

Need analysis

Intro:

This report is a registration of the political aims, the conditions and the possibilities for people with disabilities in the EU with emphasis on the partner- countries of the project Count Me In.

Count Me In is a project with partners from Denmark, Sweden, UK, Belgium and Spain. This project is focused on highlighting the possibilities for vocational training and employment for people with disabilities in the cultural sector. One aim of the project is to present examples of inspiring good practice in the EU and internationally in this particular field. The project will develop methods and tools to be delivered through a training course with e-learning to support the following process regarding work in the cultural institutions regarding the inclusion of people with disabilities.

This report is to be seen as an internal working document in the process of Count Me In but it will be accessible on the website **count-me-in.eu** for anyone of interest.

In the report we use the phrase people with disabilities as a common expression. The phrase is meant to cover all kinds of disabilities – physical, emotional, mental and learning disabilities – and is referring to people with disabilities who need special conditions and attention to take part in education and to get a job or retaining a job - and in a broader sense to take part in a democratic society in general.

The different parts of the report are written in the member countries in their own way to describe the situation. We have chosen not to rewrite the different parts in a common frame and expression but leave the original descriptions as they are and let them talk for themselves.

The report contains:

1. Summary
2. European aims, legislation and initiatives
3. Denmark
4. UK
5. Spain
6. Sweden
7. Belgium

1. Summary

We are well aware of that this report cannot give a full view of the situation in EU and in the member countries regarding to the area of people with disabilities and their possibilities in training and employment. However we think that the report can contribute to a broader view and knowledge of the possibilities for people with disabilities throughout EU and not the less it might be an inspiring insight for

others that work with people with disabilities whether it is organizations, companies or political institutions.

The report reflects the fact that it is primarily sourced in different countries in the EU with very different forms of structured society. From highly developed Welfare State in the northern part of EU to the southern part of EU, where the work with people with disabilities depends more up on the contribution and engagement in private organizations. We do not think that it is our job nor the point to this report to judge what might be the best way to solve the challenges. Never the less we want to point out that to realize inclusion there has to be a national strategy and the necessary resources – finance, staff, education and support in the work. Inclusion is not done by talking but by making inclusion to a legally binding right for people with disabilities and that includes the necessary resources.

Due to the large differences in national structures it is hard to make a direct comparison between the countries. (nor is this the aim of the project) The background and political differences are too big. In that sense it will be more fruitful just to read the different parts of the report and be inspired from the ways the different countries try to solve similar challenges.

The report will be part of the background material for the work in Count Me In to include people with disabilities in the cultural and artistic sector. This work will include a book with examples of good practice of inclusion of people with disabilities in cultural institutions in a broad sense, a training course for the staff in the institutions who face the challenge and responsibility of including people with disabilities in their work and an eLearning portal with the same purpose.

Count Me In will result in specific material and tools developed for the institutions and the persons who will face the challenge of preparing the way for real inclusion for people with disabilities in the cultural sector:

- A training course to achieve the necessary background knowledge and skills to work with people with disabilities. The training course will be flexible and not specific for just one country.
- An elearning-portal that in a visual and interactive way will show the many opportunities that the cultural sector in Europe has to offer to people with disabilities
- A book showing good and inspiring practice of including people with disabilities in the cultural sector throughout Europe

2. European legislation and policy framework

European legal and policy framework to combat discrimination and promote and promote inclusion of people with disabilities

The European Union has adopted a number of legislative instruments and policies to combat discrimination on several grounds, including on the ground of disability. The EU has also taken complementary steps to promote the inclusion of people with disability in education and employment.

❖ **Art.13 of the Amsterdam Treaty**

In 1997, Amsterdam Treaty included Article 13, which empowers the Community to take action to deal with discrimination based on a whole new range of grounds, including racial or ethnic origin, religion or belief, age, disability and sexual orientation.

❖ **The EU Charter of Fundamental Rights¹**

The Charter of Fundamental Rights of the EU brings together in a single document the fundamental rights protected in the EU. The Charter contains rights and freedoms under six titles: Dignity, Freedoms, Equality, Solidarity, Citizens' Rights, and Justice. Proclaimed in 2000, the Charter has become legally binding on the EU with the entry into force of the Treaty of Lisbon, in December 2009.

The article 26 recognizes the rights of persons with disabilities to “benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community”. People with disabilities today represent over 15% of the EU population. The Charter reaffirms that:

- People with disabilities have the same rights than any other citizen in Europe.
- They must have same individual choices and control over their life as non disabled people.
- They also have a right to access, accessibility and inclusion on equal terms as others.

❖ **Antidiscrimination Directive 2000/78/EC of 27 November 2000, establishing a general framework for equal treatment in employment and occupation.**

Based on Article 13 of the EC Treaty (see above), the directive aims to combat both direct discrimination (differential treatment based on a specific characteristic) and indirect discrimination (any provision, criterion or practice which is neutral on its face but is liable to adversely affect one or more specific individuals or incite discrimination). Harassment, which creates a hostile environment, is deemed to be discrimination. Reasonable arrangements must be made to guarantee the principle of equal treatment for disabled persons, limiting it to cases which do not involve unjustified difficulties.

The Member States ban discrimination in the field of employment and occupation. However, the scope of this prohibition, its content and enforceability vary from country to country. Hence this Directive is designed to lay down a general minimum framework in this area.

❖ **The UN convention on the rights of people with disabilities**

The UN Convention on the Rights of People with Disabilities was adopted in 2007 and it is an international treaty that defines the specific rights of people with disabilities. It is legally binding for the countries that ratify it.

So far it has been signed by all the EU member States and ratified by a majority. The EU has also ratified it as a whole in 2010, it is the first time that the EU ratifies such a human rights convention. **It is particularly significant because it means that disability should be mainstreamed in all the policies and legislations of the EU.**

¹ Read more: http://ec.europa.eu/health-eu/my_health/people_with_disabilities/index_en.htm

No specific disability is mentioned in the text because the United Nations considers disability to be 'an evolving concept'. By not mentioning any specific disabilities, all disabilities are included.

It emphasises the need to promote and protect the human rights of all people with disabilities, "including those who require more intensive support".

This Convention is therefore the most important human rights instrument to efficiently advocate for the rights of people with disabilities.

- **Obligations of the States Parties under the Convention**

The Convention alone does not ensure the respect of fundamental rights of people with disabilities. The States Parties (countries and regional integration organisations, such as the EU, that have signed and or ratified the Convention) must ensure its implementation.

States Parties are obliged to take all appropriate measures to eliminate discrimination on the basis of disability, including:

- Adopting all appropriate legislation, policies, programmes and administrative measures for the effective implementation of the rights recognised in the Convention, in consultation and collaboration with people with disabilities (Article 4);
- Ensuring that people with disabilities are entitled to equal protection and benefit under the law, and that reasonable accommodation is provided to enable their participation in legal matters (Article 5);
- Promoting awareness of the rights of people with disabilities through appropriate communication tools such as awareness campaigns and training programmes (Article 8);
- Collecting reliable data and statistics in the field of disability to ensure that the implementation of the Convention will address genuine needs of people with disabilities (Article 31).

Articles 10 to 30 of the Convention define the inherent rights of people with disabilities. This includes:

- **The right to education (Article 24)**

States Parties must ensure that people with disabilities have equal access to education systems at all levels, including lifelong learning and vocational training. States Parties must also ensure that reasonable accommodation is provided to people with disabilities through technical and humane assistance to enable access to education. Teachers must also receive specific training.

- **The right to work and employment (Article 27)**

States Parties must enable people with disabilities to exercise their right to work and employment. This includes taking appropriate steps to ensure that reasonable accommodation is provided to people with disabilities in the workplace. States Parties must also employ disabled people in the public sector.

❖ **The European Disability Strategy 2010-2020**

Adopted on 15 November 2010, the Disability Strategy 2010-2020 is designed to be the instrument of the EU to promote empowerment of people with disability and the implementation of the provisions of the UNCRPD.

The Strategy outlines how the EU and national governments can empower people with disabilities so they can enjoy their rights. The Commission has identified eight main areas for action: **Accessibility, Participation, Equality, Employment, Education and training, Social protection, Health, and External Action.**

This Strategy identifies actions at EU level to supplement national ones, and it determines the mechanisms needed to implement the UN Convention at EU level, including inside the EU institutions. It also identifies the support needed for funding, research, awareness-raising, statistics and data collection.

Specific measures over the next decade range from the mutual recognition of national disability cards, the promotion of standardisation to a more targeted use of public procurement and state aid rules.

In particular, concerning education and employment:

- **Employment:** the Commission intends to improve knowledge of the employment situation of women and men with disabilities, identify challenges and propose remedies. It will pay particular attention to young people with disabilities in their transition from education to employment. It will address intra-job mobility on the open labour market and in sheltered workshops, through information exchange and mutual learning.

EU action will support and supplement national efforts to: analyse the labour market situation of people with disabilities; fight those disability benefit cultures and traps that discourage them from entering the labour market; help their integration in the labour market making use of the European Social Fund (ESF); develop active labour market policies; make workplaces more accessible; develop services for job placement, support structures and on-the-job training; promote use of the General Block Exemption Regulation¹⁶ which allows the granting of state aid without prior notification to the Commission.

- **Education and training:** Access to mainstream education for children with severe disabilities is difficult and sometimes segregated. People with disabilities, in particular children, need to be integrated appropriately into the general education system and provided with individual support in the best interest of the child. With full respect for the responsibility of the Member States for the content of teaching and the organisation of education systems, the Commission will support the goal of inclusive, quality education and training under the Youth on the Move initiative. It will increase knowledge on levels of education and opportunities for people with disabilities, and increase their mobility by facilitating participation in the Lifelong Learning Programme.

EU action will support national efforts through EU 2020, the strategic framework for European cooperation in education and training, to remove legal and organisational barriers for people with disabilities to general education and lifelong learning systems; provide timely support for inclusive education and personalised learning, and early identification of special needs; provide adequate training and support for professionals working at all levels of education and report on participation rates and outcomes.

Other policy initiatives

Europe 2020² The EU's growth strategy with five ambitious objectives - on employment, innovation, education, social inclusion and climate/energy - to be reached by 2020.

The three flagship initiatives of the Europe 2020 strategy that fall under the areas of employment, social affairs and inclusion are:

- Youth on the move: aims to improve young people's chances of finding a job by helping students and trainees gain experience in other countries, and improving the quality and attractiveness of education and training in Europe;
- An agenda for new skills and jobs: aims to give fresh momentum to labour market reforms to help people gain the right skills for future jobs, to create new jobs and overhaul EU employment legislation;
- European platform against poverty and social exclusion: aims to bolster work at all levels to reach the agreed EU headline target of lifting at least 20 million people out of poverty and exclusion by 2020.

❖ **Education, training and employment programmes**³

Each EU country makes its own education policy, it is a “national competence, but the EU supports them in **setting joint goals and sharing good practice**. The EU's future economic success depends on having a highly educated population, so we can compete effectively in a globalised knowledge-based economy.

The EU funds programmes to help people **study, train, do a work placement or volunteer abroad**, as well as promoting **language learning** and **e-learning**.

Opportunities for young people:

The Youth on the Move initiative seeks to improve young people's **education and employability** by:

- making education and training more relevant
- encouraging more young people to take advantage of EU grants to study or train in another country
- encouraging EU countries to simplify the transition from education to work.

The EU Youth Strategy (2009) seeks **equal opportunities for young people** in education and on the job market and **encourages young people to be active citizens and participate in society**.

² [More information about the Europe 2020 strategy](#)

³ Read more about the programmes here: http://europa.eu/pol/educ/index_en.htm

Youth in Action promotes **active involvement in the community** and supports projects giving young people a greater sense of EU citizenship – for example, by volunteering in another country via the **European Voluntary Service**. Between 2007-13, the EU will have invested nearly €900m in these activities.

SUMMARY

People with disabilities remain particularly excluded from the job market and often do not benefit from equal opportunities in education compared to the rest of the EU population. Access to education, employment and occupation are crucial to ensuring equal opportunities for all and in large measure contribute to the full participation of citizens in economic, social and culture life. The EU is committed to promote the full inclusion of people with disabilities, and has adopted various legal instruments and policies to tackle discrimination.

Sources :

ANED –The Academic Network of European Disability experts (ANED): <http://www.disability-europe.net/>

Belgique – ANED Profil national (2012) <http://www.disability-europe.net/content/aned/media/BE%20-%20country%20page%20update%20-%20final-FR.doc>

Autism-Europe : <http://www.autismeurope.org/publications/rights-and-autism-2/>

The EU Disability Strategy 2010-2020: empowering persons with disabilities in Europe, LINK 54, 2010 : <http://www.autismeurope.org/files/files/link-autism-54-uk.pdf>

Full text of the UN Convention on the Rights of People with Disabilities, updates concerning countries that have signed & more information: www.un.org/disabilities

European Commission website: <http://europa.eu/>

3. Denmark

The Danish way of thinking

Denmark is generally far advanced, working on securing the frames for a good life and equal conditions for people with disabilities. In general we have a high compensation level for citizens with disabilities, and we have already introduced many measures aimed at this group. Ratifying the UN disability convention in 2009, Denmark is committed to put the focus on the rights of people with disabilities.

Danish disability policy is based on a sector responsibility principle as the disability sector runs transversely to sectors, subject areas and stages of life. The sector responsibility principle means that every public

authority has the responsibility introducing aspects of disability policy into the development of policy within their respective fields.

In practice it manifests itself in former and continuous development and implementation of disability policy actions and initiatives in a wide range of ministries. The many existing measures and the sector responsibility contribute to a need for a shared, long-term plan of action within the disability sector.

The increased proportions of participation in the labour market

People with disability:	43,9 %
People without disability:	77,5%
The difference:	33,6 %
For people with mental disease:	24,2 %

The overall point of view is that we have the tools present, but the problem is that the tools are often not used in praxis.

We have a lack of documentation for how and if the methods are working.

The field has a "projectculture", where projects are started and finished and started again in another context without using the experience that we have gained.

People with disabilities are not a special category.

Disability is a part of all you bring into the labor market like for instance education, social situation or other things.

The perspectives of having a place on the labor market are also due to the education system.

The inclusion in the elementary school, how you manage the transitional problems between the education systems are important to secure that people with disabilities can qualify on an equal level.

In Denmark there is a considerable amount of research in how young people with special needs learn the best and in educational environment suited for them in the best way. There is a common awareness of the fact: To create real inclusion words are not enough. You have to have a strategy. To treat people as equals, in terms of education, training and jobs, you have to treat them different because of the fact that they have different backgrounds and qualifications.

The biggest challenge is how to make progression and transfer for them to be real included on the labor market and in fact get a job.

There is a growing understanding among companies of the importance of CSR both for society and for the companies themselves. In the future it might be easier to make cooperation between companies and institutions in the field of education and training on how to include young people with special needs on the labor market. In the future it might be easier to make internships, mentoring etc.

Programs and schools

Denmark has two youth education programs aimed at young people with special needs and production schools, the aim of which is also to strengthen the social and personal development of the participants.

Egu - Basic vocational education and training

EGU is an individualized basic vocational education and training program that is geared towards both employment and continued education.

EGU is an alternating or sandwich-type training program where practical training is combined with a subject-relevant school-based part in an overall 1½-3-year program in which the school-based part lasts between 20 to 40 weeks.

The school-based elements are taken from a number of existing education and training programs.

Objective

The objective of EGU is for the pupils to achieve personal, social and professional qualifications that admit them both to one of the other education and training programs leading to a professional qualification, and provide a basis for employment. The program and the competence aimed at - within a professional sector - are described in the EGU pupil's personal education plan.

Target group

The EGU Act describes the target group as persons under the age of 30 who live in the municipality and do not receive education (including not in a production school program either), do not have a job and do not have the preconditions for completing another qualifying youth education.

The young people in question are typically, practically-oriented, often come with a weak educational background, and are not very academically inclined.

Content

On the basis of the professional competence aimed at the EGU plan describes the practical training and school-based parts included in the program. Practical training can take place within the entire private and public labour market.

STU – Youth education for young people with special needs.

The education is aimed at young people with particular needs. They cannot complete any other juvenile education. Not even if they are offered support or a specially organized education.

The education is of 3 years, is full time and free of charge for the pupil.

The education is organized on the basis of the individual qualifications, maturity and interests of each pupil. The education consists of:

- A general educational part, aimed for the personal and social development of the pupil.
- A specific goal-oriented part, supporting the development of interests, abilities and particular skills of each individual.
- Practical experience developing and testing the opportunities of the pupil outside the educational setting.
- Guidance

The education can be composed from elements provided by business schools, production schools, lower-secondary-level boarding schools, home economics schools, workshops and other institutions. When the

education is finished, the student receives a qualification document, describing the skills, the pupil has achieved.

During the education the pupil can receive early retirement pension or rehabilitation benefits if however he/she is entitled.

Production schools

Production schools are independent institutions with statutes approved by the local authority that provides the Schools basic grant.

There are 78 production schools in Denmark.

The local organizations on the labour market (social partners) must be represented on the school board, and the board can include representatives of the local authorities providing the basic grant.

Objective

The objective is to strengthen the personal development of the participants and improve their chances in the education system and the ordinary labour market. This educational option is organized with a view that the young people obtain qualifications that can enable them to complete an education on upper secondary level leading up to a professional qualification.

Target group

This option is given to young people under the age of 25 who have not completed a qualifying youth education and who, at the time, are not qualified to start such education, or who have dropped out of a youth education program. Production school may only admit a participant with a state grant when the Youth Guidance Centre has assessed and identified that the young person belongs to the target group of the production schools. There is a limit of 1 year to participate in a production school.

In a great deal of the production schools the participants have the opportunity to train in fields like design, music, theatre, circus etc.

Other schools and training options

In Denmark there are, beside production schools, a large amount of different specialized schools, training centers and projects that offers training options. These schools, centers and projects usually offers training that is holistic and includes vocational training, social training and training in leaving home and live in own apartments or in educational settlements.

These training options are often combined with Youth education for young people with special needs - STU.

After training – getting a job

To succeed in letting the period of vocational training be followed by employment is always the tricky but never the less very important part. Which means: The recently acquired skills have got to lead to meaningful occupation afterwards.

It is the point to give people with disabilities the opportunity to get training and new skills *and* give them the opportunity to use the skills and participate.

In Denmark there are different possibilities to get support in employment under special circumstances. Employment on a fewer amount of time, employment in light jobs and employment where the employer gets part of wages refunded from the municipality.

The person who wants to use these possibilities has got to apply for it and get an approval. Through the recent years it has become harder to get these approvals but anyway it is still a realistic possibility.

Ligeværd finds it further important to notice this experience:

Make use of the mentoring to establish a permanent connection to the labor market. Mentoring improves quality of the training progress for the young person in the firm. The experience from the project shows that it creates visibility and enables consideration of the young person's special needs – especially within social and personal fields.

Practical experience is effective – more is better. Before mentoring it is a good idea to clarify the young person through practice. The practice gives the young person important hints of desires and job qualifications and is on the other hand a reality check.

Make mentoring visible in the firm. Mentoring is a new thing for many employees. Structure and firm guidelines help making visible what mentoring demands from mentor, colleagues and leaders. How many hours on weekly basis should the mentor spend training. What information does the firm get about the special needs of the young person? How and how often does mentor follow up upon the young person? It can be made visible by contracts and follow-up forms.

4. UK

A brief overview of the vocational provision to aid the employment prospects for young people with learning disability in the UK.

There have been a large number of research and evaluation studies published on disability and employment in the UK, reflecting the importance of this area on policy in recent years. According to the UK Office for Disability Issues, people with disabilities are now more likely to be employed than they were in 2002, but remain significantly less likely to be in employment than people without disabilities. In 2012, 46.3% of working-age people with disabilities were in employment compared to 76.4% of working-age non-of people without disabilities, which is a figure amounting to over 2 million people. In terms of those with learning disabilities just 6.4% are in paid employment.

Young people with learning disabilities in the UK are often discouraged from seeking employment for a variety of reasons, including a lack of opportunity, motivation and low self-confidence. There is a fear that

as a traditional "invisible" group, they are just not on the radar of mainstream employment support providers.

In 2011 an article in *the Guardian* newspaper reflected that despite the UK's inclusion agenda seeing more young people with learning disabilities integrated into mainstream schools, when it comes to work experience, all too often they end up doing menial jobs in the school itself, while their classmates are sent out to local employers. In terms of their counterparts from special schools, one participant of *the Guardian's* round table discussion, which formed the backdrop of the article, stated that "it was difficult to get employers interested in children from special schools who had been hidden away *behind big gates*". The article went on to state that although the UK is serious in its commitment to those with special educational needs (SEN), spending £330m a year on further education for people with learning disability, many leave college with no useful skills at all.

A recent Green Paper from the Department of Education, *Support and Aspiration; A new approach to special educational needs and disability* sets out plans to radically reform this current system for supporting young people with learning disability. The report identifies that too many children and young people with special educational needs have poor outcomes in life and they and their families can struggle to get the support they need.

The Green Paper acknowledged the need for young people to have access to better options for high quality vocational and work-related learning. It made clear that it is necessary to build on the findings of *the Wolf Review*, an independent review of vocational training published in 2011, to improve vocational and work-related learning options for young people aged 14 – 25 who are disabled or who have SEN. It also stated that young people in the UK have consistently said that what they want once they leave school or college is to get a job. Whilst the Green Paper's consultation process found that:

- Just over half of those responding to the question about opportunities for disabled young people and those with SEN to participate in education and training post-16 wanted to see greater choice and more appropriate and relevant courses for young people who are disabled or have SEN. Many highlighted a lack of entry level and level 1 Courses and qualifications in FE designed to prepare young people for the world of work.

- 40 per cent of respondents considered that education and training providers could support young people with disabilities or those with SEN to participate in education or training post-16 by ensuring that their offer explicitly helped to prepare them for adult life and employment. 39 per cent identified transport, specialist advice and guidance, and equipment as key factors enabling better participation post-16. 30 per cent suggested that personal advisors or key workers should play a key role in supporting young people in developing their career goals.
- 78 per cent of respondents identified a range of people who they felt were best placed to support disabled young people and those with SEN who chose to move directly from school or college into employment. These included key workers, link tutors, job coaches, mentors, youth support workers and disability employment advisors.
- 48 per cent emphasised the need for timely transition planning, suggesting that it should start early, before Year 9 (13-14 years old) and that the plan should be person-centred, with input from all agencies involved with the child or young person and that it should cover employment, health, social inclusion, housing and independent living.
- 18 per cent stressed the importance of involving parents in supporting their child's move into employment and believed that all professionals involved, whether from education, health and/or social care sectors, as well as the employer, should liaise closely with parents.
- There was a positive response to the proposal to set up supported internships for those for whom a mainstream Apprenticeship may not be a realistic aim, with 61 per cent of respondents supporting this approach.

The Green Paper's response to this was, amongst other things, to suggest:

- Developing more flexible study programmes;
- Encouraging schools and colleges to provide better information on the outcomes young people achieve; and

- Developing strategies to maximise the participation of 16-25 year olds in education, training and work.

One of these key strategies has been to trial *Supported Internships* at 15 colleges around England, launched in Autumn 2012, for young people aged 16 to 24 who have complex learning difficulties or disabilities. The trials will test a study programme for supported internships that could be adopted by all further education colleges from September 2013.

The supported internship trial, backed by £3 million from the Department of Education, provides a structured study programme, based at an employer, like a restaurant, library or clothes retailer, that is tailored to the individual needs of the young person and will equip them with the skills they need for the workplace. This will include on-the-job training, backed by expert job coaches to support interns and employers, and the chance to study for relevant qualifications, where appropriate. In such a way that it gives the young people a platform to break down negative attitudes and show employers what they are capable of.

Whilst a second key strategy is to support all young people into employment through testing innovative ways of delivering high quality work experience placements to 16 and 17 year olds who are not in education, employment or training, as part of post-16 study programmes.

The paper goes on to state that Government Departments are working together to establish a strategic and consistent approach to improving employment outcomes for those who are disabled and who have SEN through the new Inter-Ministerial group on Disability Employment. The Government is developing a cohesive new cross-Government disability strategy, reinforcing its commitment to overcome the barriers which prevent people with disabilities from fulfilling their potential and playing a full role in society. This strategy includes work and career opportunities and will focus on three main areas:

- Realising aspirations;
- Individual control; and
- Changing attitudes and behaviours.

Whilst it is too early to evaluate the success of these approaches what is clear is the UK's new found commitment to improving the life prospects of young people with a learning disability. In the foreword for *Support and Aspiration; A new approach to special educational needs and disability* Sarah Teather, the Minister of State for Children and Families states:

"We owe it to the children, young people and families who get a poor deal from the current system, and to those who work with and support them, to make these changes as quickly as possible."

5. Spain

COUNT ME IN" STATE OF THE ART RESEARCH: SPAIN

1. INTRODUCTION: CONTEXT AND DIFICULTIES
2. EDUCATIONAL STAGES
- 2.1 INCLUSIVE EDUCATION
- 2.2 ITINERARY OF VOCATIONAL EDUCATION AND TRAINING
- 2.3 ARTISTIC EDUCATION

1. INTRODUCTION: CONTEXT AND DIFICULTIES

When it comes time to portray the reality of our country regarding training and employment opportunities offered to people with special needs, we come across the first difficulty: the approaches and strategies formulated from the State and the reality, in line of the Salamanca Statement, or the UN Convention of 2006, are unbalanced.

It is a fact that these contexts led to suppose a change of attitudes and the inspiration for a new legislation. But this legal framework doesn't seem deep enough for the change indicated by the confirmed statement. Although progress has been made, it is very much limited in contrast with the ambitious intentions.

It is essential to mention that the economic crisis of this time is a key factor of stopping progress. Even though there is not enough timeframe to value the impact, we already have indicators that show the set back.

The conclusions of the Supported Employment Progress Report in Spain from 1995 to 2011 (Jordán Urries y Verdugo) show a reduction of programs from 2010, an increase of the demand and a fall of the employment support.

This imbalance is present in our project as well as in others within the artistic field. We are outside of the mainstream services and therefore excluded from the economic support. The organizational conditions, the stiffness of the system and the inertia don't benefit the innovation.

The lack of opportunities and the poor access to vocational aspirations of people with learning difficulties, which is a key requirement to develop a professional career, is an unresolved matter.

In spite of having an educational structure focused on Inclusive Education, on the Planning Centered of the Person (PCP), and on the new category of Supported Employment, still there is a big lack on specific training and the access to vocational and professional world, as well as on the individual interests out of the establish framework options, which are the only ones offered.

Finally, we need to highlight that is not easy to get an idea on the Spanish view, as the excess of the intentions and written literature diverge from the scarcity critical investigation to reflect the reality, and many of these research work refer to local councils or autonomy regions, and therefore global visions are very limited.

In this sense, the research work that has been done by the University Institute of Community integration (INICO) of Salamanca University deserves special attention. Investigation and updated supervision of training and supported employment, or documentation services like, for example, "Information Services about Disability" (SID) or the Disability State Observatory, are very important sources of information, used in this study.

2. EDUCATIONAL STAGES

2.1. INCLUSIVE EDUCATION

The 'Salamanca Statement' adopted at the 'World Conference on Special Educational Needs: Access and Quality' called upon all governments and urged them to adopt as a matter of law or policy the principles of inclusive education, enrolling all children in regular schools, unless there are compelling reasons for doing otherwise, improved not only schooling for people with special needs but also made social and individual changes.

However, not many issues were implemented. Although the curricula was integrated and adapted, the truth is that in secondary and University education inclusive education is still an exception and the demanding supports are considered not necessary. (Echeita y Verdugo 2004).

2.2 ITINERARY OF VOCATIONAL EDUCATION AND TRAINING

Students with special needs can have different Vocational Education and Training career paths:

- Vocational Education and Training (Lower and Upper)
- Adapted Initial Vocational Education Programs
- Transition Programs to Adulthood

Upper Vocational Education and Training, demands having high school degree and start at the age of 19. For lower Vocational Education and Training, secondary school is needed and starts at the age of 16.

Adapted initial Vocational Education Programs, allow having a Vocational qualification simultaneously to compulsory secondary school, and start at the age of 16.

Transition Programs to Adulthood are intended for students of 16 years old and they need to have compulsory education held at Special Education Centers.

According to Royal Decree 1147/2011, Vocational training courses will be tailored to students with special educational needs to ensure their access, continuity and progression in these education systems.

However, vocational education is a minority for people with special needs, in contrast to the other programs. In 2012 the statistics show that only 233 students were enrolled in Upper Vocational Education and 1,571 in Lower Vocational Education and Training. 2,760 students completed Initial Vocational Education Programs, 2,467 made tailored qualification programs and 4,353 Transition Programs to Adulthood.

Students who complete the Transition Program to Adulthood end at this stage compulsory education. From here they can choose a place at a Day Center, at an Occupational Center or at a Job Center. Those who want to go to regular jobs, can choose from Supported Employment (ACE) and in is the case, they need to do a training program for 2 years, before going into the labor market.

2.3 ARTISTIC EDUCATION

There isn't any curricular adaptation and academic requirements, and the access is out of the question for most people with special needs.

Performing arts:

- Dance and Music schools for beginners and elementary student form 7-8 years to 18-20.
- Dance, Music and theatre schools for upper students

To be admitted it is needed to pass the access test, and for elementary and upper levels to have done secondary and high school

Fine Arts and Applied Arts:

High school degree and the passing test to University are necessary to study Fine Arts. Therefore, people with special needs that want to have an art education (dance, theatre, visual arts, ...) have to train within non-formal education, like for example council schools, private schools...., and they will not get any degree, only a certification if they are lucky.

6. SWEDEN

Need Analysis Sweden. Elderberry AB

Introduction.

The Aim of this text is to give a broad overview of the situation for education, training and employment for people with disabilities in Sweden. The document gives an outline of the legal situation, looks generally at what education and training is available and looks at statistical evidence for employment for people with disabilities in Sweden. It must be emphasized that Sweden may differ from other EU countries regarding how people with disabilities are defined, especially within the educational sector. Importantly Sweden has chosen not to categorize pupils according to different disabilities. The National Agency for Education has taken the view that a relational approach to disability and inclusive processes in education is difficult to reconcile with regular monitoring of the school situations of students with disabilities. A follow-up that requires categorical assessments of pupils has not been considered desirable (The National Agency for

Education, 2007). The reasons behind this are that an approach with categorization from for example “disability” can contradict the ideal of a school for all and lead to placing pupils into specific groups, it risks contributing to a static group way of thinking about pupils who have individual needs, it can provide excuses for lowered ambitions and lack of results, it can appear that individual characteristics are more interesting than the educational system’s ability to adapt to diversity, and that pupils’ deficits are the focus instead of their strengths . Therefore, there are no available comprehensive national statistics on pupils with different specific disabilities in the educational school system (ibid, 2007). Hence, the statistics in Sweden cover only the number of students in special schools and in schools for students with severe learning disabilities.

This has been criticized by the UN-commission for investigating the implementation of the United Nations Convention on the Rights of the Child since the specific situation of pupils with disabilities needs to be highlighted in order to acknowledge that proper support is offered to this group of students.

What is the legal framework in Sweden ?

The law on Support and Service for Persons with Certain Functional Impairments (LSS) (1993:387) in Sweden, qualifying for special assistance. The Act came into force on 1 January 1994.

The law is for people with the following disabilities:

1. mental disabilities, autism or pervasive developmental disorders
2. significant and permanent learning disability rate after brain injury, in adulthood caused by external violence or physical illness.
3. other permanent physical or mental disabilities that are clearly not due to normal aging, if they are large and cause significant difficulties in daily life and hence an extensive need for support or service.

The law entitles the above people to

- Counseling and other personal support
- Personal assistance or financial support for the reasonable costs of such assistance
- Attendant Service
- Contact
- Relief at home
- Short Stay outside the home,
- Short Term Supervision for students over 12 years
- Accommodation in foster or residential care activities
- Daily activities (only persons in groups 1 and 2)

Support for the mentally disabled LSS can be initiated through on the psychiatry outpatient clinic, mobile teams who come home to those who are acutely mentally ill or contact with psychosis team if there is such a problem. There are also day care units with different activities such as group discussions, social skills training, and occupational therapy. Treatment centers are available for special groups within psychiatry, for example, people with substance abuse, psychosis or personality disorders.

Municipalities are responsible for most general LSS while the county is responsible for operational Advice and Support, even if agreements on other responsibilities exist in some places in the country. Nearly 10,500 people had in 2005 been granted Advice and Support, and between 25 - 30% of them had it as their only benefit. The actions include; short-term supervision, short stay accommodation in foster or residential care activities includes nursing. Nursing means that the individual gets the help and support needed in daily life and also includes the right to feel safe and secure. The actions also include housing with special services for children, youth and adults and leisure and cultural activities.

According to LSS is the individual who is entitled to support, should be able to maximize their influence and participation in the assistance. It is at their request that efforts are made and for those who are under 15 years of age or who cannot request help themselves, their guardians (to 17 years) or trustee can request assistance. In the cases where persons with disabilities are represented by an organization, it is the latter that the municipality will interact with. An individual plan will be developed with decisions and planned actions, are established under LSS, requested by the individual. A particular responsibility rests on the local authority to coordinate the activities included in the plan. One or more principals may be involved in the plan, but it must be based on the person's individual needs.

The right for a personal representative is currently not covered by LSS. A special law for personal representatives may come eventually, which may be needed - many municipalities choose not to view a large subset of mental functional limitations, for example the neuropsychiatric, who is mentally disabled, and exclude this group from being able to grant a personal representative. Personal representatives are available in most of the country's municipalities. Such representation is to provide support to adults with mental disabilities. The agent is an interlocutor who first of all tries to win the individual's confidence. Many people need to be guided to various forms of assistance and support. The agent is the voice of the individual in touch with authorities and institutions. This support can lead to reductions in re-admissions in psychiatry and a significant number of people who are eligible may be granted assistance with the support of LSS. The municipality's duties also consist of continuously monitoring the person who is covered by the law and to provide information about means and ends for activities under the law. The municipality will contribute to the persons covered by the law to **gain access to work or study**. They will also contribute to general recreational and cultural offerings being made available to those covered by the law.

About 1.5 million people in Sweden have a disability of some kind. The principal goal of Sweden's disability policy has long been to ensure that people in this group have power and influence over their everyday lives. To achieve this goal, the focus has been shifted from social and welfare issues to democracy and human rights.

In 2011, the Swedish Government launched a new strategy to guide its disability policy for the period leading up to 2016. The aim is to give people with disabilities a greater chance of participating in society on the same terms as others. Ten priority areas have been identified, three of which are given special attention: the justice system, transportation and IT.

What education and training is available for disabled in Sweden?

Employment possibilities for disabled in Sweden

The Academic Network of European Disability experts (ANED) was established by the European Commission in 2008 to provide scientific support and advice for its disability policy Unit. In particular, the activities of the Network will support the future development of the EU Disability Action Plan and practical implementation of the United Nations Convention on the Rights of People with disabilities.

The texts below are referenced from from country reports prepared as input for:

1. *Thematic report on the implementation of EU Employment Strategy in European countries with reference to equality for people with disabilities. Author: Berth Danermark*
2. *ANED country report on equality of educational and training opportunities for young people with disabilities Author(s): Kajsa Jerlinder & Berth Danermark*

The purpose of the report 1. (Terms of Reference) is to review national implementation of the European Employment Strategy from a disability equality perspective, and to provide the Commission with useful evidence in support of disability policy mainstreaming. More specifically, the report will review implementation of EU Employment Strategy and the PROGRESS initiative with reference to policy implementation evidence from European countries, including the strategies addressed in the EU Disability Action Plan (such as flexicurity and supported employment).

The first version of the report was published in 2008. This is the second version of the report updated with information available up to November 2009.

Summary of report 1.

The data presented here are from 2008. The effects of cut backs and other changes will not be seen in the statistics until the end of 2010. The number of people with disabilities is continuing to fall (it has decreased since 2000). The employment rate has decreased and it is now at the lowest point over the last 10 years. However, there has been a falling trend since year 1998. This is also reflected in an increase of 0.3% in the unemployment rate, to 6.5%. It should be stressed that the figures are for the entire group of people with disabilities. When looking at the group of people with disabilities with reduced work capacity (54% of all people with disabilities compared to 81% for people without disabilities) the employment rate is much lower (55%) etc.

22% among the disabled with employment and with reduced ability to work have been discriminated against. 6% of those with a reduced ability to work say that at some time during the last five years they have been unfairly treated and were denied jobs for which they had sufficient qualifications due to their disability, and a slightly fewer felt that they had been passed over due to their disability when seeking advancement in their jobs. The same pattern is shown for salary negotiations, taking part in staff training, layoffs or dismissal, bullying, harassment or being offended (Statistics Sweden, 2009).

One method that has been successful in a number of Swedish projects has been the implementation of supported employment. The method has developed during the past 10 years and has been evaluated a number of times. The evaluations have shown the method to be effective (see e.g. Antonson, 2002). Reaching employment, to be employed and keeping employment are three problematic phases for the complex process that persons with impairments face in trying to become established within the market. To “reach an employment” means that the person is active, and maybe with some kind of help and support,

acquires competence for the job. Here, the person has, through his/her own energy and motivation, shown an interest and in several cases got an education and can even show other qualifications for employment on the market. A period of job training is also required in preparation for entrance to the job market.

The relationship between disability and employment is complex. A number of factors influence the possibility of reaching and keeping a job. The relationship to the employment field varies depending on e.g. age, gender, education, ethnicity, type of impairment and whether or not a person's capacity to work is reduced or not. Young persons with impairments are especially marginalized as are persons with psychiatric problems. The Swedish government has tried, both through legislation and direct measures, to contribute to an increase in possibilities of employment. However it can be seen that these measures are insufficient, as the trend shows that unemployment is increasing slightly for persons with impairments. The measures to facilitate and support groups taken at local level have met with problems regarding cooperation between the partners concerned.

We want to point out three areas that need further development:

1. Comparative evaluations (between countries) of ALMP.
2. Continued development, implementation and evaluation of Supported Employment.
3. Knowledge about how cooperation between agencies may be developed and implemented in practical activities.

Summary of report 2.

The Swedish educational system has over a long period had an inclusive education for all as the most important goal. The vast majority of students are enrolled in regular schools. At the compulsory level 98.6% of all pupils are in regular schools and at the upper secondary educational level the corresponding figure is 97.6% (see below for details of the education system in Sweden). For students with disabilities the focus is on inclusion and most attend regular schools. In 2009/10 there are 27,453 students attending special education at different levels of the educational system (Swedish Official Statistics, 2009/10) Most of these schools are located in the same premises as regular schools.

The support system for students with disabilities is comprehensive. It includes a higher teacher - student ratio, involving support such as sign language interpretation, help with reading, note-taking, proof-reading, and personal assistants. Certain technical aids are provided, for example specially equipped rooms, extended time for exams, alternative exams, mentors or other individualised support measures, talking books and books in Braille.

Although policy is geared to inclusion, the current tendency is that the number of students in non- inclusive environments is increasing. For students with learning disabilities, there has been a substantial increase in the number of students enrolled in schools for this category of student over the last 10 years. There is also an increase in the number of students that are taught in special units within regular schools. The most important reason for this is that the support system is closely linked to the type of educational setting and special schools have substantially more resources per student with special needs than regular schools, especially regarding the teacher ratio.

Municipal adult education consists of adult comprehensive education, upper secondary adult education and supplementary education together with adult education for mentally disabled students (Law 1992:598).

The Equal Treatment of Student in Universities Act (2001:1286) – came into force in Sweden in 2002. It states that no student at a university or other higher education institution may be discriminated against or otherwise treated differently on the grounds of origin, sex, sexual orientation, or disability.

In conclusion, from these briefly presented facts, it can be stated that the Swedish educational school system to a large extent is founded on a struggle for an inclusive education.

The reason for the Swedish approach is the policy that young pupils should not be categorized according to classification systems that are not reliable due to arbitrary interpretations from people using the classification system. The Scandinavian relational approach to disability emphasizes that a disability is not a characteristic of an individual person; it is a relationship between the person and the environment, it is relative and situational.

Since the Swedish school system is based on the principles of inclusion, the vast majority of pupils are enrolled in regular compulsory schools. 98.6 per cent of all pupils in years 1 to 9 attended regular compulsory school during the academic year of 2009/10. Of those who attended regular compulsory schools, about 1.2% were taught in “separate units” (i.e. 9,790 pupils). The majority of those who did not attend mainstream compulsory school attended compulsory school for pupils with learning disabilities. Only 500 pupils attended a special school for the deaf or hard of hearing in 2009/10 (Swedish official Statistics). Most hearing-impaired pupils and almost all vision-impaired and physically disabled pupils receive their education in regular compulsory schools. To provide good education for pupils with severe impairments is a challenge. In 2008 two national special schools for visually impaired pupils with additional functional disabilities or severe speech and language impairments were re-established.

7. BELGIUM

Report on the access to education and employment for people with disabilities in Belgium (source ANED)

Education

- **Special schools**

The Belgian Constitution concerning freedom of education and the decree on primary education (1997) states that parents are free to choose the school for their child(ren). Special education is organized according to the nature and the severity of the disability and psycho-educational abilities of the children with a disability. In Flanders it covers eight different types of special education and is characterized by coordination between education and remedial education, medical, paramedical, psychological and social actions on the one hand and the continuous cooperation of the institution charged with the support and supervision on the other hand. In Flanders in 2008-2009 48,068 children with a disability went to a special school. The proportion of special education is 4.5% on a total of 1,061,510 students (primary and secondary education). In the French speaking Community 31,317 children with a disability went to a special school in 2008-2009. The proportion of special education is 3.61% on a total of 867,466 students (primary and secondary education).

Lien:

Belgian Constitution concerning freedom of education (art.24)

Additional links:

Royal Decree on the organization of special education (June 28, 1978 modified on September 1, 2011)

<http://www.ond.vlaanderen.be/edulex/database/document/document.asp?docid=12926> Statistics and publications of the Flemish and Walloon education <http://onderwijs.vlaanderen.be/onderwijsstatistieken/>

- **Mainstream schools**

In 1986 the law in Flanders of July 6, 1970 concerning special education was adapted and children with a disability could register in regular schools with support from the special education institutions. The Flemish minister of Education and Training supports pupils and students in the regular educational system by the provision of special educational tools such as technical equipment and adapted furniture. After consultation with the parents and the Centre of Student Counseling (CLB), the board of school governors of a regular school can however refuse a student based on a lack of support resources for the student with special needs. The decree of the French speaking community and the Walloon Region of March 3, 2004 states that adaptations to e.g. class rooms are authorized to meet the needs of pupils and students with a disability.

Lien:

Law of July 6, 1970 (modified May 27, 2011) on special education and integrated education,

Additional links:

Decree concerning the educational integration protocol for the children with a disability by the French speaking community and the Walloon Region <http://www.ejustice.just.fgov.be/cgi/api2.pl?lg=nl&pd=2004-01-23&numac=2004200103> Flemish Decree concerning equal chances in education (June 28, 2002)

<http://www.ond.vlaanderen.be/edulex/database/document/document.asp?docid=13298> Statistics and publications of the Flemish and Walloon education <http://onderwijs.vlaanderen.be/onderwijsstatistieken/>

- **Higher education**

The regional governments support and subsidize provision but do not require certain actions to be taken.

In Flanders the support of students with a disability in higher education is based on four pillars:

- A suitable assessment for the distribution of means;
- A premium to encourage development of an equal chances and diversity policy;
- The subsidizing of the Support Centre of Inclusive Higher Education;
- A social allowance to improve the student equipment and the educational preconditions.

The French speaking government also seeks to stimulate the higher education for persons with a disability by:

- Making all educational programmes accessible for persons with a disability;

- Inventorying the needs and most important obstacles and planning basic adjustments for logistic facilities and evaluation methods;
- Developing training for teachers in sign language.

Additional links:

The Communal Policy Declaration 2009-2014

http://www.gelijkekansen.be/bijlagen/Beleidsnota%20Gelijke%20Kansen_def.pdf

Statistics for the access to education in Belgium

According to EU SILC data for 2009 compiled by ANED, the proportion of people with disability (30 to 34 year-old) accessing tertiary education in Belgium was 23.6% (20.7% for males and 27.2% for women) against 50.0% in the case of people without a disability. The proportion of young people (aged 18 to 24 years) leaving early education stood at 25.7% against 11.5% of non-disabled young side.

Vocational training and employment

- **Vocational training**

The Belgian ratification of the UN Convention (July 2, 2009) states in art. 24 that the government guarantees that persons with a disability can admit to vocational training and adult education based on equal opportunities and non-discrimination. The government guarantees that fair adjustments will be made for the person with a disability. In the Flemish region, the Flemish Service for employment-finding and Vocational Training (VDAB) and the Public Service of Employment and Education (FOREM) in the Walloon region have an anti-discrimination policy and have set up some extra support for persons with a disability in their search for a job.

Lien:

Service for employment-finding and Vocational Training (VDAB): persons with a disability

Additional links:

The Public Service of Employment and Education (FOREM): persons with a disability

<http://www.leforem.be/particuliers/conseils/profil/travail-handicap.html> The Belgian ratification of the UN convention (July 2, 2009) <http://www.ond.vlaanderen.be/leerzorg/VN/verdrag.pdf>

Public employment services

At the public office of all the different state levels, measures are taken in favour of the employment of persons with a disability:

- The federal Royal Decree of March 5, 2007 concerning the organisation of the recruitment of persons with a disability states that 3% of all federal employees should be persons with a disability in all federal departments.
- The Flemish government Decree of December 24 2004 concerning the measures to stimulate and support the equal chances and diversity policy in the Flemish administration.
- The Walloon government approved the Decree of May 27 2009 concerning the provinces, municipalities and associations of municipalities which are obligated to employ persons with a disability in a part time position.
- In Brussels the Edit of September 4 2008 concerning the stimulation of diversity and fight against discrimination in the Brussels Regional public office sets out equal treatment regarding employment at this public office and forbids discrimination based on a disability.

Royal Decree (March 5, 2007) on the organization of the recruitment of persons with a disability in federal public services

Additional links:

The Flemish government Decree of December 24 2004 concerning the measures to stimulate and support the equal chances and diversity policy in the Flemish administration

<http://wvg.vlaanderen.be/juriwel/gelijkekansen/regelgeving/pdf/bvr241204-1.pdf>

The Walloon government approved the Decree of May 27 2009 concerning the provinces, municipalities and associations of municipalities which are obligated to employ persons with a disability in a part time position.

http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=nl&la=N&cn=2009052758&table_name=wet

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Workplace adaptations

The employer is responsible for the wellbeing of his employees and needs to take some preventive measures on the ground of the law of August 4 1996, to prevent risky situations and to reduce the chance of damage. These measures concern the workplace, the design and adaptation of the workplace, the choice of the material, the use of individual protection gear. The employer needs to bear the handicap of the employee in mind when setting preventive measures to protect the health and security of the employee.

The Flemish decree of May 8 2002 concerning an equal participation on the private labour market also sets out some measures for improving the workplace, e.g.: the adaptation of the workspace and working clothes, the arrangement of a sign language interpreter. To stimulate the equal chances of persons with a disability in the regular labour market the Walloon government approved the decree of November 29, 2007 concerning the measures taken for adaptations in technical and financial assistance.

Lien:

[The law concerning the health of the employees in their labour](#)

Additional links:

Flemish Decree of equal participation on the labour market

http://www.diversiteit.be/index.php?action=wetgeving_detail&id=33 Walloon decree of November 27, 2007 concerning measures taken for adaptations in technical and financial assistance

http://www.ejustice.just.fgov.be/doc/rech_n.htm

Financial incentives

The employment of persons with a disability is authorised and financed at the regional level:

- The Flemish Service for employment-finding and Vocational Training (VDAB)

- The Walloon Agency for the integration of the Persons with a disability (AWIP)
- The Brussels Service for Persons with a Handicap Finding Autonomy (Service Bruxellois-Phare)
- The Service for Persons with a Disability in the German speaking Community.

In Flanders premiums can be paid to a private or public employer of an employee with a disability (acknowledged by the Flemish Agency for Persons with a Disability) for: adaptation to the workspace, financial contribution for working clothes and equipment and transport costs from and to work. In the Walloon Region the AWIP also provides a range of premiums for employing a person with a disability, adaptations to the workplace, etc.

Lien:

Flemish Decree concerning the professional integration of persons with a disability

Additional links:

Walloon Agency for the integration of the Persons with a disability: Information for the employers

http://www.awiph.be/integration/se_former_travailler/emploi+employeurs.html The federal and regional authorities concerning the policy for persons with a disability.

<http://handicap.fgov.be/nl/about/politique.htm>

Statistics for the access to employment

According to EU SILC data of 2009 compiled by ANED, the employment rate of people with disabilities in Belgium (20 to 64 year-old) was 42.6% (44.4% for men and 41.0% for women) against 72.4% in the case of people without a disability. The unemployment rate of people with disability was 23.7%, the economic activity rate was 55.8%.