools of funds concerning equal opportunities for the disabled in the employment area are all the result of agreements concerning the rate adjustment pools (public pools of funds earmarked for initiatives within social services, the health sector and the labour market) and the Government's Welfare Agreement. The pools are funding projects directly linked to agreements concerning the rate adjustment pools and projects resulting from the round of applications organized by the Ministry of Employment. In the years 2003-2008, the pools provided the basis for approximately 150 projects with the largest pool financing more than 50 projects managed by relatively diverse grant recipients (for instance, various organisations of disabled people, job centres and municipalities). The smallest pool, which was established in 2008, is financing only two projects. Furthermore, the objectives and target groups of some of the pools are quite broad, whereas others are operating with more narrowly defined objectives and target groups.
- Rigsrevisionen is of the opinion that the fact that the effort has been dispersed over so many different and partly overlapping pools of funds in terms of objectives, target groups and grant recipients has reduced the transparency of the disability effort.
- Rigsrevisionen finds it positive that the Ministry of Employment in recent years has increased the use of themes and target groups in order to target its effort. Furthermore, the Ministry is also planning to use the results of an assessment of the disability effort in the employment area to conduct an overall prioritization of impending initiatives.
- The Ministries' follow-up actions concerning the individual initiatives are mainly focused on whether the problems identified have been resolved. In many cases, the Ministries are also monitoring the development in areas where problems have been identified, but without measuring or assessing the effect of the initiatives.

The Ministries have taken into consideration the requirements of persons with disabilities in most of the bills, strategy papers and projects reviewed by Rigsrevisionen. However, the Ministries have not specified how they are going to prioritize the incorporation of the requirements of persons with disabilities in their general execution of tasks, and therefore it cannot be determined if the effort made has been adequate.

- None of the three Ministries have developed a strategy for the organisation of the general work to ensure that the requirements of disabled people are taken into consideration. The University and Property Agency under the Ministry of Science has, however, stated that it will set up a working group to ensure that the work performed by the agency takes into consideration, on a broader scale, the requirements of persons with disabilities.

- There are only few examples that the Ministries that have taken concrete steps to promote that the general execution of tasks takes into consideration the requirements of persons with disabilities. One is the National IT and Telecom Agency under the Ministry of Science, which has 1) established a special unit to ensure accessible information and IT accessible public workplaces, and 2) is focused on ensuring accessibility in all the phases of IT project engineering. Moreover, the Ministry of Employment has developed guidance on how bills should be assessed to determine their impact on the conditions of persons with disabilities.
- According to the guidance on quality of law issued by the Ministry of Justice, bills should go out for consultation with the organisations and others that will be affected by the law. In 2008, the Ministry of Education estimated that it would be relevant to let more than half of the bills go out for consultation with the Danish Disability Council. The Ministry of Employment considered only one in ten bills a candidate for consultation. The comments made by the Council did not lead to any changes in the bills, but the Ministry of Education has subsequently taken steps to accommodate the comments made by the Council, which were considered relevant by the Ministry.
- Strategies and projects may have just as far-reaching consequences for disabled people as bills, and yet no guidance states clearly that the Ministries when developing strategies and preparing projects should consult the organisations of persons with disabilities. According to the strategy papers and projects from 2008 reviewed by Rigsrevisionen, the Ministries have to varying degrees taken into consideration the requirements of persons with disabilities. For instance, the University and Property Agency has involved persons with disabilities in the construction process and made sure that the building project (KU LIFE – Forest and Landscape (the Faculty of Life Sciences at the University of Copenhagen)) complied with their standards of accessibility. The National IT and Telecom Agency has in its "Framework agreement on e-learning" made it a condition that its special unit, with expertise within disability access, is involved in the first stages of any e-learning project.