

Job Coaching for people with learning disabilities
First Project Meeting
Rousse, Bulgaria
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#### Legislative systems for employment of people with disabiltiy The Legal Basis

### Acts, Regulations, Institutions

- Disability Discrimination Act (DDA) the core of the legislation regarding the disability
- ➤ The Disability Equality Duty The duty of public sector organisations to promote equality of opportunity
- > <u>UN Convention on disability rights</u> The UN has set up an international human rights convention on the rights of disabled people
- The Mental Capacity Act Protecting people who are unable to make some decisions for themselves





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# Acts, Regulations, Institutions

- The Mental Health Act The assessment, treatment and rights of people with a mental health condition
- ➤ The Equality and Human Rights Commission the commission aims to end discrimination and protect human rights
- The Office for Disability Issues Co-ordinating the development and delivery of services for disabled people
- ➤ <u>Jobcentres and Disability Employment Advisers</u> provide skilled advice at every stage of the search job process





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### The Disability Discrimination Act (DDA)

- The Disability Discrimination Act is a piece of legislation that promotes civil rights for disabled people and protects disabled people from discrimination.
- > DDA came into force in 1995 and it has been significantly extended during the years. Last redaction in 2005.
- > The Act requires public bodies to promote equality of opportunity for disabled people. It also allows the government to set minimum standards so that disabled people can use public transport easily





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# The Disability Discrimination Act (DDA)

DDA aims to end the discrimination that many disabled people face. Thus it covers the following areas:

≽emplovment

**≽**education

Faccess to goods, facilities and services, including larger private clubs and land-based transport services

>buying or renting land or property, including making it easier for disabled people to rent property and for tenants to make disability-related adaptations

>functions of public bodies, for example issuing of licences





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# The Disability Discrimination Act (DDA)

Definition of 'disability' under the DDA:

DDA defines a disabled person as someone who has a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities

# Guidance and codes of practice

The government has published statutory guidance, primarily to assist adjudicating bodies like courts and tribunals in deciding whether a person is a disabled person for the purposes of the DDA.

# The Equality and Human Rights Commission (EHRC)

It brought together the work of three former equality commissions (Disability Rights Commission, Commission for Racial Equality and Equal Opportunities Commission)

The EHRC opened on 1 October 2007, has taken over all the activities of the Disability Rights Commission. It runs a dedicated disability helpline.





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### The Disability Discrimination Act (DDA)

### Disabled people's rights in everyday life:

Access to every day services - The DDA gives disabled people important rights not to be discriminated against:

- in accessing everyday goods and services like shops, cafes, banks, cinemas and places of worship
  - in buying or renting land or property
- in accessing or becoming a member of a larger private club (25 or more members)
- in accessing the functions of public bodies, like the issuing of licences for example

\*\*Employment rights - I its unlawful for employers to discriminate against disabled people for a reason related to their disability, in all aspects of employment, unless this can be justified. Justification is only possible in certain circumstances.

\*Motoring and transport rights - Disabled people have rights of access in relation to motoring, transport and travel infrastructure, such as rallway stations and airports, under the DDA. They also have a right to information about transport in an accessible format.



#### Legislative systems for employment of people with disabiltiy The Legal Basis

### The Disability Discrimination Act (DDA)

#### Disabled people's rights in everyday life:

\*Rights in health. The DDA gives disabled people rights of access to health services and social services, such as doctors' surgeries, dental surgeries and hospitals. They also have a right to receive information about healthcare and social services in a formatthat is accessible to them.

Education and training rights - The Special Educational Needs and Disability Act 2001 amended the Disability Discrimination Act 1995 to make unjustified discrimination by educa providers against disabled punils, students and adult learners unlawful. The Disability Discrimination Act 2005 took things further, giving most public authorities a positive duty to promote disability equality.

Mental health rights - Many people with a mental health condition do not think of themselves as 'disabled' - but they have rights under the DDA.





# Legislative systems for employment of people with disabiltiy

### Access to Work - practical help at work

Access to Work is a governmental institution that can help people if their health or disability affects the way they do their job. It gives them and their employer advice and support with extra costs which may arise because of disabled employee's need in the property of the property of

Access to Work helps disabled people by paying for

>the equipment they need at work

>adapting premises to meet their needs

×he cost of getting to work if they cannot use public transport

or a support worker

If they need a communicator at job interviews, Access to Work may be available, t





# Legislative systems for employment of people with disabiltiy

### Access to Work - practical help at work

#### How to contact Access to Work

If someone feels that the type of work he/she does is affected by a disability or health condition that is likely to last for 12 months or more, he should contact his regional Access to Work contact center to check whether he/she can get help.

>Alternatively, he/she may ask the Disability Employment Adviser (DEA) at his/her local Jobcentre about Access to Work.





# Legislative systems for employment of people with disabiltiy

### Access to Work - practical help at work

### Getting help - the process

对f someone is likely to be eligible for Access to Work, him/her should be sent an application form to fill in and send back.

When the completed form has arrived back, an Access to Work adviser will contact him/her. The adviser will usually speak to him/her and his/her employer to reach a decision about the best support. In most cases, this can be done over the telephone, but a visit can be arranged if necessary.

XSometimes specialist advice may be needed, which the Access to Work adviser will help to arrange. For example, the adviser may arrange for a specialist organisation to complete an assessment and recommend appropriate support. In this case, a confidential written report will be sent to the Access to Work adviser, who will use this information to help them decide on the right level of support.



# Legislative systems for employment of people with disabiltiy

Access to Work - practical help at work

# Employer's responsibilities

Nonce the advisers have decided on the package of support they feel is appropriate, they will seek formal approval of their recommendations from Jobcentre Plus. The disabled person and his employer will then receive a letter informing them of the approved level of support and the grant

It is the responsibility of the employer - or the disabled person, if he/she is self-employed - to arrange the agreed support and buy the necessary equipment. The employer can then claim repayment of the approved costs from Access to Work.



### Legislative systems for employment of people with disabiltiy

#### Access to Work - practical help at work

#### The Access to Work grant

The amount of help which a disabled person or his employer may receive from Access to Work will wary depending on how long he/she has been employed, what support he/she need and whether he/she is self-employed.

Access to Work pays a proportion of the costs of support if all of the following is applicable to the disabled person:

>he/she is working for an employer

>he/she has been in the job for six weeks or more

>he/she needs special equipment or adaptations to premises





# Legislative systems for employment of people with disability Access to Work - practical help at work

Access to Work can pay up to 100 percent of the approved costs if the disabled person is:

>unemployed and starting a new job

>self-employed

working for an employer and have been in the job for less than six weeks

Whatever the employment status, Access to Work will also pay up to 100 per cent of the approved costs of help with:

>support workers

≱fares to work

communicator support at interview

The precise level of cost sharing is agreed between the employer and the Access to Work adviser

After between one and three years, Access to Work will review the circumstances and support receiving.





#### What else must be done

# Business needs to:

Hearn from disabled people directly, accessing their talents and purchasing power.

Ensure that high level business strategies explicitly aim to realise the potential for disabled people to contribute to business performance – and to create disability confident organisations.

Systematically explore, understand and overcome deeply rooted prejudices and fears in their organisations concerning disabled people and disability.

Ensure technology liberates contribution and remove all and any ediscrimination in employment and customer care systems.





# What else must be done

#### Governments need to:

Focus on overcoming ignorance and fear of disability with a particular emphasis on the education of young people.

>Position employers and disabled people as valued 'customers' of services which help people with disabilities into education, training and work.

Improve their own ability to employ disabled people and value disabled people as citizens and stakeholders.

Create a benefit and health system that has high expectations of disabled people's employability and provides security out of employment and incentives in employment.

Monitor the impact of legislation on both disabled people and business.





# Framework of Skill Assessment Method and Test Document

Guidelines of Professional Competence Usage Scale

- The following form is developed for identifying the performance of the Professional competence of the individuals who have educable mental disabilities and provide the development of the most suitable Professional areas based on to this disability.
- The training objectives of the associations, that give the profesesional competence to these mentally disabled individuals, are examined before developing this form. The main requirements of the expected acquirements and the skills of these mentally disabled individuals objectives are took into consideration and aimed to determine it.
- The expert who will apply this form must fill in it, before checking whether the the individual have these skills or not, talking with the people who have close relations with this individual like his/her mother, father or teachers.



# Framework of Skill Assessment Method and Test Document

Guidelines of Professional Competence Usage Scale

The form consists of 15 columns;

- > In the first column the number,
- ${\blacktriangleright}$  In the second column the Professional competences,
- Between the 3. and the 15. columns consist of the names of the professional educational programmes of these educable mental disabilities.

































