

**Department of the Environment,  
Heritage and Local Government**

**Sectoral Plan  
under the  
Disability Act 2005**

**2006**

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## **Preface by the Minister**

I am very pleased to publish this sectoral plan to support participation by people with disabilities in all aspects of life – economically, socially and culturally.

I believe that considerable progress is now being made, aided in particular by the launch of the Government's National Disability Strategy in September 2004. The Disability Act 2005, a key element of the strategy, provides for a range of positive measures, including the preparation of this and other Departments' sectoral plans, as well as improved rights to integrated public service delivery.

Our plan, covering my own Department, its partner bodies and the local government sector, includes many initiatives which, when fully implemented, will have a considerable and lasting effect on the lives of people with disabilities. I will ensure that priority is given to the improvements to Part M of the Building Regulations, the introduction of a new Disability Access Certificate and the development of a new Housing Strategy for People with Disabilities, all of which were high on the agenda during the consultation process.

Local authorities will plan for integrated access to local housing, roads and streets, libraries, parks, buildings, services and information and develop prioritised implementation plans, through audit and consultation, to cover existing public facilities within their control. We will all benefit from strengthened local co-operation between public agencies and resulting joined up service provision envisaged in the plan.

I am making considerable additional resources available to assist local authorities in delivering high standards of access to people with disabilities and I expect the best possible return from this investment.

As we move into the implementation phase, challenges will arise. However, I am determined that we will meet such challenges with energy and ambition and ensure timely progress to achieve our policy objectives for an inclusive society for people with disabilities.

Dick Roche T.D.

Minister for the Environment, Heritage and Local Government

2006

## **Executive Summary**

### **Overview**

The high level goal of the Department of the Environment, Heritage and Local Government's sectoral plan is to promote and pro-actively encourage equal opportunities for persons with disabilities to participate in the economic, social and cultural life of the community. The Department and its related agencies and local authorities have made significant progress to date and are committed to the implementation in full of the National Disability Strategy. This sectoral plan, developed in consultation with people with disabilities, will assist the Department, the bodies under its aegis and local authorities by providing a more coherent structure to deliver an inclusive society with accessible buildings, facilities, services and information provided to all.

### **Building and Planning Code**

Accessibility of the built environment is a key factor in enabling people with disabilities to achieve a quality of life comparable with that of other citizens. A review of Part M of the Second Schedule to the Building Regulations, which concerns access for people with disabilities, was initiated in December 2005. The Department will prepare draft proposals by Autumn 2006 to amend Part M. The Building Control Bill 2005 has been published and, when enacted, will strengthen the enforcement powers of Building Control Authorities in implementing the Building Code. The provision for the introduction of the Disability Access Certificate system should be particularly significant. The Department will support local authorities, with the aim of ensuring effective access for all when dealing with planning applications, by addressing accessibility issues in national planning guidance.

### **Heritage Sites**

The Department will aim to ensure that heritage sites in its ownership are, as far as practicable, accessible to persons with disabilities by 31<sup>st</sup> December 2007. The National Parks and Wildlife Service will continue to take a proactive approach to meeting its responsibilities in terms of provision of access and services. Management plans for the six National Parks, which include

accessibility audits and time-bound strategies relating to disabled access, are being rolled out on a phased basis.

### **Local Authority Plans**

Each local authority will, within six months of the approval of this plan by the Oireachtas, carry out an accessibility audit of all roads and streets, pavements and pedestrian crossings, public buildings, public parks, amenities and open spaces, heritage sites, public libraries and harbours within its control and identify the remedial action necessary to make them accessible. Each local authority will, within three months of completing the accessibility audit, draw up an implementation plan. In doing so, local authorities will consult with organisations representing persons with disabilities. The accessibility of routes to and from, and the physical interface with, public transport will be improved. Local authorities will also ensure that, as far as practicable, new services or built facilities are accessible to persons with disabilities.

A steering group will be in place in each local authority to monitor and review progress. Each local authority will prepare a yearly progress report on its performance in relation to its Implementation Plan in its Annual Report. Local authorities will develop appropriate mechanisms for disability proofing decision-making of their Councils, where not already in place.

To bring a new focus to addressing the needs of people with a disability, a National Housing Strategy for People with Disabilities will be developed. New protocols will be established for inter-agency co-operation for all special housing needs. Legislation will be introduced that will result in a new means of assessing housing need to ensure that all people can live with maximum independence within their community. Schemes of letting priorities will be reviewed. The Department will continue to support a vibrant voluntary and co-operative housing sector and will also further build on investments in regeneration and remedial works. The Disabled Persons Grant Scheme will be reformed to improve the equity of the scheme.

## **The Department and Bodies under its Aegis**

The Department aims to ensure that the special needs of all of its customers, including people with disabilities, are met and that rights to equal treatment are upheld in service delivery. The Department will include its sectoral plan commitments in future Statements of Strategy and related Business Plans, and its Annual Reports will include progress reports on implementation. A team will be established to implement the requirements of the Disability Act which apply to the Department generally, which will include the development of disability proofing procedures and disability awareness training, reviews of existing information services and procurement procedures, and to conduct an analysis of the accessibility of the Department's buildings to build on current access improvement initiatives. The Department is committed to complying with the Government's 3% target for the employment of people with disabilities. The Department will continue to work closely with the bodies under its aegis to ensure a consistent national approach to the delivery of the sectoral plan's high level goal.

## **Monitoring, Review and Reporting Arrangements**

The Department will monitor progress in implementing this sectoral plan and will seek reports as appropriate from local authorities and the bodies under the Department's aegis for this purpose. The Department's Employment Monitoring Committee, including a person representative of people with disabilities, will monitor the implementation of Part V of the Disability Act. A Disability Act Sectoral Plan Advisory Committee (DASPAC) will be established and will be representative of the Department, people with disabilities, the National Disability Authority, bodies under the aegis of the Department and local authorities; this will provide a forum to assist in consultation on central policy issues and review progress at national level on implementation of the objectives and policies set out in the sectoral plan. The DASPAC will complement, but not replicate, other monitoring and review processes. The Department will also participate in central arrangements for a continued constructive relationship with stakeholders.

**High Level Goal**

To promote and pro-actively encourage equal opportunities for persons with disabilities to participate in the economic, social and cultural life of the community.

## **Objectives of the Sectoral Plan**

### ***The key objectives of the Sectoral Plan are -***

1. To promote universal access to public spaces, buildings and services owned and operated by local authorities and those owned and operated by the Department and bodies under the aegis of the Department.
2. To promote universal access to new developments and heritage sites.
3. To ensure access to information on local authority services for persons with disabilities and similar access to information on services provided by the Department and bodies under its aegis.
4. To update standards set out in Part M (Access for People with Disabilities) of the national Building Regulations; and provide for more effective enforcement of these standards.
5. To promote and ensure participation by persons with disabilities in decision-making.
6. To ensure a high level of awareness among all staff in regard to the requirements of persons with disabilities.
7. To encourage and facilitate access to appropriate housing and accommodation for persons with disabilities.
8. To improve access of persons with disabilities to streets, pavements, footpaths, and street crossings, and access from public roads to passenger transport vehicles, through promoting an accessible barrier free pedestrian environment.
9. To ensure co-operation and coordination in relation to cross-cutting issues under the National Disability Strategy between the Department,

bodies under its aegis and local authorities, with other Government Departments and public bodies.

10. To promote co-ordination between service providers at local level through the County and City Development Boards.

## Chapter 1

### Overview and Consultation

#### 1.1 Overview

1.1.1 The Department of the Environment, Heritage and Local Government, its related agencies and local authorities are proactive in relation to disability issues and significant progress has been made in this area. This is particularly true of many local authorities, who have drawn on their work including in relation to the Barcelona Declaration\*, implementation of equal status legislation and employment of people with disabilities to make significant progress in developing and delivering services, changing attitudes and adapting buildings etc. better to cater for people with disabilities.

1.1.2 Part M of the Building Regulations (made under the Building Control Act, 1990) plays an important role in the lives of people with disabilities. It requires that “adequate provision shall be made to enable people with disabilities to safely and independently access and use a building.” Initially, Part M applied only to non-domestic buildings; however the Building Regulations were amended in 2000 to require that new dwellings commencing on or after 1 January 2001 be visitable by people with disabilities. The review of Part M, and the related Technical Guidance Document M, will take account of submissions from the National Disability Authority (NDA) and groups representative of people with disabilities. Amended Part M/TGD M proposals will be drafted for consideration by the Building Regulations Advisory Body (BRAB), by October 2006; and will be published by the Minister, for public consultation, in early 2007. The Building Control Bill 2005, when enacted, will provide for more effective enforcement of Part M

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\* Barcelona Declaration (1995) adopted at the Euro-Mediterranean Conference November 1995 supporting the right of disabled people to participate as equal citizens

standards via, inter alia, the introduction of a Disability Access Certificate to certify compliance with Part M of new non domestic buildings and new apartment blocks at the design stage.

1.1.3 Local authorities deliver services of particular importance to the population as a whole including people with disabilities. These services include housing, planning, roads, pedestrian crossings and footpaths and public facilities such as libraries, parks and other amenities.

1.1.4 The Department, its partner agencies and local authorities are committed to implementing a policy of equal opportunities for people with disabilities and in recent years have taken positive measures to improve their quality of life. These measures include;

- the continued modernisation of buildings and provision of disability access to public offices and other public buildings such as libraries and theatres;
- provision of improved access to information and services provided by local authorities;
- adoption of the Barcelona Declaration by many local authorities, particularly under the 2001 – 2004 Barcelona Declaration Project, facilitating a more inclusive society by disability proofing all levels of decision making within their remit and developing of structured linkages with local organisations representing people with disabilities;
- review and updating of standards set out in Part M (Access for people with Disabilities) of the national Building Regulations;
- implementation of a Code of Practice for the Employment of People with Disabilities in the Local Authority Service and demonstration of best practice in employment,

- appointment of a designated Disability Liaison Officer, Access Officer and complaints Inquiry Officer in each local authority. The Disability Liaison Officer deals primarily with internal staff matters while the Access Officer and the complaints Inquiry Officer deal with members of the public;
- appointment of a designated Equality Officer and establishment of an Equality Action Team in each local authority to deal with equality issues (including certain issues relating to disability). A local authority network of Equality Officers, under the Local Government Management Services Board, meets regularly and provides a forum to discuss common issues (including certain disability issues) in relation to relevant policies or legislation in force or due to come into force;
- the work of the Local Government Management Services Board Steering Group on the implementation of the Disability Act which has worked with local authorities to prepare guidance on good practice for the purposes of implementing the Disability Act in the local government sector, including the June 2006 Guidance Framework for Developing An Implementation Plan; and
- the Library Access Project, developed by An Chomhairle Leabharlanna and the Equality Authority, and the Making Access Happen report\*, which explores practical initiatives to accommodate library users with disabilities, and which is being implemented across many library authorities.

1.1.5 Despite the many positive measures taken by the Department and the local authorities, it is recognised that more must be done to deliver the objective of promoting and pro-actively encouraging equal

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\* An Chomhairle Leabharlanna and the Equality Authority 2004.

opportunities for persons with disabilities to participate in the economic, social and cultural life of the community. This sectoral plan will assist the Department, bodies under its aegis and local authorities by providing a more coherent structure to deliver this high level goal.

1.1.6 The accessibility audit provided for in this sectoral plan gives local authorities and other organisations an opportunity to identify, in consultation with organisations representing people with disabilities, what action is necessary to make further improvements to services affecting persons with disabilities.

1.1.7 This document addresses:

- The Building Code, and the Planning Code, in so far as they relate to people with disabilities (Chapter 2)
- Access to Heritage Sites (Chapter 3)
- Local Authority Plans (Chapter 4)
- Action by the Department and Public Bodies under its Aegis (Chapter 5)
- Resources, Monitoring, Review and Implementation (Chapter 6).

## **1.2 Consultation conducted by the Department**

1.2.1 As provided for under the Disability Act, the Department has consulted with persons representative of people with disabilities in preparing and refining its sectoral plan:

- inviting public submissions in August 2005;

- holding regional seminars, facilitated by the National Disability Authority, in 2005 which were attended by people with disabilities and their respective organisations; and
- holding meetings with the Disability Legislation Consultative Group.

1.2.2 The Department consulted with local authorities, the Local Government Management Services Board Steering Group on the implementation of the Disability Act, and bodies under the aegis of the Department, such as an Bord Pleanála and an Chomhairle Leabharlanna.

1.2.3 The Department has also liaised with other relevant public body stakeholders including the National Disability Authority, and other Government Departments (e.g. the Department of Transport in relation to roads and harbours, and the Department of Health and Children and the Health Services Executive, concerning the accommodation needs of people with disabilities and the respective roles of the Health Service Executive and housing authorities.)

1.2.4 In general, consultation by the Department has indicated broad support for the measures set out in the outline sectoral plan. The following points were also expressed by several parties:

- priority issues for people with disabilities include the accessibility of public footpaths and pedestrian crossings;
- accessibility audits should be of a consistently high quality across organisations and in-house auditing expertise should be developed to ensure an ongoing focus on this issue;
- a forum for the sharing of good practice among local authorities in relation to the attainment of the objectives of the National Disability Strategy would be welcomed;

- people with disabilities particularly wish to be involved with local authority implementation plans and reviews;
- improvements to services such as housing and accommodation can be achieved through better coordination between public bodies; and
- explicit targets, timeframes and performance indicators for activities committed to in the Department's sectoral plan would be welcomed.

All views expressed and submissions provided to the Department have been carefully examined and reflected in this sectoral plan, where appropriate, in accordance with the role and capacity of the Department, of local authorities, and of the bodies under the Department's aegis.

## Chapter 2

### The Building and Planning Code

#### 2.1 Built Environment

2.1.1 Accessibility of the built environment has consistently been identified as a key factor in enabling people with disabilities to achieve a quality of life comparable with that of all other citizens pursuing an active life in society. The overall objective is to ensure that an effective legislative and regulatory framework is in place to underpin the aim of making the built environment accessible to all. The complementary application of the building and planning codes should ensure that access issues are properly addressed at the design stage of all new developments.

#### 2.2 Building Code

2.2.1 Section 3 of the Building Control Act, 1990 enables the Minister for the Environment, Heritage and Local Government to make national performance based Building Regulations. The Minister made Building Regulations in 1991 (S.I. 306 of 1991) that are operative since 1 June 1992 – including Part M providing for access, by people with disabilities, to new non-domestic buildings and new apartment blocks. The underlying philosophy of Part M is to ensure that, as far as is reasonable and practicable, buildings should be usable by people with disabilities. The principal aim of building regulations is to provide for the health, safety and welfare of people in and around buildings. The building code does not generally apply to buildings commenced prior to 1 June 1992.

The 1991 Regulations (Parts A-M) were updated and consolidated in 1997.

2.2.2 Under Part M of the Second Schedule to the Building Regulations – *Access for People with Disabilities* – “Adequate provision shall be made to enable people with disabilities to safely and independently

access and use a building”. Guidance on compliance with this requirement is contained in Technical Guidance Document (TGD) M, published under Article 7 of the 1997 Building Regulations (S.I. No. 497 of 1997).

## **2.3 Extension of Part M Regime to New Dwellings**

2.3.1 Following a public consultation process, Part M of the Building Regulations was amended in June 2000 (S.I. 179 of 2000) and came into effect on 1 January 2001. A revised (2000 edition) Technical Guidance Document M came into effect on the same date.

2.3.2 Under the amended Part M (2000) Regulations:

- (a) dwellings commenced on or after 1 January 2001 (including extensions) must be visitable by people with disabilities. As a transitional measure, dwellings for which planning permission had been applied for on or before 31 December 2000 were exempt from the new requirements - provided substantial works had been completed on or before 31 December 2003. This transitional measure has now expired;
- (b) there is a more stringent statutory definition of disabled access to new non-domestic buildings and new apartment blocks; such access will have to be “adequate” not just “reasonable”.

2.3.3 TGD M (2000 edition) indicates how to comply with the amended Part M Regulations and features outlined include:

- level or gently sloping approaches to dwellings
- level access at entry doors
- wider doors and corridors to accommodate a wheelchair

- ground floor toilet facilities for wheelchair users and other people with disabilities.

### **Current Review of Part M Regime**

2.3.4 In accordance with a commitment given by the Minister in the Outline sectoral plan, a review of the Part M regime was initiated in December 2005.

In response to a public notice inviting interested persons and organisations to input to the review process, more than 40 detailed submissions were received by the closing date of the end of March 2006 including from the National Disability Authority, Irish Wheelchair Association, National Council for the Blind and the Irish Council for Social Housing.

2.3.5 Following a review of all the detailed submissions received, the Department will prepare draft proposals by Autumn 2006 to amend Part M/TGD M. The draft proposals and the submissions will be referred to the broadly based Building Regulations Advisory Body (BRAB) for comment, and the proposals will be approved by the Minister, with any amendments as appropriate. The Minister will publish these proposals for public/industry comment in early 2007. The draft proposals will include the proposed operative date.

The Disability Act, 2005 Section 25(3)(a) requires that public buildings should be brought into compliance with Part M not later than 31 December 2015 and, if Part M is amended, not later than 10 years after the commencement of the amendment.

2.3.6 Part M of the Building Regulations currently defines “people with disabilities” as meaning people who have an impairment of hearing or sight or an impairment which limits their ability to walk or which restricts them to use a wheelchair. This definition will be reviewed and, if

necessary, amended in the context of the current review of the Part M regime.

2.3.7 Part M requires that provision be made in certain types of buildings, such as theatres, cinemas, concert halls, meeting and conference rooms, and places of religious worship for communication aids for people with a hearing impairment.

## **2.4 Best Practice**

2.4.1 TGD M explains how designers, builders and clients commissioning building projects can meet the minimum statutory requirements of Part M of the Building Regulations (Access for People with Disabilities).

2.4.2 TGD M also incorporates references calling up relevant Irish (IS) and British (BS) standards; and publications on best practice in designing for the disabled, including “Buildings For Everyone - Access and Use for All the Citizens” (National Disability Authority - NDA), and “Access to the Historic Environment - Meeting the Needs of Disabled People” (Lisa Foster, UK). These publications promote universal access to buildings and their external environment and explain how to design, make and manage such buildings and their external environment to achieve such access.

2.4.3 The current review of Part M and TGD M will take account of any best practice guidelines produced by the NDA, including the Code of Practice to be prepared under section 25(2) of the Disability Act 2005, and by the Centre for Excellence in Universal Design (being established within the NDA under Part 6 of the Disability Act 2005). The proposed Centre will engage in practical and theoretical work in relation to universal design issues and develop standards, education and training.

## **2.5 Building Control Bill 2005**

2.5.1 The enactment of the Building Control Act 1990 provided the framework for the modern Irish building control code. However, after fifteen years of its operation, and in the light of the experience of the building industry, local authorities the Building Regulations Advisory Body and other interested groups it was decided that the legislation was in need of updating.

Accordingly, the Building Control Bill, 2005 was published on 22 December 2005 and, when enacted, will amongst other measures strengthen the enforcement powers of Building Control Authorities (BCA's) in implementing the Building Code.

While all of the proposed measures will have beneficial effects for the disabled including the energy rating requirement for houses, stricter control on fire safety and enhanced enforcement, the provision for the introduction of the Disability Access Certificate (DAC) system, as recommended by the Report of the Commission on the Status of People with Disabilities, should, when in operation, have a significant effect on the lives of disabled persons accessing work or accommodation.

2.5.2 Under the proposed DAC system, the local building control authority must confirm that the design of a proposed new commercial building or new apartment block complies with Part M, before development work commences. This should assist access issues to be properly addressed at the design stage rather than at the construction stage or post completion – when fully remedying access deficiencies may be impracticable, on technical or cost grounds. The model of access certification will be designed to take account of best international practice.

## **2.6 Enforcement - Complaints Procedure**

- 2.6.1 Building Control Authorities (BCA's) are committed to inspecting at least 12-15% of all buildings covered by valid Commencement Notices served on the authorities. Such inspections include checks for compliance with Part M. The Department monitors BCA's compliance with this target and over 90% of BCAs currently meet the target, while two-thirds of authorities exceed the target. The Department will continue to press the BCA's to universally and consistently achieve the minimum target inspection level.
- 2.6.2 Follow-up enforcement action by BCAs will be facilitated by the Building Control Bill 2005, when enacted, which will simplify the prosecution process by giving authorities the option to institute summary prosecutions of all building code offences, as an alternative to the more complex prosecution on indictment by the DPP. The BCA will get the benefit of any fines imposed in relation to convictions on foot of prosecutions initiated by the BCA. The 2005 Bill will also prohibit the occupation, opening or operation of a new building where the relevant design lacks a Disability Access Certificate (DAC). The local building control authority will have the power to seek a High Court injunction to enforce this prohibition. This will represent a huge financial penalty to those commissioning new buildings; and a much greater deterrent than conviction and fine in the courts.
- 2.6.3 If any person, including a person with a disability, considers that a particular building which was provided post 1 June 1992 does not comply with Part M of the Building Regulations, a complaint to that effect may be made to the Building Control Authority for the area. The authority is expected to investigate such complaints and take any necessary follow-up enforcement action.
- 2.6.4 The Department of the Environment, Heritage, and Local Government (Building Standards Section) maintains and updates a list of the contact details (name, postal and/or e-mail address, telephone/telefax

numbers) of the Building Control Officers in the 37 local authorities to whom complaints can be addressed. This list together with the Building Regulations (Parts A-M) and the related Technical Guidance Documents A-M can be viewed/downloaded free of charge on the Department's website [www.envron.ie](http://www.envron.ie) under the Headings 'What We Do' and 'Building Standards'.

## **2.7 Fire Safety**

2.7.1 Under Part B of the Second Schedule to the Building Regulations - Fire Safety, "A building shall be so designed and constructed that there are adequate means of escape in case of fire from the building to a place of safety outside the building, capable of being safely and effectively used." Guidance on compliance with this requirement is contained in Technical Guidance Document B, also published under Article 7, and the first paragraph of section 1.4.15 of the Technical Guidance Document states that "Where access for disabled people is provided to a building or part of a building in accordance with Part M of the Second Schedule to the Building Regulations, provision should also be made, in the building or part of the building (as the case may be) for appropriate means of escape for such people." The other paragraphs of section 1.4.15 deal with the relevant issues that arise in this regard.

## **2.8 The Planning Code**

2.8.1 The aim of ensuring effective access for all must also be addressed by local authorities when dealing with planning applications for housing and commercial development. The primary issue is to ensure access of approach to buildings. Local authorities must ensure that developers address the design implications of accessibility, the location of disabled car parking and other related issues at an early stage in the development process for both housing and commercial developments.

2.8.2 A number of local authorities have included requirements on achieving better design solutions for access in their Development Plans, and are

implementing those requirements through the development management process. To ensure that there is a uniform application of appropriate standards of access, the Department will address accessibility issues in its national planning guidance on development plans and on management of planning applications. The guidance will include:

- the Development Plan Guidelines for Planning Authorities (draft issued for consultation with the public, Spring 2006);
- the Development Management Guidelines for Planning Authorities (public consultation phase complete; final version due to be published in late 2006);
- revised guidance on Sustainable Urban Housing (drafts to be published in 2007); and,
- revised standards for Site Development Works for Housing Developments (draft for publication in 2007).

Planning authorities and An Bord Pleanála must have regard to guidelines issued under section 28 of the Planning and Development Act, 2000 in the performance of their functions.

## **Chapter 3**

### **Heritage Sites**

#### **3.1 Overall Objective**

3.1.1 The Department, where appropriate in conjunction with the Office of Public Works (OPW), to whom operational responsibility for most built heritage sites was transferred on 1 January 2004 (see Paragraph 3.9), will aim to ensure that heritage sites in its ownership are, as far as practicable, accessible to persons with disabilities by 31 December, 2007, subject to the National Monuments Acts, the Wildlife Acts and, in the case of protected structures and architectural conservation areas, compliance with the requirements of Part IV of the Planning and Development Act 2000.

3.1.2 In the case of services provided in relation to a heritage site by a local authority, the local authority will aim to ensure that, as far as practicable, access to the services is provided for persons with a disability in a manner that enables them to travel with ease and dignity around the site or that part of it to which they have access. While implementing this objective will be dependent on the financial resources available, it is intended that the objective will be largely reached by 2007. This date will be kept under review in the light of financial and other developments.

#### **3.2 Access for Disabled People at National Parks and Nature Reserves**

3.2.1 The National Parks & Wildlife Service (NPWS) of the Department is responsible for an extensive range of properties of natural heritage significance. With a large variety of sites, each with individual issues from a conservation and service provision point of view, the provision of disabled access does not lend itself to a standardised approach or solution. In some extreme cases conservation requirements of a site are such that access in any form has to be restricted to all potential

users. NPWS is conscious of the needs of people with varying degrees of ability and has been working positively over the past 20 years to provide access, services and facilities at the sites for which it is responsible, while also exercising its responsibility as custodian of these natural heritage sites.

3.2.2 NPWS wishes to facilitate access by disabled people on the same basis as able-bodied people and seeks to ensure that its sites and activities are accessible to everyone. This policy has continued and every effort is made to accommodate people with a disability at NPWS sites having regard for conservation, the topography of the area and the safety of the users. Such efforts would be focused on removal of steps, the installation of ramps and lifts, where necessary, transport, car-parking, approach routes, outdoor amenities, indoor amenities, sanitary facilities, information desks and allied facilities and the general design of structures so as to eliminate such barriers from the outset.

3.2.3 Management plans for the six National Parks are being rolled out on a phased basis. Plans for Killarney and Wicklow Mountains National Park were published in 2005 and it is anticipated that a further two will be completed this year. Each plan spans a period of five years and includes time-bound strategies relating specifically to disabled access. Accessibility audits are included as standard in each plan, the results of which will inform future works.

3.2.4 The OPW and NPWS work closely together. OPW provides project management support for major capital works on parks and nature reserves, as a matter of course. The booklet ***Heritage Sites*** published by NPWS in conjunction with OPW, indicates the disabled facilities available to visitors to National Parks.

3.2.5 NPWS has completed projects at a number of its sites to make them more accessible to visitors, including works undertaken to upgrade the pathways and provide wooden walkways in the Glendalough Valley.

These projects have greatly improved access to the Wicklow Mountains National Park. Resting points along a number of walking trail routes will also be established. A sensory garden was opened in Glendalough in 2005. In consultation with the National Council for the Blind of Ireland (NCBI), signage in the garden will be comprised of simple carved wooden signs with the letters painted in white. This will allow for clear visibility and introduce a tactile element where letters can be traced by finger. In line with NCBI advice, the feasibility of a “nature guide” audio tour around Glendalough’s Lower Lake in the Wicklow Mountains National Park is being examined. An outdoors garden plan and general information leaflet in large print (as recommended in NCBI guidelines) will be published to identify plants and explain the different areas of interest.

3.2.6 Adaptations to provide universal access to Muckross House in Killarney National Park have secured full planning permission and it is anticipated that the works will commence in Spring 2007. Lifts to assist those visitors in wheelchairs have been installed in the busses at Glenveagh National Park. Wheelchair access has also been provided to the Bridge House Education Centre in the park. A sensory wildlife garden in the NPWS offices at Ballinacorney, Co. Roscommon is another initiative under active consideration. Audiovisual displays are also provided at NPWS Visitor Centres.

3.2.7 In order to protect the natural heritage, NPWS is in some cases constrained by legislative obligation such as the EU Habitats Directive, which was transposed into Irish law by S.I. 94 of 1997. NPWS is legally required to protect Special Areas of Conservation (SAC) from damage under the terms of the EU Habitats Directive. While addressing the need to remove physical barriers as described in the previous paragraph, NPWS will consider new activities/facilities, such as the use of motorised vehicles e.g. ATVs (All Terrain Vehicles) where this would not increase the risk of damage to SACs on State owned land. In addition, for safety reasons, NPWS will not permit the use of

ATV transportation in an area of visitor usage where rescue of individuals would be problematic. However, NPWS will be happy to assist in the identification of areas where this type of transport could be accommodated if a need for it was clear and which would not involve the risks outlined above.

3.2.8 As stated in this Department's Strategy for enhanced Customer Service, NPWS will explore how it can seek to address or contribute to equality measures in the future. NPWS has taken and will continue to take a proactive approach to meeting its responsibilities in terms of provision of access and services to the properties for which it is responsible. It is of the view that this can best be achieved through policy agreements supported by management plans at individual sites or groups of sites.

### **3.3 Access for Disabled People at National Monuments in State Care**

3.3.1 Issues similar to those at NPWS sites arise in relation to the provision of access to national monuments in State care. Since 1 January 2004 the management of such sites has been the responsibility of the Office of Public Works (OPW).

3.3.2 The Department, in exercising its policy function in relation to the built heritage, liaises with OPW to promote improved access for disabled people, having regard to the conservation requirements of relevant sites. The implementation of improved access is a matter for the OPW.

## Chapter 4

### Local Authority Plans

#### 4.1 Overall objective

4.1.1 The overall objective is to promote universal access to all public spaces, buildings and services owned and operated by local authorities at the earliest possible date. While implementing this objective will be dependent on the financial resources available to each individual local authority, it is intended that the objective will be reached by 2015. This date will be kept under review in the light of financial and other developments.

#### **Nature of local authority system and functional responsibilities**

4.1.2 The local authority system is different in some important respects from other state sectors. Local authorities are uniquely representative through their directly elected members, who are answerable to their local communities, including people with disabilities, and the elected council debates and determines the policy of the local authority, in accordance with various enactments. The functions of a local authority are to provide a forum for this democratic representation of the local community and to provide civic leadership for that community; to carry out a wide range of functions conferred on it by statute; and to take such action as it considers necessary or desirable to promote the community interest, including the promotion of social inclusion. Subject to law, a local authority is independent in the performance of its functions. Government Departments set the national policy framework within which local authorities deliver their services and the Department of the Environment, Heritage and Local Government promotes and supports the capacity of local government to deliver services and infrastructure to a high standard within its area of responsibility.

Local authorities are responsible for some €9 billion in public spending annually with some 46% of total local authority spending voted by the

Oireachtas. A further 20% of current expenditure is financed from motor tax receipts with the balance raised by local rates, charges and levies. While the level of investment made by the local authority in any area is related to the overall level of resources available to it, and the extent and range of demands upon it, authorities generally will give a high priority to appropriate provision for services for disabled people.

4.1.3 Local authorities have considerable experience in implementing Employment Equality and Equal Status legislation to date, as well as developing quality accessible customer services and mainstreaming disability requirements in the design of new public facilities. The Barcelona Declaration 1995 which supports the right of disabled people to participate as equal citizens has been endorsed by the majority of local authorities, the highest number of any EU country, and has been actively pursued with participation from elected members, officials and representatives of local disability groups in many authorities. As part of the public sector modernisation programme, the local government sector of the draft social partnership agreement, *Towards 2016*, reinforces the commitment of local authority management and staff, and of the social partners, to the implementation of the National Disability Strategy. Considerable sums of money have been and will be invested by local authorities to meet the needs of people with disabilities and to fulfil their obligations under the Disability Act. However, some authorities are more advanced in the awareness raising, audit and implementation process than others. The targets and timeframes for action set by individual authorities in their implementation plans will reflect their previous levels of action on disability issues as well as guidance on good practice issued in June 2006 by the Local Government Management Services Board Steering Group for implementation of the Disability Act 2005.

## **4.2 Accessibility Audit**

4.2.1 Each local authority will, within six months of the approval of this Plan by the Oireachtas, if one has not already been carried out, carry out an

accessibility audit of all roads and streets, pavements and pedestrian crossings, public buildings, public parks, amenities and open spaces, heritage sites, public libraries and harbours within its control and identify what remedial action is necessary to make these buildings and facilities accessible for people with disabilities.

4.2.2 The accessibility audit will also cover access to services and information in accordance with sections 26 to 28 of the Disability Act 2005 and the code of practice issued by the National Disability Authority under section 30 of the Act.

4.2.3 Authorities have been encouraged to build their own internal capacity to conduct accessibility audits to a high standard, while making judicious use of external expertise as necessary, in order to develop and maintain an internal corps of expertise in this area. The NDA 2005 Good Practice Guidance on auditing the built environment, as well as guidance on good practice on auditing key areas of the external environment to be completed this year by an expert sub-group of the LGMSB Steering Group, will assist local authorities in carrying out audits to a high standard.

### **4.3 Implementation Plan**

4.3.1 Each local authority will, within three months of completing the accessibility audit, draw up an implementation plan setting out a programme (including dates) to implement the commitments and objectives contained in the Disability Act 2005 and in the sectoral plan. The implementation plan will be published by each local authority – including making it available on its website. A copy of the implementation plan will be sent to the Department.

4.3.2 In drawing up their implementation plans, local authorities will have regard to the funding and staffing resources available to them for implementation. Priority will be given to local authority buildings and other facilities to which access is most frequently required as well as

accessible public footpaths streets and crossings in urban areas. The plans will set out targets and timeframes for carrying out these works to reflect local priorities.

#### **4.4 Structures to support planning and service delivery for persons with a disability**

4.4.1 The Disability Act 2005 Steering Group was established by the Local Government Management Services Board with the Department of Environment, Heritage and Local Government to assess the impact of the Disability Act 2005 and to develop guidance on an implementation plan to assist local authorities. *A Guidance Framework on Good Practice in Developing an Implementation Plan in Local Authorities*, issued by the Local Government Management Services Board (in June 2006) recommends strong Senior Management Team strategic planning, implemented and reviewed by a multi-functional internal Steering Group, with involvement and consultation with local groups representing people with disabilities, and embedded in the Corporate Planning and Annual Operational Planning of local authorities, as a structure to support this process. The LGMSB Steering Group is also developing further guidance, to address areas such as the external environment, which will include conditions concerning road opening licences.

4.4.2 Local authorities will, through the County/City Development Boards and with the support of the Boards' relevant member agencies at national and local level, actively promote co-ordination between all the service providers in their area, in regard to services for persons with disabilities.

4.4.3 Local authorities will develop appropriate mechanisms for disability proofing decision-making of their Councils, where not already in place, in line with the *'Disability Proofing Template for Local Government'*, produced as part of the Barcelona Declaration Project, and delivered by the Institute for Design and Disability on behalf of the NDA.

4.4.4 The local authority's designated disability Access Officer will co-ordinate the authority's response to the Sections 26 – 28 measures in the Disability Act 2005 which came in to effect on 31 December 2005 and serve as an initial contact point between the local authority and local disability groups and people with disabilities. Other roles and functions under the Act and Implementation plan will be assigned to specified staff/groups/units/teams to be determined locally, building on existing local authority structures to support planning and service delivery for people with disabilities.

#### **4.5 Consultation with organisations representing persons with disabilities**

4.5.1 Local authorities will consult with organisations representing persons with disabilities when carrying out their accessibility audits and when drawing up their implementation plans. Local authorities will have regard to the Guidelines on Customer Consultation issued by the Local Government Customer Service Group in July 2005, as well as any additional advice on e-consultation, user groups etc. provided by the National Disability Authority or organisations representing people with disabilities.

#### **4.6 Access to public buildings**

4.6.1 All new local authority public buildings will comply with the Building Regulations and existing buildings will be subject to the access requirements of the Disability Act 2005 and the Building Control Bill 2005, when enacted.

##### **Good Practice**

4.6.2 The LGMSB Steering Group Guidance Framework, referred to at 4.4.1 above, covers the following areas:-

- Attitude, awareness and skills
- Legal framework

- Mandatory activities
- Strategic planning
- Internal structures – planning implementation review
- Consultation
- Role of external expertise
- Disability awareness/equality training
- Access auditing
- Information and communication
- Funding
- Design of built environment
- Procurement
- Accessibility proofing
- Elected members and communities
- Inter-agency co-operation
- Community development and social inclusion
- Public relations
- Good practice in the future

It encourages networking among local authorities and leadership from local authorities as models of good practice in their local communities in mainstreaming inclusion of people with disabilities. It also references NDA publications for good practice guidance, codes and standards and other key sources to support inclusion of people with disabilities in access to all areas and services under local authority control. A dedicated website to enable local authorities to network and share good practice in relation to access issues will be set up by the Local Government Computer Services Board (LGCSB) on behalf of the LGMSB by the end of 2006. Workshops will also be provided by the LGCSB to local authority web developers on updating their web sites to accessibility standards set by the NDA.

#### **4.7 New Local Authority Services**

4.7.1 The overall objective is that each local authority will ensure that, as far as practicable, any new services or built facilities provided by it after

the commencement of the Act are accessible to persons with disabilities. Councils have been particularly reminded to ensure that all new works and services funded under local authority programmes have access for people with disabilities built into plans and designs from inception to completion.

- 4.7.2 Each local authority will comply, in so far as it is practicable to do so, with any Code of Practice approved by the Minister for Justice, Equality and Law Reform under the Disability Act 2005. The April 2006 Code of Practice on Accessibility of Public Services and Information -S.I. No. 163 of 2006 has been circulated to local authorities for follow up action.

## **Housing**

### **4.8 Strategic framework**

- 4.8.1 The overall objective of housing policy is to enable every household to have available an affordable dwelling of good quality, suited to its needs, in a good environment and, as far as possible, at the tenure of its choice. The broad principles underpinning the delivery of housing are set out in the **Housing Policy Framework –Building Sustainable Communities**, launched in December 2005. This provides a vision of the kind of high quality, integrated sustainable communities that are worth building and reflects the need to plan for future housing taking account of the needs of a modern, dynamic and multi-cultural society, with a diversity of accommodation needs.
- 4.8.2 Accessibility of dwellings is an important issue for people with a disability. Evolving Building Standards for new houses referred to in Chapter 2 and the potential for advancements in design should lead to general improvements in the accessibility of the Irish housing stock over time. Local authorities are required, by Section 94(3)(c) of the Planning and Development Act 2000, when preparing their housing strategies, to take into account the need to ensure that a mixture of house types and sizes is developed to reasonably match the

requirements of the different categories of households, as may be determined by the planning authority, and including the special requirements of elderly persons and persons with disabilities.

4.8.3 However, it is recognised that people with a disability often have fewer choices in terms of providing for their housing and accommodation needs. Many individuals require support either through adapting private housing to meet their needs or the provision of more specialised forms of accommodation. In this context, this sectoral plan is directed at improving the quality of choice available and at directing resources to areas of greatest priority.

4.8.4 In 2004, local authorities, at the Department's request, developed five-year action plans for their social and affordable housing programmes, including those programmes delivered by the voluntary and co-operative housing sector. These plans require local authorities to identify priority needs over the coming years, including the needs of persons with a disability, and then to develop a coherent and co-ordinated response across all their housing services. The plans will ensure that resources are used to the best effect to deliver the optimum level of quality housing in a manner that breaks cycles of disadvantage and dependency. Active land management strategies are being put in place to support these programmes. A specific commitment was included in the *Housing Policy Framework - Building Sustainable Communities*, and reiterated in the draft social partnership agreement *Towards 2016* to ensuring that future Housing Action Plans address special housing needs in a more strategic manner.

4.8.5 To bring a new focus to addressing the needs of people with a disability, a **National Housing Strategy for People with Disabilities** will be developed as recommended in the NESC "Housing in Ireland" Report in order to support the provision of tailored housing and housing supports to people with disabilities, including, in particular having regard to adults with significant disabilities and people who experience

mental illness. This will be progressed through the establishment of a National Group under the aegis of the Housing Forum headed by this Department and involving the Department of Health and Children, the Health Services Executive, social partners and other relevant stakeholders including the National Disability Authority.

4.8.6 As part of this approach, new protocols will be established for inter-agency co-operation for all special housing needs, so that a combined approach to the accommodation, care and support dimensions is taken.

#### **4.9 Housing design issues**

4.9.1 The extent to which persons with disabilities can access housing is a key starting point in relation to ensuring that their needs are being addressed.

4.9.2 Part M of the Building Regulations requires that dwellings are visitable by people with disabilities and that buildings, other than dwellings, are accessible and usable by people with disabilities. The underlying philosophy on which these requirements are based is that buildings should be accessible and usable by everyone, including people with disabilities. Those involved in the design and construction of housing developments should have regard to the philosophy of universal access, and should consider making additional provision where practicable and appropriate.

4.9.3 Designers should consider not just the immediate needs of the prospective occupants but also their changing needs over the life of the dwelling. In so far as practicable, the design should provide for flexibility in use, accessibility and adaptability. The aim should be to ensure that dwellings can meet the changing needs of occupants over their lifetimes, including needs associated with moderate mobility difficulties and the normal frailty associated with old age. Elderly or moderately disabled persons, who wish to remain independent in their

own home, should be able to do so without the need for costly and disruptive remodelling of the dwelling.

4.9.4 Further detail on the approaches to these issues will be provided in best practice advice which the Department is developing at present with a view to publication in the short term.

#### **4.10 Private rented sector**

4.10.1 Additional housing choices will be available to households generally through the strengthening of the private rented sector. The Residential Tenancies Act 2004 provides greater certainty to tenants, including persons with disabilities. Furthermore, it specifically provides that nothing in it authorises conduct prohibited by the section of the Equal Status Act dealing with the provision of accommodation. In implementing this legislation, the Department will ensure that the appropriate supports are available to the Private Residential Tenancies Board so that in carrying out its functions generally, issues relating to disability are understood and addressed.

#### **4.11 Housing options provided through local authorities**

4.11.1 A range of housing options are available to eligible persons through local authorities. These range from standard local authority rented housing to housing provided by voluntary and co-operative housing bodies, affordable housing schemes, loans for house purchase and improvements and the recently introduced Rental Accommodation Scheme. In assessing applications for housing accommodation authorities have been asked to ensure that applicants are made aware of the full range of housing options and to establish which option is the most appropriate and suitable response to an individuals need.

#### **4.12 Assessment of housing need**

4.12.1 Housing authorities are required under the Housing Acts to undertake a statutory assessment of housing need in their own areas. As part of

this assessment authorities must identify those whose need arises directly from disability.

4.12.2 In carrying out an assessment of housing needs, housing authorities are required by section 9 of the Housing Act 1988 to give a month's notice of their intention to the Health Service Executive (HSE) and to have regard to the need for housing of persons with a disability. The authorities are also required to give notice to voluntary or non-profit organisations engaged in the provision of housing accommodation whose purposes include the provision of accommodation, shelter or welfare. The authorities are advised to ask the HSE to provide as much information as possible on the housing needs of individuals particularly in the disabled category. The authorities are advised to arrange a liaison meeting with the HSE and other appropriate organisations in each county area prior to the assessment to ensure that the full accommodation needs of all categories are properly established and considered and that there is a clear understanding of the methodology to be used. In developing inter-agency co-operation new protocols will be developed to deal with liaison between housing authorities and the HSE on the assessment of housing need, at both a strategic and individual level.

4.12.3 The Government's ***Housing Policy Framework – Building Sustainable Communities (December 2005)*** and the draft social partnership agreement *Towards 2016* propose the introduction of legislation that will result in a new means of assessing housing need to provide a better basis for policy development and service delivery to ensure that all people can live with maximum independence within their community. This is set in the context of identifying the nature and scale of need so that the response, in terms of the system of housing supports is flexible enough to deal with the changing circumstances of the individual and family throughout the lifecycle, while ensuring equitable treatment and interventions that maximise individual choice and personal autonomy.

4.12.4 Section 12 of the Disability Act 2005 provides for exchange of information between the HSE and public bodies (including housing authorities) for the purpose of assisting a person with disabilities in applying for personal or individual services provided by the body relevant to his or her needs. It requires that, where a public body has been notified of a possible need (e.g. a housing need in the case of a housing authority), a member of staff of the body shall communicate with the person with a disability for the purpose of facilitating or co-ordinating the provision of any services that it considers he or she is entitled to. A protocol will be developed to deal with liaison between the HSE and housing authorities on this matter. This approach along with the proposed protocol on the more strategic assessment of need should improve the capturing of special housing needs such as those of persons with a disability.

#### **4.13 Provision of Accommodation**

4.13.1 The allocation or letting of houses to tenants, including the letting of houses to persons with disabilities is administered in accordance with the terms of the scheme of letting priorities that each housing authority has adopted and operates in its administrative area. The Housing Act 1988 provides that a scheme of letting priorities may provide that a housing authority shall obtain and have regard to a report from the HSE in the making of letting of dwellings where priority is claimed on grounds of or including medical grounds. Under section 11 of the 1988 Act, housing authorities may set aside for persons of a specific category including persons with disabilities a proportion of dwellings becoming available for letting. This area will be reviewed as part of the implementation of the programme of social housing reforms outlined in the Government's Housing Policy Framework – Building Sustainable Communities (December 2005).

#### **4.14 Social and Affordable Housing Programmes**

4.14.1 The overall objective of social housing policy is to deliver high quality housing to those who cannot otherwise provide for their own housing needs. The Department's housing policy framework and the draft Social Partnership Agreement - *Towards 2016* outlines a new level of ambition for the provision of social and affordable housing over the coming years.

4.14.2 As outlined in 4.8, the Department's policy framework also indicates that specific strategies are required to meet the housing requirements of all those with special needs, including persons with a disability and a protocol will be developed to assist authorities in this regard. This will include examining the role that all schemes, including the Rental Accommodation Scheme and Affordable housing schemes, can play in meeting the needs of persons with a disability.

4.14.3 The design and construction of new houses allocated to persons with a disability will continue to take into account the specific needs of the individuals concerned.

4.14.4 The voluntary and co-operative housing sector has a particular role to play in meeting special housing needs, including those of persons with a disability. The Department, through its capital funding schemes will continue to support a vibrant voluntary and co-operative housing sector. This will include a rationalisation of administrative and approval arrangements to ensure the earliest possible delivery of suitable quality projects, improvement in funding arrangements, measures to enhance governance of the sector and an expanding role for the sector under the Rental Accommodation Scheme.

4.14.5 More generally, significant investment in regeneration and remedial works has also improved both the housing and general environment where tenants reside. The Department will build on this investment by rolling out a programme of regeneration to all run-down estates

nationwide over the coming years and by completing the installation of central heating in all local authority housing. In addition, an audit of the social housing stock will be undertaken in 2008 to ensure that standards and levels of satisfaction are rising.

4.14.6 Planned reforms to the social housing sector outlined in the policy framework, such as improvements to the provision of housing advice, implementation of fair rents across all social housing tenures and improved management and maintenance of local authority housing stock and services to tenants will all have positive impacts for persons with a disability.

#### **4.15 Special initiatives and grants**

4.15.1 A new house grant continues to be available to assist individuals to adapt a new house to meet the needs of a person with a disability.

4.15.2 The Disabled Persons Grant Scheme is available to provide assistance for adaptation works to make a house more suitable for the accommodation of a person with a disability. The scheme is administered by local authorities based on local need. Funding for the scheme between 2000 and 2005 amounted to €266.7 million with some 31,000 grants paid. The scheme has been reviewed and will be reformed to improve equity and targeting. Proposals for the future operation of the scheme are being prepared and are expected to be announced shortly.

#### **4 16 Inter - agency protocols**

4.16.1 As outlined in paragraph 4.8.6, the development of appropriate protocols is an important instrument for ensuring good inter-agency co-operation where there is both a care and accommodation aspect to meeting needs. Protocols to deal with co-operation between the Health Service Executive(HSE) and housing authorities are required to provide a strategic framework for inter agency co-operation at local level. It is intended that protocols will be agreed as appropriate

between the HSE and housing authorities to deal, inter alia, with the following areas:

- Assessment of housing needs - a protocol, to be developed in the short term, will aim to govern liaison between HSE and housing authorities on the assessment of individual accommodation needs of people with disabilities who have been identified by the HSE under the assessment of need process consistent with Section 8 of the Disability Act 2005 and made known to the housing authorities under the provisions of section 12 of the Disability Act 2005.
- Strategic assessment of the nature and extent of nature of local housing needs of people with a disability – a protocol will be developed, in the medium term, aiming to govern liaison between HSE and housing authorities on the exchange of information necessary for this purpose. This will input into the development of housing action plans.
- Support costs for social housing projects provided for people with disabilities – this protocol, to be developed in the short term, would apply to projects provided by housing authorities and the voluntary and co-operative housing sector where there is an ongoing care/support dimension required in addition to accommodation needs.

#### **4.17 Social inclusion**

4.17.1 The enhancement and promotion of social inclusion, including in relation to people with disabilities, is integral to local government and is a key objective across the broad range of local government functions. Local authorities, as part of the local government modernisation programme, are expanding their social inclusion and community development role. In this context, local authorities will be asked actively

to promote social inclusion, including in connection with people with disabilities, via their Corporate and Annual Operational Plans.

### **County and City Development Boards**

4.17.2 The local government-led County and City Development Boards, through their Social Inclusion Measures Groups, and with the active support of their relevant member agencies at local and national level, will be asked to adopt disability as a key theme and actively promote co-ordination between relevant service providers in their area with regard to services for persons with a disability. The Boards will be asked to put in place arrangements for representatives of people with disabilities to be provided with opportunities to inform the Boards of the requirements of people with disabilities in their areas.

### **Social Inclusion Units**

4.17.3 The existing eight pilot local authority Social Inclusion Units are required to place a special emphasis in their work on customer service to disadvantaged communities, including persons with a disability. The Social Inclusion Unit programme will be placed on a permanent footing and extended to half of all county and city authorities (seventeen units in total) by the end of 2008. Such new units will be expected to draw on good practice from existing Social Inclusion Units and other relevant sources. The units will also advance disability proofing in the local authorities in the development of policies and practices.

### **Community and Voluntary Fora**

4.17.4 Social inclusion is a key focus for the Community and Voluntary Fora. The Fora provide a mechanism by which the disability sector can be consulted by local authorities and other public sector agencies. Groups representing persons with a disability will be encouraged to become members of their relevant Community and Voluntary Forum. The Fora will continue to be supported by appropriate funding provided by the Department of the Environment, Heritage and Local Government.

### **Local Government Anti-Poverty Learning Network**

4.17.5 The Local Government Anti-Poverty Learning Network operates with the support of the Department of the Environment, Heritage and Local Government, the Office for Social Inclusion, the Combat Poverty Agency, the Local Government Management Services Board and the Institute for Public Administration. The network provides a forum for both elected members and staff to exchange information and learn about practical anti-poverty initiatives, including those relating to disability, which could be applied in their own local authorities.

### **Roads, streets, pedestrian crossings and footpaths**

#### **4.18 Overall objective**

4.18.1 The overall objective is to ensure that roads, streets, pedestrian crossings and footpaths are, as far as practicable, accessible to and usable by persons with disabilities. As set out in the following paragraphs, the needs of persons with disabilities are now specifically catered for in the design and construction of new or improved roads, streets and footpaths. Existing facilities will be covered by the accessibility audit and implementation plan referred to in paragraphs 4.2 and 4.3.

4.18.2 The Department of Transport and the National Roads Authority determine roads policy and national primary and secondary roads funding while this Department determines funding programmes for local and regional i.e. non-national roads, which supplement local authorities' own resources expenditure. In 2006, non-national roads funding from the State amounts to €558 million. Both Departments' sectoral plans provide that arrangements to facilitate access to vehicles providing passenger transport services from a public road will be put in place. Collaboration between Departments and agencies and local authorities and transport authorities in regard to their respective responsibilities for public roads, the pedestrian environment, traffic management and public transport is a key element in making streets

and transport facilities accessible for all. The LGMSB Good Practice Guidance Framework (see 4.4.1 and 4.6.2) for local authorities provides that initial priority should be given to key routes to local public services such as bus stops, stations, churches, post offices, banks and shops. Authorities, in line with this guidance, will develop joined-up proposals to improve accessibility of public roads, footpaths, streets and crossings leading to ground, air and sea transport facilities, and accessible routes to and from public transport.

#### **4.19 New and improved services**

4.19.1 The maintenance and improvement of non-national roads and the selection and prioritisation of projects to be funded is a function of local authorities.

An increased sum of €85 million in discretionary and block grants has been allocated by this Department to County Councils (€53 million) and City, Borough and eligible Town Councils (€32 million) respectively in 2006. Included in the latter €32 million is a sum of €16.7 million specifically for works on carriageways and footpaths to ensure improved driving conditions as well as accessible pedestrian facilities in urban areas. Local authorities may use their discretionary grants to fund a wide range of improvement works on non-national roads, including footpaths, traffic and pedestrian signs and signals and traffic management schemes in their functional areas. Subject to resources provided by the Oireachtas for non-national roads funding in future years, this Department intends to continue the provision of grants for these purposes.

4.19.2 In carrying out accessibility audits and developing implementation plans, local authorities will review the need for new or improved footpaths, traffic light crossings, wheelchair accessible bus stops and car parking for disabled users in the towns and villages throughout their areas. Local authorities will, in consultation with the relevant transport authorities, including private bus operators and taxi/hackney

organisations, and as far as practicable having regard to the available funding, provide for the raising of footpaths to the appropriate level for wheelchair accessible buses by providing Kassell kerbing, where suitable; improve local road conditions where they may be an impediment to the use of low floor buses; and upgrade streetscapes in pedestrian zones by dispensing with footpaths. Local authorities will prioritise the upgrading of bus stops on roads where wheelchair accessible buses are in service or are being phased in, in line with the Department of Transport's sectoral plan. The Department will engage with the Department of Transport and the City and County Managers Association (CCMA) with a view to arranging any further co-ordination needed for a better interface between public roads and passenger transport services.

4.19.3 This Department's Memorandum on Grants for Non-National Roads (issued to local authorities in February 2001) advises local authorities, when planning and executing road works and particularly the planning and designing of pedestrian facilities, to pay particular attention to the needs of the mobility-impaired, including the visually impaired. The potential danger for mobility-impaired people of road works is acknowledged and authorities are advised to take special care regarding safety and also to consult with local representatives of persons with disabilities, where appropriate. The requirements of the Disability Act 2005 and submissions on this sectoral plan will be considered in a review of the Memorandum which is underway and is expected to be completed in 2007.

4.19.4 Technical guidance for local authorities and contractors is provided in the Department of Transport's 2003 *Traffic Management Guidelines* covering bus stop and footpath design and the design of crossing facilities for mobility/sensory impaired people. Local authorities, in carrying out safety audits for road improvement works which include ditched and tactile paving, smooth footpaths, signal controlled pedestrian crossings etc, use the *Traffic Management Guidelines*, as

well as any in house designs developed, to provide optimum access for people with disabilities. Good practice guidelines, currently being drawn up by a sub-group of the LGMSB Disability Act steering group with NDA assistance, will be used by local authorities in considering the need for and standards for new or improved facilities as part of the accessibility audits and implementation plans of local authorities.

4.19.5 Departmental grants to local authorities for all non-national road works supplement their own resources expenditure. Local authorities, in determining priorities of road works for funding, may include non-national road improvement works that would assist the mobility of persons with a disability – e.g. improved and new footpaths, dished kerbs, road markings for disabled persons parking bays in their areas etc. In addition to funding from this Department's Discretionary Improvement and Block grants (see 4.15.1 above) to county councils and eligible urban authorities, a further €2.25m has been provided in 2006 to assist the provision of urban traffic management schemes by the City Councils of Cork, Galway, Limerick and Waterford and a special €1m footpaths grant has been made available for certain town council areas. Additional National Disability Strategy funding of €10m capital per annum up to 2009 will be applied in some areas to improve priority streets footpaths and crossings as identified in accessibility audits.

#### **Urban and Village Renewal Programme**

4.19.6 The aim of the Urban and Village Renewal measures is to provide financial support to local authorities for a range of interventions to upgrade cities, towns and villages to make them more attractive places in which to live and work, encourage social and economic development and facilitate and support the development of tourism and tourism related activity.

4.19.7 The Renewal Programme, which is due to end in 2007, has provided support of €114 million to date. Many of the renewal works will have

provided particular benefits for people with disabilities. For example, a significant proportion of works have related to repairing existing footpaths or providing new footpaths and urban amenities which improve access for people with mobility related disabilities. Disability proofing will be a requirement for relevant proposed works in any successor to the Programme.

## **4.20 Voting**

4.20.1 The overall objective is to provide accessible information to assist persons with disabilities to apply for entry on the register of electors, and to assist such persons to vote at elections and referenda.

4.20.2 Ballot papers including candidates' photographs and party emblems are currently in use to assist visually impaired persons and persons with literacy difficulties to exercise their right to vote. In addition, large print versions of ballot papers are displayed in polling stations to further assist electors with a visual impairment or with literacy difficulties.

4.20.3 Following the Report of the Commission on Electronic Voting (CEV) in April 2004, the Department is progressing a programme of further assessment and testing of the electronic voting and counting system. The voting machine is wheelchair accessible and a number of modifications have been made to its design to improve visual accessibility. The feasibility of providing a facility to allow independent electronic voting by visually impaired voters is being examined.

4.20.4 The Department will arrange, in consultation with the National Council for the Blind of Ireland, for the provision of information on registration and voting in accessible formats by the end of 2006. Such information will also be distributed to local authorities where it will be readily accessible to the public.

4.20.5 Electoral law provides for a number of measures in relation to accessibility to polling buildings. The Electoral (Amendment) Act 1996

provides that local authorities, in making polling schemes, shall endeavour to appoint polling places where at least one polling station is accessible to wheelchair users. While the selection of buildings to be used as polling stations is a matter for the returning officer, the Act requires them, where practicable, to ensure that such buildings are accessible to wheelchair users. The returning officer must in addition, where practicable, give public notice of all polling stations that are inaccessible to wheelchair users not later than eight days before polling day. If an elector has difficulty gaining access to their polling station, the person may apply in writing for authorisation to vote at another polling station in the same constituency that is accessible to wheelchair-users.

4.20.6 Once in the polling station, persons with a physical disability or with a literacy difficulty may avail of companion voting or may seek the assistance of the presiding officer. Alternatively, if a person has a physical disability or illness which prevents them from going to the polling station, they can vote by post if they apply to be included in the postal voters list which is drawn up each year as part of the register of electors.

#### **4.21 Libraries**

4.21.1 The Department, in association with An Chomhairle Leabharlanna (The Library Council) and the 32 library authorities, will continue to pursue the implementation of the recommendations of the *Branching Out* Report in relation to improving equality of access to library services for everybody.

4.21.2 Local authorities will continue, as far as practicable and in line with Guidelines issued by the Department of the Environment, Heritage and Local Government in July, 2003, to provide optical scanning facilities in public libraries to assist visually impaired persons and the necessary software and equipment to assist persons with learning and literacy difficulties.

4.21.3 Virtually every library in the country has a stock of large print books, tapes/CDs and other forms of accessible media. Local authorities will, as far as practicable, ensure that these stocks are kept up to date.

4.21.4 All new libraries will comply with the Building Regulations. Libraries constructed prior to the coming force of the 1992 Building Regulations will be covered by the accessibility audit referred to earlier in Paragraph 4.2.

### **Library Access Project**

4.21.5 An Chomhairle Leabharlanna and the Equality Authority formed a partnership in 2003 to develop the Library Access project. Library Access focuses on the reasonable accommodation of people with disabilities in public libraries and aims to:

- Support planned and systematic approaches to the reasonable accommodation of people with disabilities.
- Develop practical supports for providers of library services to make the adjustments and to provide the facilities necessary for the reasonable accommodation of existing and potential users with disabilities.
- Stimulate effective change and the implementation of good practice in the provision of an inclusive public library service.
- Support compliance with the Equal Status Act 2000 alongside a broader ambition for the inclusion of people with disabilities.

4.21.6 The Library Access Report identifies and sets out a wide range of initiatives to accommodate access for people with disabilities to public libraries and their services. It is based on research into good practices in other countries to establish an underpinning framework for a planned and systematic approach to such accommodation. There are seven elements to the framework namely consultation, policy formation and planning, disability audit, inclusive design, training, marketing and

quality control and provides public library service providers with an important agenda for action.

4.21.7 An Chomhairle Leabharlanna and the Equality Authority are confident that the practices set out in *Library Access* will find a wide implementation across the public library service. Both organisations are committed to stimulating and supporting such an outcome and to the reasonable accommodation of people with disabilities in all aspects of public library services.

4.21.8 A pilot project funded by both bodies involved four library authorities and investigated how reasonable accommodation for people with disabilities could be delivered in public libraries. The project, which involved the development and piloting of a staff training module, was designed as a short programme of training interventions to inform and stimulate a range of practical initiatives. These initiatives sought to implement the guidance in the *Library Access Report*. The training programme involved:

- Each participating authority identifying key staff for two training interventions to be taken 4-6 weeks apart.
- Library authorities engaging in projects identified during the training intervention.
- A concluding inter-authority meeting to review progress and achievements and to identify future plans.

4.21.9 The *Making Access Happen* report, which followed the above pilot, sets out practical initiatives taken by the four authorities to improve access for people with disabilities to their local libraries. It describes a unique process of training, reflection, planning and action that gave practical expression to a shared commitment that libraries provide a space for all in their local communities.

4.21.10 With the aid of the specific funding provided under the National Disability Strategy, a further ten library authorities were facilitated with similar training by An Chomhairle Leabharlanna during 2005 with nine further library authorities to receive such training in 2006. An Chomhairle Leabharlanna will also provide a report on the training project, setting out examples of best practice, and develop a new 'Making Access Happen' section of the [www.library.ie](http://www.library.ie) website with funds provided in 2006.

## **4.22 Public parks, playgrounds, open spaces and amenities**

4.22.1 New facilities, such as public parks, playgrounds, open spaces and other public amenities provided by local authorities will be accessibility-proofed at design and construction/development stage. Facilities which were provided or improved in the last decade are largely accessible and all existing facilities will be subject to an accessibility audit and implementation plan as referred to earlier in Paragraphs 4.2 and 4.3.

## **4.23 Harbours**

4.23.1 The Maritime Passenger Transport chapter of the Department of Transport's sectoral plan outline the requirements for accessible facilities on passenger ships and services as well as access to passenger ferry ports and harbours. The Department of Transport proposes to establish a marine passenger transport disability forum by the end of 2006, which will inform policy in this regard.

4.23.2 Large harbours within the state such as those in Dublin and Cork are owned and managed by Port Companies established under the Harbours Act 1996 which include local authority representation. In addition to these there are a number of regional harbours which operate under the Harbours Act, 1946 of which 10 are currently under consideration for transfer to local authority control as recommended in the Ports Policy Statement 2005.

4.23.3 The Port Companies are responsible for the provision of appropriate facilities for passenger accessibility at their harbours and will, in accordance with sectoral Plan of the Department of Transport, conduct an audit of existing facilities at each port within six months of that Plan coming into force. The Companies will also develop an implementation plan for remedial action within three months of the completion of the accessibility audit. Local authorities, in their capacity as roads authorities, will arrange with the Port Companies as necessary to promote ease of route access, on public roads, streets, footpaths, and pedestrian crossings linked to public and private transport to and from these harbours.

4.23.4 The Department of Communications, Marine and Natural Resources (DCMNR) co-ordinates fishery harbours and coastal zone management policy and directly owns and controls five fishery harbours centres. The DCMNR sectoral plan outlines passenger access audits and implementation plans for some of these harbours from which domestic passenger services operate. Local authorities own and manage a number of smaller harbours, landing places and slips out of which fare paying passenger ferry services to offshore islands and peninsulas are operated by private interests. Local authorities providing facilities at such harbours specifically for fare paying passenger purposes i.e. facilities for embarking and disembarking from passenger vessels, etc. will, in so far as is practicable, take all reasonable steps to ensure that the facilities provided are accessible to passengers with disabilities, with the assistance of appropriate support and funding schemes from relevant Departments, including the Department of Community, Rural and Gaeltacht Affairs.

In the case of such smaller harbours under the control of the local authorities and those due to transfer to local authorities under the Ports Policy Statement, all new harbour infrastructure provided by local authorities for passenger purposes will be designed and constructed, insofar as practicable, to a high standard of accessibility, with the

assistance of appropriate support and funding schemes from relevant Departments. Existing local authority harbour facilities will be covered by the accessibility audits and implementation plans referred to earlier in Paragraph 4.2 and 4.3, in consultation with the relevant Departments.

4.23.5 The Department will facilitate arrangements for improved co-ordination between the Department of Transport, the Department of Communications, Marine and Natural Resources, the Department of Community, Rural and Gaeltacht Affairs and the County and City Managers' Association, when required, in the event that a need is identified for further national level co-ordination to support the existing inter-agency co-operation arrangements with the relevant Departments.

#### **4.24 Information**

4.24.1 All local authorities will discharge their responsibilities under National Disability Authority Codes of Practice, such as the Code of Practice on Accessibility of Public Services and Information provided by Public Bodies.

4.24.2 The Department, bodies under its aegis and local authorities will ensure that as far as practicable, access to information provided by them or on their behalf will be available to persons with disabilities in an accessible format as provided in section 28 of the Disability Act 2005 and the Code of Practice on Accessibility of Public Services and Information provided by Public Bodies prepared and published by the National Disability Authority under section 30 of the 2005 Act, which was approved by the Minister for Justice, Equality and Law Reform in Statutory Instrument 163 of 2006 and which has been circulated to all local authorities. This will include information requested;

- by a person with a visual impairment, e.g. information in an electronic format using adaptive technology; and

- by a person with a hearing impairment or learning disability.

#### **4.25 Disability Awareness Training**

4.25.1 Local authorities are arranging disability awareness training for all relevant staff as appropriate including senior management, personnel officers, building control officers, engineers, access officers, disability liaison officers, frontline staff and other staff responsible for the implementation of the Disability Act 2005 and this sectoral plan, as well as for elected members. Such training is carried out in line with LGMSB good practice guidance and NDA publications. Detailed guidelines are currently being developed by a sub group of the Local Government Management Services Board Steering Group. Extra funding is provided for such training by the Department under the National Disability Strategy funding available from 2005 to 2009.

#### **4.26 Local Authority Employment - 3% Target**

4.26.1 The local authority sector exceeded the Government's target of 3% for the employment of people with disabilities in the public sector each year since 2001. Local authorities will be required to make every effort to maintain or exceed this level of employment of persons with a disability.

4.26.2 The employment target will be reviewed by the Monitoring Committee to be established by the Minister under Part 5 of the Disability Act 2005 to report on the employment position in respect of 2006 and subsequent years. The Monitoring Committee will be established later this year.

#### **4.27 Special Competitions**

4.27.1 Although people with disabilities can apply for job positions in the public service through open competitions, it has been recognised that there is also a need for special targeting actions. In this context, the local authorities, from time to time, organise special competitions for

the posts of Clerical Officer and Library Assistant for people with disabilities. Local authorities will continue this practice.

#### **4.28 Code of Practice for the Employment of People with Disabilities in the Local Authority Service**

4.28.1 A Code of Practice for the Employment of People with Disabilities in the Local Authority Service was issued to all local and regional authorities on 19 July 1999. This Code of Practice was drawn up by a Working Group, representative of local authorities and the Department of the Environment and Local Government, in consultation with staff unions and management, interested members of the public and organisations representing people with disabilities. Copies of the Code are also available in the Irish language and in Braille, on request.

4.28.2 The Code, which is applicable to all local authority employees, sets out policy and best practice to ensure employment opportunities for people with disabilities and is designed to offer them a fruitful and rewarding career in the local authority service. The Code covers issues such as recruitment, integration into the workplace, career development, accommodation and equipment, safety, health and welfare at work and evacuation procedures.

4.28.3 The Monitoring Committee referred to in paragraph 4.24.2 will review the Code of Practice.

#### **4.29 Complaints**

4.29.1 Each local authority has an Access Officer, as required under section 26 of the Act, whose function is to provide or arrange for and co-ordinate the provision of assistance and guidance to people with disabilities in accessing local services in the Manager's area. Authorities will ensure that the public is aware of the availability of an Access Officer.

4.29.2 In accordance with section 39 of the Disability Act 2005, each local authority will have at least one authorised Inquiry Officer to deal with complaints made under Section 38 of the Act relating to sections 25 to 29 of the Act. Local authorities will ensure that the Inquiry Officer receives appropriate training. Local authorities will adapt current complaints procedures to ensure that the specific requirements of section 39 of the 2005 Act are met. Where a complaint is made under section 31 of the Act relating to matters which are the subject of this sectoral plan, the procedures set out in “Customer Complaints - Guidelines for Local Authorities” drawn up by the Local Government Customer Service Group and published by the Department in July, 2005 will be followed. A copy is available on the Department’s web site [www.environ.ie](http://www.environ.ie). These Guidelines were prepared in consultation with the Ombudsman and they reflect the contents of the Ombudsman’s earlier guidance documents, adapted for local authority use.

4.29.3 Each local authority will publicise its complaints system together with contact details through whatever mechanism is best suited to informing the public in its own area, including websites, public offices, local media and leaflets. These details will be made available to relevant disability groups and organisations through the Access Officer.

4.29.4 Each local authority will have an in-house procedure in place to deal with all complaints, as advised in July 2005 guidance, and with representations from elected representatives. Complaints will normally be dealt with, in the first instance, by the section or department of the local authority providing the service. Where this does not provide for a satisfactory resolution of the complaint the matter will be referred to a complaints unit/service, involving a senior officer of the local authority who will determine the local authority response to the complaint.

4.29.5 The Disability Act 2005, section 40 makes provision for appeals of determinations of Inquiry Officers and for appeals in relation to

determinations of complaints regarding the sectoral plan to be referred to the Ombudsman.

#### **4.30 Liaison**

4.30.1 Effective liaison will be maintained by local authorities, primarily through the City and County Managers Association structures, with the Department of the Environment, Heritage and Local Government and with other relevant Government Departments in relation to national issues. Local authorities will also liaise with bodies such as the Health Service Executive at national and local level and local transport providers to achieve the aim of effective inter agency co-operation to facilitate access by people with disabilities to the services provided by such bodies.

## Chapter 5

### Action by the Department and Public Bodies under its Aegis

#### 5.1 The Department's Role

5.1.1 The Department will continue to take positive measures to promote and pro-actively encourage equal opportunities for persons with disabilities to participate in the economic, social and cultural life of the Community by delivering its responsibilities under the National Disability Strategy and by working closely with and supporting the work of local authorities and the bodies under the Department's aegis.

5.1.2 The Disability Act 2005 places a number of requirements on the Department, principally;

- Section 25 requires that the Department ensure that its public buildings are, as far as practicable, made accessible to people with disabilities not later 2015;
- Section 26 requires the Department, where practicable and appropriate, to ensure that its mainstream public services are accessible for people with disabilities, and that assistance is provided if requested, with an Access Officer appointed to co-ordinate arrangements;
- Section 27 requires that services supplied to the Department are accessible to persons with disabilities, unless it would not be practicable or justifiable on cost grounds or would result in an unreasonable delay;
- Section 28 requires that the Department, as far as practicable, communicates in forms that are accessible;

- Section 29 requires that the Department's heritage sites, to which the public has access, are accessible, as far as practicable, to persons with disabilities (see Chapter 3);
- Sections 30 and 36 specify requirements in relation to the preparation of the sectoral plan;
- Sections 38, 39 and 40 specify complaints and inquiry procedures, and the role of the Ombudsman; and
- Section 47 requires that, in so far as practicable, all reasonable measures are taken to promote and support the employment by the Department of persons with disabilities and that the Department meets a minimum 3% target for employment of people with disabilities.

### **Access to Department Buildings**

5.1.3 The Department's offices are currently located in over 40 locations throughout the country. All of the Department's principal buildings providing direct information or services to the public, i.e. the Custom House, Ballina, Shannon, ENFO, Irish Life and Dún Scéine, are generally accessible. The Department's objective is to ensure that all of its public offices, including in its new decentralised locations, are accessible to people with disabilities by 2015.

5.1.4 A range of initiatives are ongoing to enhance disabled access within the Department's offices i.e.:

- Access Auditing; The Department, in conjunction with the Office of Public Works, has carried out an access audit of the Custom House. Access for all was considered including those with visual or hearing impairment, learning difficulties, cognitive and mobility impairment as well as wheelchair users. The Department is in the process of implementing the recommendations at present. The

Department will use this audit as a template for improving facilities in other areas in which the Department is located.

- Improvements to the Custom House; The Department is moving its main entrance from the Abbey Street side to the Gardiner St side which includes the provision of improved access facilities for people with a disability to the building. Part of the move will involve opening pedestrian gates, which front onto Beresford Place opposite the Gardiner St Hallway, incorporating a ramp in order to provide for additional entrance facilities for disabled access to the building. The Department will also complete an extension of an existing lift to provide for access to all floors in the building and to make all areas within the Department's headquarters more accessible to people with a disability. The work will be completed by end 2006.

5.1.5 Under the government's decentralisation programme the Department is due to relocate to four locations in the South East; Wexford, Waterford, New Ross and Kilkenny. The Department will work with the Office of Public Works, which is procuring the buildings, to ensure that accommodation in each location will represent best practice in the provision of facilities for people with a disability.

5.1.6 The Department will also comply with the National Disability Authority's Code of Practice to support public bodies in fulfilling their statutory obligations under sections 26, 27 and 28 of the Disability Act 2005.

### **Customer Service**

5.1.7 The Department's 2005-2007 Statement of Strategy includes the following key objective;

*"to provide a very high level of quality customer service which takes account of changing needs and expectations",*

which is regarded as critical to the Department's success. The Department's Customer Charter commits the Department to aiming to ensure that the special needs of its customers are met, and that rights to equal treatment, including to people with disabilities, are upheld in the delivery of our services. The Department's third Customer Service Action Plan 2006-2008 sets out the steps the Department will take to deliver on its commitments to achieving those objectives. Key actions for the Department include;

- ensuring that our services reflect different needs and requirements that flow from a customer's disability,
- ensuring that information on the Department's websites meet the needs of all of customers;
- facilitating physical access for people with disabilities;
- ensuring that information is available, upon request, in a format appropriate to the customer – Braille, text-to-speech, paper copy, email;
- seeking the views of customers on the accessibility of information in any customer surveys carried out by the Department;
- ensuring that access to choice of service delivery meets our obligations under the Disability Act 2005.

Progress on these areas will be reported on in the Department's Annual Report.

The Department's Complaints Procedure is included in Appendix 1.

## **Human Resources approach to employment of people with a Disability**

- 5.1.8 The Department is also conscious of its responsibilities to those of its staff who have disabilities, who form a considerable proportion of the total human resource available to the Department. The Department's Disability Liaison Officer has begun a self-disclosure exercise for people with disabilities to help the Department meet their needs, and to improve the Department's understanding of the nature and implications of disabilities in the workplace and thereby inform the formulation of policy on the management of disability issues.
- 5.1.9 The Department is committed to complying with the Government's 3% target for the employment of people with disabilities in the Public Sector. The Department's Employment Monitoring Committee, including a person representative of people with disabilities, will monitor the implementation of Part V of the Disability Act.
- 5.1.10 As part of the Department's Statement of Strategy 2005-2007 the extent to which targets relating to the Government's equality and disability action plans are met has been identified as a key performance indicator. These targets are being addressed through a range of actions identified in the Department's *Human Resources Strategy* and progress in these areas is reported on in the Department's Annual Report.
- 5.1.11 As part of the Department's commitment to the promotion of a positive culture in relation to staff with disabilities the Department is preparing Disability Awareness Guidelines for the information of all staff. Staff who have chosen to take part in the self-disclosure exercise will be invited to provide observations on draft guidelines.
- 5.1.12 The Department is one of a number of organisations taking part in the WAM (Willing Able Mentoring) Project, which aims to give quality work experience to graduates with disabilities.

### **Statement of Strategy and Business Planning**

- 5.1.13 The Department will include its sectoral plan commitments in future Statements of Strategy and related Business Plans, and its Annual Reports will include progress reports on implementation.
- 5.1.14 The Department is adopting the Regulatory Impact Analysis (RIA) approach to consultation in accordance to the Guidelines issued by the Department of the Taoiseach in October 2005. [Regulatory Impact Analysis](#) is a tool used to assess the likely effects of a proposed new regulation or regulatory change and is being applied to all proposals for primary legislation involving changes to the regulatory framework, all significant Statutory Instruments and all proposed EU directives and significant regulations.
- 5.1.15 The Government has agreed to amend the Cabinet Handbook to incorporate a requirement that all substantive memoranda submitted to Government take account of the impact on people with disabilities. The Department of Justice, Equality and Law Reform is developing appropriate guidance to assist with the proofing requirement.
- 5.1.16 Reports are made regularly by the Department in relation to specific functional areas, such as the Housing Statistics Bulletins. The question of the inclusion of further statistical data in relation to the Department's functional areas outlined in this Sectoral Plan will be kept under review, having regard to the Department's data strategy.

### **The Access Implementation Team**

- 5.1.17 A cross cutting team approach will be adopted for the implementation of the requirements under the Act which apply to the Department generally. The specific measures of the Department's sectoral plan in relation to the built environment, heritage sites and local authority plans will be co-ordinated separately in the Local Government Division.

5.1.18 An Access Implementation Team will be established consisting of representatives of those areas of Corporate Services Division with functional responsibility for the relevant Departmental actions. Membership of the Team will be representative of the business units most affected by the Act and will vary according to need at any particular time. The Team will report to the Principal Officer, Corporate Development and Decentralisation Section, who will advise the Assistant Secretary Corporate Services Division of progress, as required. The team will meet at least twice per year and may revise its terms of reference as required to meet the needs of the Department.

5.1.19 The National Disability Authority (NDA) has developed a Code of Practice in order to support public bodies in fulfilling their statutory obligations under sections 26, 27 and 28 of the Disability Act, 2005. The Access Implementation Team will use the NDA Code of Practice as its guide in relation to compliance.

5.1.20 The terms of reference for the Team will be;

- To outline a programme of work required to meet the Department's legal requirements, to identify the timescales involved, and to indicate the tasks appropriate to the different business areas of the Department in order to complete the programme of work;
- To develop proposals arising from the above, for onward reporting and action as required;
- To receive and consider reports of activities in each business area on the progress of the work; and
- To ensure that Business Plans across each business area meet the Department's obligations under the Disability Act and sectoral plan.

5.1.21 The key activities of the Access Implementation Team to ensure compliance with the Act will include:

- Key stakeholders both internally and externally will be identified and responsibility broadly assigned for the delivery of the necessary internal actions, inputs and deliverables;
- Monitor and report on the Department's delivery of its commitments in its Annual Reports;
- To develop disability proofing procedures for the Department;
- A review of the Department's procurement procedures will be conducted and this will incorporate the specific requirement under the Disability Act to ensure goods and services that are procured are accessible to persons with disabilities;
- The next internal customer service survey will be used to identify any deficits that may exist in service delivery and allow for these to be comprehensively addressed in accordance with the Code of Practice on Accessibility;
- A review of the existing information services and formats, to assess whether these are adequately accessible to all persons with disabilities and in the appropriate mediums will take place;
- An analysis of the extent to which buildings, used by the Department's customers and staff, are fully accessible will be undertaken. Where such deficits exist these will be addressed in a Programme of works to be undertaken in conjunction with the OPW; and
- Disability awareness training modules will be developed. An organisational disability awareness campaign will be organised. This will include disability awareness activities, with an emphasis on taking up training and development opportunities.

### **Public Bodies under the Aegis of the Department**

5.1.22 There are a number of agencies under the aegis of the Department which are, in the main, non-commercial, undertaking quasi-judicial / regulatory, advisory and development functions and the provision of services for local government. Notwithstanding that, the work of some of these agencies is of particular relevance to people with disabilities.

As public bodies, they are bound by many of the provisions of the Disability Act 2005. The April 2006 Code of Practice on Accessibility of Public Services and Information has been circulated to the bodies for follow up action. A list of the bodies under the aegis of the Department is included in Appendix 2.

5.1.23 The Department will continue to work closely with the partner agencies, including providing access to National Disability Strategy Funding 2005 – 2009, to ensure a consistent national approach to the delivery of the Department's high level goal. Those public bodies which support and advise local authorities, such as the Local Government Computer Services Board, will work to ensure that improvements to local government services are accessible by all of the public.

5.1.24 The agencies which provide services to members of the public will have an accessibility audit carried out and an implementation plan prepared, where required, and will include progress reports in relation to the delivery of disability access measures, and other commitments contained in this sectoral plan, in their Annual Reports. The Department will monitor progress in implementing this sectoral plan and will seek reports, as appropriate, from these agencies for this purpose.

5.1.25 Certain public bodies which provide services to members of the public, such as An Bord Pleanála and The Environmental Protection Agency, have produced Customer Service Action Plans which are available online and also include complaints procedures.

5.1.26 The Department organises bi-annual meetings with public bodies providing support and advice in relation to corporate services, customer service and complaints procedures, as well as statutory obligations, including those under the Disability Act 2005. In addition, individual sections of the Department set the policy framework for implementing the functional responsibilities of the bodies. The

Department will ask that each of the bodies which provide services to members of the public to ensure that it has an appropriate public complaints procedure in place for dealing with complaints under the Disability Act and this sectoral plan, as well as the right of appeal to the Ombudsman.

## **2.5 Building Control Bill 2005**

2.5.1 The enactment of the Building Control Act 1990 provided the framework for the modern Irish building control code. However, after fifteen years of its operation, and in the light of the experience of the building industry, local authorities the Building Regulations Advisory Body and other interested groups it was decided that the legislation was in need of updating.

Accordingly, the Building Control Bill, 2005 was published on 22 December 2005 and, when enacted, will amongst other measures strengthen the enforcement powers of Building Control Authorities (BCA's) in implementing the Building Code.

While all of the proposed measures will have beneficial effects for the disabled including the energy rating requirement for houses, stricter control on fire safety and enhanced enforcement, the provision for the introduction of the Disability Access Certificate (DAC) system, as recommended by the Report of the Commission on the Status of People with Disabilities, should, when in operation, have a significant effect on the lives of disabled persons accessing work or accommodation.

2.5.2 Under the proposed DAC system, the local building control authority must confirm that the design of a proposed new commercial building or new apartment block complies with Part M, before development work commences. This should assist access issues to be properly addressed at the design stage rather than at the construction stage or post completion – when fully remedying access deficiencies may be impracticable, on technical or cost grounds. The model of access certification will be designed to take account of best international practice.

under its aegis is subject to audit by the Comptroller and Auditor General while the expenditure of local authorities is subject to audit by the Local Government Audit Service.

6.1.3 In drawing up their implementation plans, local authorities will prepare detailed costings of the various actions required to meet their objectives. Implementation of all of the actions in the Disability Act 2005 and in this sectoral plan will take account of the level of resources available.

6.1.4 The Department, bodies under its aegis and local authorities will ensure that all new and improvement works and services to be funded under their respective programmes will be designed and completed to meet disabled access requirements, where practicable.

## **6.2 Local Authority Monitoring, Review and Reporting Arrangements**

6.2.1 On the basis of a detailed accessibility audit, each local authority will draw up an implementation plan within nine months of the statutory approval of this sectoral plan by the Houses of the Oireachtas. The implementation plans, drawn up in consultation with organisations representing people with disabilities, will set out a prioritised programme of actions with timeframes for completion in order to promote and pro-actively encourage equal opportunities for persons with disabilities to participate in the economic, social and cultural life of the community.

6.2.2 The democratic nature of local government and the closeness of local authorities to the communities they serve ensure that local authorities are well placed to respond to the needs of people with disabilities. Each authority will devise a programme of actions to give effect to the commitments and objectives contained in the 2005 Act and this sectoral plan; for delivering on their respective implementation plans; for arrangements for inter-agency co-ordination; for identifying local monitoring and review arrangements and for setting timeframes suited

to each authority's priority requirements and local circumstances. It is intended that local delivery and monitoring arrangements will lead to greater dialogue and build a sense of civic inclusion and local ownership of this process between local authorities and people with disabilities and their local representative organisations.

6.2.3 In accordance with the June 2006 LGMSB Good Practice Guidance Framework, a steering group will be established in each local authority, where not already in place, which will meet quarterly, or more frequently if necessary, to monitor and review progress and will provide regular progress reports to the County or City Manager. The reports will also contain information on complaints received under the Act and the actions taken to address such complaints. Each local authority will involve people with disabilities in relation to the monitoring and review of its implementation plan, either through adjustment of existing representative structures or the establishment of new locally devised participation structures for this purpose. Local authorities will review and update their implementation plans and monitoring arrangements as necessary every three years, having regard to progress achieved, current priorities and resources and the balance of works to be completed up to 2015.

6.2.4 Many local authorities have a combination of equality officers, liaison officers, partnership co-ordinators, access officers, equality action teams, social inclusion units and Barcelona Declaration Teams currently in place, and the range and depth of activities and experience of some or all of these in relation to disability issues varies significantly across local authorities. It will be an early task of each local authority to identify the appropriate mechanisms and to clarify the roles and responsibilities of the different officers and teams in local implementation, monitoring and review of the Disability Act and sectoral plan provisions and of the authority's implementation plan.

- 6.2.5 Each local authority will prepare a yearly progress report on its performance in relation to delivery of actions, targets and timeframes set out in its Implementation Plan and include it in its draft Annual Report for adoption by Council's elected members.
- 6.2.6 As part of the public sector modernisation programme, progress on the commitment to the implementation of the National Disability Strategy in the local government sector in the draft social partnership agreement *Towards 2016* will be monitored in accordance with the performance verification process set out in the agreement. In addition, *Towards 2016* provides for a streamlined single reporting mechanism through an annual Social Inclusion Report to monitor and review progress at each stage of the lifecycle approach for people with disabilities, including the National Disability Strategy and sectoral plan commitments, which will be co-ordinated by the Office of Social Inclusion.
- 6.2.7 The Local Government Management Services Board Steering Group on the Implementation of the Disability Act 2005, which includes representatives of local authorities, the Department and the NDA, will continue its remit in ensuring consistency of good practices throughout the section through further development of standards for accessibility audits of the external environment and on disability awareness and equality training programmes. The Steering Group will address common issues across local authorities, update best practice guidance, where required, organise seminars as appropriate and promote consistent implementation across authorities. The ongoing delivery of Implementation Plans and of the sectoral plan will also be put on the agenda of meetings of the Local Authority Equality Officers Network and other relevant networks, at which local initiatives and experiences could be shared and adopted, as appropriate, by other authorities.

### **6.3 Monitoring, Reporting and Review by the Department of the Environment, Heritage and Local Government and the bodies under its aegis**

6.3.1 The Department will monitor progress in implementing this sectoral plan and will seek reports as appropriate from local authorities and the bodies under the Department's aegis for this purpose. This sectoral plan will be reviewed in 2009 and a progress report on implementation of the plan will be prepared and laid before each House of the Oireachtas. The plan will be updated, as necessary, and reviewed on a three yearly cycle thereafter.

6.3.2 The Department's Employment Monitoring Committee, including a person representative of people with disabilities, will monitor the implementation of Part V of the Disability Act.

6.3.3 The Department will establish a Disability Act Sectoral Plan Advisory Committee (DASPAC), representative of the Department, people with disabilities, the National Disability Authority, bodies under the aegis of the Department and local authorities to provide a forum to assist in consultation on central policy issues and review progress at national level on implementation of the objectives and policies set out in the sectoral Plan.

The DASPAC will be chaired by a senior official of the DEHLG and will meet on average twice a year. It is intended to complement, but not replicate, the monitoring and review processes at local authority level, at social partnership level, at agency level, at Departmental level and at functional sector level e.g. Housing Forum group on a housing strategy for People with Disabilities, as set out in this sectoral plan.

6.3.4 The commitments relevant to the Department in the sectoral plan will be included in the Department's next Statement of Strategy and related Business Plans and progress on implementation will be included in the Department's Annual Reports.

- 6.3.5 The Department's Management Advisory Committee, as part of its strategic management and planning role will monitor and review progress on the implementation of the sectoral plan across the Department's policy areas. The Access Implementation Team will embed disability related issues within the business planning process, in accordance with revised central guidance. In addition, the Department will monitor and respond to complaints in accordance with its Customer Service Action Plan and the requirements of the Disability Act 2005.
- 6.3.6 The bodies under the Department's aegis which provide services to members of the public will include progress reports in relation to the delivery of disability access measures and relevant commitments contained in this sectoral plan in their Annual Reports.
- 6.3.7 Housing, building and other local government sector partnership forums at national level will consult with and seek to involve representatives of people with disabilities in their review processes, where appropriate.
- 6.3.8 The Department will continue to work closely with other Government Departments bi-laterally and through the Inter-Departmental High Level Group on Disability in order to review progress on co-ordination of key cross cutting issues, such as housing and transport matters, and to respond coherently to emerging issues.
- 6.3.9 The Department will continue to participate in interdepartmental co-ordinating and monitoring structures for the National Disability Strategy, including the sectoral plans under the Disability Act, 2005. It will also participate in arrangements to be put in place to ensure a continued constructive relationship with stakeholders in relation to progress on the National Disability Strategy as a whole. This will include bi-annual meetings between senior officials and other stakeholders in line with

the commitments contained in the social partnership agreement,  
Towards 2016.

## **Appendix 1**

### **The Department of the Environment, Heritage and Local Government Complaints Procedure**

**(To be applied to complaints in relation to the Department's  
responsibilities under the sectoral plan.)**

This complaints procedure concerns complaints about issues such as delays, mistakes, poor customer service, i.e. those instances where you did not receive the quality of service you feel you are entitled to.

#### **Our Standards for Dealing with Complaints**

- We will treat your complaint properly, fairly and impartially. We promise that making a complaint will have no implication for your dealings and contacts with the Department.
- An officer of the Department other than those involved in the original decision or action will carefully examine your complaint.
- Correspondence about your complaint will be filed separately from other information held about you in the Department.
- In general, we will examine and review your complaint and send a reply to you within 20 working days of the receipt of your complaint.
- Where it is not possible to meet this target, we will inform you and continue to do so until the matter is resolved.
- We will apologise for any mistake, explain what happened and put it right wherever possible.
- We will change our procedures to ensure that we do better in future.

#### **What issues are not covered?**

There are separate procedures in place for complaints about the quality of service received in the processing of a housing grant, driving test, vehicle registration and a Freedom of Information request, as well as complaints under sections 25-29 of the Disability Act 2005. A full listing of, and contact details for, the Department's Quality Customer Service Officers is contained in the Customer Service Action Plan 2006 – 2008.

If you have a complaint about decisions or actions of Local Authorities (i.e. County Councils, City Councils, etc.), or our agencies, you should contact these organisations directly.

### **How do I make a complaint?**

Any individual, company, organisation or association may make a complaint and the steps are as follows:

1. In the first instance, the complaint should be brought to the attention of our staff in the office concerned, either orally or in writing. The staff there will try to resolve your complaint without delay.
2. If your complaint cannot be resolved by our staff or if you are unhappy with the response you received, you should contact the Quality Customer Service Officer who will arrange for your complaint to be investigated. Complaints may be made, either orally or in writing to:

The Quality Customer Service Officer  
Department of the Environment, Heritage and Local Government  
Custom House  
Room G53  
FREEPOST  
Dublin 1

**Tel:** (01) 888 2091

**Fax:** (01) 888 2888

**LoCall:** 1890 20 20 21 Ext 2091 (for callers outside the Dublin area)

**Email:** [qcsofficer@environ.ie](mailto:qcsofficer@environ.ie)

### **What information should I provide?**

By providing the following information, you will help to speed up the investigation of your complaint:

- your name and address;
- exactly what you are dissatisfied with;
- the name of the office you have been dealing with;
- if appropriate, the official(s) with whom you were dealing;
- and if you would be happy for us to contact you by phone, a daytime telephone number, as this may help us to resolve the matter more quickly.

If your complaint is complicated, you may find it best to put it in writing so that none of the details are overlooked. Remember to send us all relevant documentation or correspondence that you may have.

### **What will it cost?**

Nothing. There is no charge for making a complaint and we will not charge you for dealing with your complaint.

### **Can I involve the Ombudsman?**

Yes. If you are not satisfied with the outcome of your complaint or the manner in which it was handled, you may pursue the matter further with the Ombudsman. The Office of the Ombudsman was set up to examine complaints from members of the public who feel that they have been unfairly treated in their dealings with bodies such as Government Departments or Local Authorities. Its remit has been extended to apply to a decision of a complaints officer in relation to the sectoral plans under the Disability Act 2005. The Ombudsman may be contacted at:

Office of the Ombudsman  
18 Lower Leeson Street  
Dublin 2

**Tel:** (01) 639 5600

**Fax:** (01) 639 5674

**LoCall:** 1890 22 30 30 (for callers outside the Dublin area)

**Email:** [ombudsman@ombudsman.gov.ie](mailto:ombudsman@ombudsman.gov.ie)

## Appendix 2

### Bodies under the Aegis of the Department

Details of the agencies operating under the aegis of the Department of the Environment, Heritage and Local Government are set out below.

<b>An Bord Pleanála</b>	<p>An Bord Pleanála is responsible for the determination of planning appeals and certain other planning matters.</p>	<p>64 Marlborough Street, Dublin 1. <b>Tel:</b> (01) 858 8100 <b>LoCall:</b> 1890 27 51 75 <b>Fax:</b> (01) 872 2684 <b>email:</b> bord@pleanala.ie <b>website:</b> <a href="http://www.pleanala.ie">http://www.pleanala.ie</a></p>
<b>An Chomhairle Leabharlanna</b>	<p>An Chomhairle Leabharlanna provides assistance to local authorities and makes recommendations to the Minister for the Environment and Local Government in relation to the improvement of the public library service.</p>	<p>The Library Council, 53-54 Upper Mount Street, Dublin 2. <b>Tel:</b> (01) 676 1167 <b>Fax:</b> (01) 676 6721 <b>email:</b> info@librarycouncil.ie <b>website:</b> <a href="http://www.librarycouncil.ie">http://www.librarycouncil.ie</a></p>
<b>Affordable Homes Partnership</b>	<p>The Affordable Homes Partnership provides services on behalf of the Minister of the Environment, Heritage and Local Government and the Local Authorities in the Greater Dublin Area.</p>	<p>Affordable Homes Partnership, 2nd Floor, Cumberland House, Fenian Street, Dublin 2 <b>Tel:</b> (01) 656 4100 <b>email:</b> info@affordablehome.ie <b>website:</b> <a href="http://www.affordablehomespartnership.ie/home/index.aspx">http://www.affordablehomespartnership.ie/home/index.aspx</a></p>

<b>Building Regulations Advisory Body</b>	<p>The Building Regulations Advisory Body advises the Minister on all aspects of the National Building Regulations including the related technical guidance documents on how to comply with the Regulations.</p>	<p>Room 2.13, Custom House, Dublin 1.  <b>Tel:</b> (01) 888 2371  <b>LoCall:</b> 1890 20 20 21  <b>Fax:</b> (01) 888 2693  <b>email:</b> aidan_smith@environ.ie</p>
<b>Comhar</b>	<p>Comhar was established to provide a forum for national consultation and dialogue on all issues surrounding Ireland's pursuit of sustainable development.</p>	<p>17 St. Andrew Street, Dublin 2.  <b>Tel:</b> (01) 888 3990  <b>LoCall:</b> 1890 200 327  <b>Fax:</b> (01) 888 3999  <b>email:</b> comhar@environ.ie  <b>website:</b> <a href="http://www.comhar-nsdp.ie">http://www.comhar-nsdp.ie</a></p>
<b>Designated Area Appeals</b>	<p>Body established to hear appeals by landowners against decisions to designate certain areas as areas requiring protection under the Habitats Directive because of their unique flora and fauna or species.</p>	<p>Advisory Board, 7 Ely Place, Dublin 2  <b>Tel:</b> (01) 888 3289</p>
<b>Dublin Docklands Development Authority</b>	<p>The Dublin Docklands Development Authority was established to secure the social and economic regeneration of the Dublin Docklands Area on a sustainable basis, to secure improvements in the physical environment of that Area and to secure the continued development in the Custom House Docks Area.</p>	<p>Custom House Quay, Dublin 1.  <b>Tel:</b> (01) 818 3300  <b>Fax:</b> (01) 818 3399  <b>email:</b> info@ddda.ie  <b>website:</b> <a href="http://www.ddda.ie">http://www.ddda.ie</a></p>

<b>Environmental Protection Agency</b>	The Environmental Protection Agency is an independent body with a wide range of powers and functions to promote improved environmental protection in Ireland.	PO Box 3000, Johnstown Castle Estate, Co. Wexford. <b>Tel:</b> (053) 60600 <b>Fax:</b> (053) 60699 <b>email:</b> info@epa.ie <b>website:</b> http://www.epa.ie
<b>ENFO</b>	ENFO is Ireland's public information service on environmental matters, including sustainable development. The service was established in September 1990, and provides public access to wide-ranging and authoritative information.	17 St. Andrew's Street, Dublin 2. <b>Tel:</b> (01) 888 2001 <b>Locall:</b> 1890 200 191 <b>Fax:</b> (01) 818 3399 <b>email:</b> info@enfo.ie <b>website:</b> http://www.enfo.ie
<b>Fire Services Council</b>	The Fire Services Council provides courses of instruction for fire service personnel and other persons and advises the Minister in relation to the educational and training needs of fire service personnel.	Custom House, Dublin 1. <b>Tel:</b> (01) 874 4760 <b>Fax:</b> (01) 888 2955 <b>email:</b> fire-services-council@environ.ie <b>website:</b> http://www.environ.ie
<b>Heritage Council</b>	The Heritage Council's role is to propose policies and priorities for the identification, protection, preservation and enhancement of the national heritage.	Rothe House, Kilkenny. <b>Tel:</b> (056) 777 0777 <b>Fax:</b> (056) 777 0788 <b>email:</b> mail@heritagecouncil.ie <b>website:</b> http://www.heritagecouncil.ie

<b>Housing Finance Agency</b>	<p>The Housing Finance Agency lends money to the housing authorities for their functions under the Housing Acts.</p>	<p>Eden House, 15-17 Eden Quay, Dublin 1. <b>Tel:</b> (01) 872 5722 <b>Fax:</b> (01) 872 5878 <b>email:</b> admin@hfa.ie <b>website:</b> http://www.hfa.ie</p>
<b>Irish Water Safety Association</b>	<p>The Irish Water Safety Association is charged with promoting public awareness of water safety and providing instruction in water safety, rescue, swimming and recovery drills.</p>	<p>The Long Walk, Galway. <b>Tel:</b> (091) 564400 <b>LoCall:</b> 1890 42 02 02 <b>Fax:</b> (091) 564700 <b>email:</b> info@iws.ie <b>website:</b> http://www.iws.ie</p>
<b>Local Government Computer Services Board</b>	<p>The Local Government Computer Services Board's organises and provides a service for the supply of computer facilities for local authorities and to co-ordinate and secure compatibility in the use of computers by local authorities. It aims to provide or promote training, education and research and to furnish advice, information and assistance to the Minister and to local authorities.</p>	<p>Phoenix House, 27 Conyngham Road, Dublin 8. <b>Tel:</b> (01) 645 7000 <b>Fax:</b> (01) 645 7001 <b>email:</b> info@lgcsb.ie <b>website:</b> http://www.lgcsb.ie</p>

<p><b>Local Government Management Services Board</b></p>	<p>The Local Government Management Services Board provides services for staff negotiations purposes and such other management services as may be required to local authorities and other bodies as designated.</p>	<p><i>Cumberland House Fenian Street,</i>  <b>Tel:</b> (01) 6099560  <b>Fax:</b> (01) 6099590  <b>email:</b> info@lgmsb.ie  <b>website:</b> http://www.lgmsb.ie</p>
<p><b>National Building Agency</b></p>	<p>The National Building Agency is a consultancy firm specialising primarily in housing, architecture and construction management, and undertakes redevelopment work, bringing together local authority, private and voluntary interests.</p>	<p>Richmond Avenue South, Milltown, Dublin 6.  <b>Tel:</b> (01) 497 9654  <b>Fax:</b> (01) 497 2540  <b>email:</b> info@nba.ie  <b>website:</b> http://www.nba.ie</p>
<p><b>Private Residential Tenancies Board</b></p>	<p>The Private Residential Tenancies Board's main functions are to provide a dispute resolution service for tenants and registered landlords and operate a tenancy-registration system. The Board is also responsible for a range of monitoring, research, information and policy-advice functions in relation to the private rented sector.</p>	<p>Canal House, Canal Road, Dublin 6  <b>Tel:</b> (01) 888 2960  <b>LoCall:</b> 1890 20 20 21  <b>Fax:</b> (01) 888 2819  <b>email:</b> tenancies_board@environ.ie  <b>website:</b> http://www.environ.ie</p>

<b>Radiological Protection Institute of Ireland</b>	<p>The Radiological Protection Institute is the national organisation with regulatory, monitoring and advisory responsibility in matters pertaining to ionising radiation.</p>	<p>3 Clonskeagh Square, Clonskeagh Road, Dublin 14. <b>Tel:</b> (01) 269 7766 <b>Fax:</b> (01) 269 7437 <b>email:</b> <a href="mailto:rpil@rpil.ie">rpil@rpil.ie</a> <b>website:</b> <a href="http://www.rpil.ie">http://www.rpil.ie</a></p>
<b>Rent Tribunal</b>	<p>The Rent Tribunal is the arbitrating body in the determination of the terms of tenancy of dwellings, which were formerly rent controlled under The Rent Restrictions Acts, 1960 to 1981.</p>	<p>Custom House, Dublin 1. <b>Tel:</b> (01) 888 2000 <b>Fax:</b> (01) 888 2012 <b>email:</b> <a href="mailto:rent_tribunal@environ.ie">rent_tribunal@environ.ie</a></p>

## Appendix 3

### Summary of Department of the Environment, Heritage and Local Government (DEHLG) Sectoral Plan Objectives Targets and Timeframes

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#### Chapter 2 The Building and Planning Code

##### Objective

The overall objective is to ensure that an effective legislative and regulatory framework is in place to underpin the aim of making the built environment accessible to all while the complementary application of the building and planning codes should ensure that access issues are properly addressed at the design stage of all new developments.

Targets to achieve objectives	Timeframes
DEHLG to review Part M (to include review of definition of “people with disabilities”) and prepare proposals to amend Part M of Building Regs and associated Technical Guidance Document (TGD) M.	Following completion of public consultation on review in March 2006, draft proposals to update Part M/TGD M to go to Building Regulations Advisory Body (BRAB) in Autumn 2006.
DEHLG to take account of any best practice guidelines of NDA and relevant Irish or British standards in proposals to amend Part M & TGD M.	Minister to publish draft proposals for updated Part M/TGD M in early 2007, with operative date.
DEHLG to introduce Disability Access Certificate (DAC) system at design stage of new commercial buildings and apartment blocks.	DAC included in Building Control Bill 2005 introduced in December 2005. Bill expected to be enacted by end 2006.
DEHLG to monitor performance of Building Control Authorities (BCA) in	Department to continue to press BCA for consistent achievement of at least

meeting target of inspecting at least 12-15% of building covered by valid Commencement Notices, for compliance with Building Regulations (including Part M).	minimum target.
DEHLG to strengthen enforcement powers of BCA.	Building Control Bill 2005 will strengthen enforcement powers of BCA; and simplify prosecution process. BCA will also get fine income from successful summary prosecutions. The Bill is expected to be enacted by end 2006.
DEHLG to prepare Development Plan and Development Management Guidelines for Planning Authorities containing access component. Standards for Site Development Works for Housing Developments and Sustainable Urban Housing Guidelines to be revised to update standards of access for the layout of new housing developments including streets, footpaths etc.	Following public consultation in 2006, final guidelines to issue over 2006-2007.  Drafts to be published in 2007 for public consultation.

### Chapter 3 Heritage Sites

#### Objective

The Department will aim to ensure that heritage sites in its ownership are, as far as practicable, accessible to persons with disabilities

Targets to achieve objectives	Timeframes
NPWS current policy to accommodate people with disabilities where possible will be rolled out on a phased basis in	Each management plan will cover a 5 year period and include accessibility audits and time-bound disabled access measures.

Management Plans for the six National Parks.	Killarney and Wicklow Mountains National Park Plans published in 2005; with 2 more plans to be completed in each of years 2006 and 2007.
NPWS will proactively meet its responsibilities in providing access and services in natural heritage properties under its control.	Timeframes will be identified in associated National Park management plans.
DEHLG to promote policy of access for people with disabilities to National Monuments in State care under the management of OPW.	OPW to set out timeframes for phased implementation of access.

#### **Chapter 4 Local Authority Plans**

##### **Objective**

The overall objective is to promote universal access to all public spaces, buildings and services owned and operated by local authorities at the earliest possible date, which will be dependent on financial resources, and will be reached by all in 2015.

<b>Targets to achieve objectives</b>	<b>Timeframes</b>
<p>Accessibility Audits for all local authority roads and streets, pavements and pedestrian crossings, public buildings, public parks, amenities and open spaces, heritage sites, public libraries and harbours within its control to be carried out using National Disability Authority and LGMSB expert sub-group guidance.</p> <p>Accessibility audits to also cover access to services and information under Section 26 – 28 of Act.</p>	<p>To be completed within 6 months of adoption of Sectoral Plan, where not already in place.</p>

Targets to achieve objectives	Timeframes
Implementation Plans to be drawn up and published by local authorities to implement the commitments and objectives of Disability Act 2005 and this Sectoral Plan, prioritising areas to which access is most frequently required.	Implementation plans to be completed within 3 months of Access Audits. Plans to set out targets and timeframes for carrying out necessary works for each city and county area.
Structures to support planning and service delivery to be put in place in line with Good Practice Guidance framework.	Roles and functions under the Act and Implementation Plan to be assigned to specified teams, groups and staff in each city and county area by end 2006.
Local authorities to consult with local people with disabilities in developing access audits and implementation plans.	Consultation arrangements to be developed where not already in place, over 2006/2007 period.
Good practice guidance to be developed and shared among local authorities.	Guidance framework prepared by LGMSB Steering Group issued in June 2006. Further sub-group guidance on access audits for external environment to issue by end 2006. LGCSB to set up good practice networking website for local authorities by end 2006. LGCSB to provide workshops with NDA on ensuring high standard of access to Local Authority websites in 2006. Further good practice guidance to be developed and seminars to be arranged by LGMSB over 2006 to 2009 period.
New local authority services and built facilities to be accessible to people with disabilities, as far as practicable, with access built into plans and designs from inception to completion.	Effective from December 2005 with access standards to be updated on an ongoing basis in accordance with any Codes of Practice issued under the Disability Act.

## Housing Policy Objective

The overall objective of housing policy is to enable every household to have available an affordable dwelling of good quality, suited to its needs, in a good environment and, as far as possible, at the tenure of its choice. This sectoral plan is directed at improving the quality of choice available to people with disabilities and at directing resources to areas of greatest priority.

Targets to achieve objectives	Timeframes
<p>The <i>Housing Policy Framework - Building Sustainable Communities</i>, (December 2005) commits that future Housing Action Plans address housing needs for people with disabilities in a more strategic manner.</p>	<p>Current local authority action plans for social and affordable housing run until end-2008. Subsequent action plans will reflect later developments.</p>
<p>A National Housing Strategy for People with Disabilities will be developed and progressed by a National Group under the Housing Forum involving key stakeholders.</p>	<p>Strategy developed and progressed by end-2009.</p>
<p>New protocols will be established for interagency co-operation on special housing and support needs between housing authorities and the HSE.</p>	<p>Initial protocols on individual housing needs and social housing supports to be in place by mid 2007 with a further protocol on strategic assessment of housing needs to be in place by 2009.</p>

Targets to achieve objectives	Timeframes
Best practice advice on housing design approaches, based on universal access philosophy and flexibility in use, accessibility and adaptability over the life of a dwelling, will be provided by DEHLG.	Currently in development and will be published by mid 2007.
New legislation will be introduced to provide new means of assessing housing needs and policy response to ensure flexible housing supports to enable people with disabilities to live with maximum independence in their community.	A Housing Miscellaneous Provisions Bill is currently being drafted to go to Government in 2006.
The Department, through its capital funding schemes will continue to support a vibrant voluntary and co-operative housing sector.	Rationalisation of administrative and approval arrangements to ensure the earliest possible delivery of suitable quality projects.
The Disabled Persons Grant Scheme will be reformed to improve equity and targeting.	To be completed in 2006.

### Social Inclusion Policy Objective

The enhancement and promotion of social inclusion, including in relation to people with disabilities, is integral to local government and is a key objective across the broad range of local government functions.

Targets to achieve objectives	Timeframes
Local authorities to actively promote	Local authority strategies and plans to

<b>Targets to achieve objectives</b>	<b>Timeframes</b>
Social Inclusion via. Corporate and Annual Operational plans	phase in appropriate measures, where not already in place, over 2007 – 2009 period.
Social Inclusion Measures Groups of CDBs to adopt disability as a key theme and to promote local inter agency co-ordination in service provision to people with disabilities	To be addressed over 2007 to 2009 period.
Existing and new Social Inclusion Units to place special emphasis on customer service to disadvantaged groups including people with disabilities and advance disability proofing.	Units to be placed on a permanent footing and expanded to half of all county and city authorities by end 2008.
Local authorities to encourage people with disabilities to be active in Community and Voluntary Fora at local level.	Ongoing.

### **Roads, Streets, Pedestrian Crossings and Footpaths Objective**

The overall objective is to ensure that roads, streets, pedestrian crossings and footpaths are, as far as practicable, accessible to and usable by persons with disabilities.

<b>Targets to achieve objectives</b>	<b>Timeframes</b>
Existing local authority facilities will be covered by access audits and implementation plans, while new or improved facilities will be designed and constructed to meet accessibility standards.	Prioritised implementation plans to be in place by mid 2007. Design of all new facilities to meet Traffic Management Guidelines 2003 Standards.
Local authorities will develop joined-up	Co-ordination arrangements to be

proposals with local transport operators to improve accessibility of public roads, footpaths, streets and crossings leading to ground, air and sea transport facilities, and accessible routes to and from public transport.	developed over 2006 to 2007 period, with priority to be accorded to upgrading bus stops on public roads where wheelchair accessible buses are in service or are being phased in over 2006 to 2012 period, as outlined in D/Transport Sectoral Plan
Local authorities to use continued funding from DEHLG, Department for Transport / National Roads Authority and from their own resources to improve facilities on public roads and pedestrian facilities in urban areas to provide a high standard of access for people with disabilities, as provided for also in D/Transport Sectoral Plan	Phased implementation plans to be put in place, with resource requirements identified and allocated from available funds, over a cyclical three year capital works timeframe.

### **Voting Objective**

The overall objective is to provide accessible information to assist persons with disabilities to apply for entry on the register of electors, and to assist such persons to vote at elections and referenda.

<b>Targets to achieve objectives</b>	<b>Timeframes</b>
General information leaflets on registration and voting in format that are accessible to the visually impaired (e.g. Braille, Audio (CD, MP3 & cassette) will be available from the Department and local authorities.	By end 2006.

### **Libraries Objective**

The Department, in association with An Chomhairle Leabharlanna (The Library Council) and the 32 library authorities, will continue to pursue the implementation of

the recommendations of the *Branching Out* Report in relation to improving equality of access to library services for everybody.

Targets to achieve objectives	Timeframes
Public libraries to provide reasonable accommodation for People with Disabilities, in accordance with Branching out, Library Access and Making Access Happen practical guidance and training.	Two thirds of library authorities have implementation underway with one third to commence in 2007 to 2008 period.

### Public Parks, Playgrounds, Open Spaces and Amenities

Targets to achieve objectives	Timeframes
All new facilities to be accessibility proofed at design and construction/development stage. All existing facilities to be covered in access audits and implementation plans.	Implementation Plans to be drawn up by mid 2007.

### Local Authority owned Harbours

Targets to achieve objectives	Timeframes
Local authorities providing facilities at such harbours specifically for fare paying passenger purposes i.e. facilities for embarking and disembarking from passenger vessels, etc. will, in so far as is practicable, take all reasonable steps to ensure that the facilities provided are accessible to passengers with disabilities.	To be covered by access audits and implementation plans to be drawn up by mid 2007. Phasing of works to be timetabled when resource requirements are identified and support funding from relevant Government Departments is arranged.

## Local Authority Employment

Targets to achieve objectives	Timeframes
Local authorities to maintain or exceed 3% target for employment of people with disabilities.	Monitoring Committee under Disability Act 2005 to be established by end 2006.
1999 Code of Practice for employment of People with Disabilities in the local authority service to be reviewed.	Review of code to be carried out by end of 2008

## Chapter 5 Action by DEHLG and Bodies under its aegis

### Objective

The Department will continue to take positive measures to promote and pro-actively encourage equal opportunities for persons with disabilities to participate in the economic, social and cultural life of the Community by delivering its responsibilities under the National Disability Strategy and by working closely with and supporting the work of local authorities and the bodies under the Department's aegis.

Targets to achieve objectives	Timeframes
All DEHLG Public Offices including new decentralised locations to be accessible to people with disabilities.	In conjunction with OPW, a phased programme of access audits and improvement works to be undertaken and new decentralised offices provided to be completely accessible by 2015. Custom House works to be completed by end 2006.
All customer services provided by DEHLG will meet the special needs of people with disabilities.	In accordance with Customer Service Action Plan 2006 – 2008.
DEHLG Human Resources Strategy will identify a range of actions to meet National Disability Strategy targets.	In accordance with Human Resources Strategy 2007 – 2009.

Targets to achieve objectives	Timeframes
Statement of Strategy and Business Plans to include Sectoral Plans commitments. DEHLG Access Implementation Team to be established to support implementation of Sectoral Plan objectives.	Team to be in place by end 2006 and report to Assistant Secretary, Corporate Services.
The bodies under the aegis of the Department which provide services to members of the public will have an accessibility audit carried out and an implementation plan prepared, where required, and will include progress reports in relation to the delivery of disability access measures, and other commitments contained in this Sectoral Plan, in their Annual Reports.	Audits and implementation plans developed over 2006 – 2008 for such bodies.
The Department will ensure that each of the bodies which provide services to members of the public has a public complaints procedure in place for dealing with complaints under the Disability Act and this Sectoral plan, as well as the right of appeal to the Ombudsman.	By end of 2006.

### **Chapter 6 Local Authority Monitoring, Review and Reporting Arrangements**

Targets to achieve objectives	Timeframes
Each authority will devise a programme of actions to give effect to the commitments and objectives contained in the 2005 Act	To be linked to availability of resources and implementation plan targets and reported on annually.

Targets to achieve objectives	Timeframes
and this Sectoral Plan; for delivering on their respective implementation plans; for arrangements for inter-agency co-ordination; for identifying local monitoring and review arrangements and for setting timeframes suited to each authority's priority requirements and local circumstances.	
Each local authority to identify the appropriate mechanisms and to clarify the roles and responsibilities of the different officers and teams in local implementation, monitoring and review of the Disability Act and Sectoral Plan provisions and of the authority's implementation plan.	To be in place by mid 2007.
Local Government Management Services Board Steering Group to address common issues across local authorities, update best practice guidance, where required, organise seminars as appropriate and promote consistent implementation across authorities.	From 2006 to 2009 subject to continuing mandate and terms of reference from HR Committee.

### DEHLG Monitoring, Review and Reporting Arrangements

Targets to achieve objectives	Timeframes
The Department will monitor progress in implementing this Sectoral Plan and will seek reports as appropriate from local authorities and the bodies under the	Reports to be sought on annual basis from end 2007. Overall Progress Report to be compiled in 2009.

<b>Targets to achieve objectives</b>	<b>Timeframes</b>
Department's aegis for this purpose. This Sectoral Plan will be reviewed in 2009 and a progress report on implementation of the plan will be prepared and laid before each House of the Oireachtas.	Plan reviewed and updated in 2009 and in 3 yearly cycles thereafter.
The Department will establish a Disability Act Sectoral Plan Advisory Committee (DASPAC), representative of the Department, people with disabilities, the National Disability Authority, bodies under the aegis of the Department and local authorities to provide a forum to assist in consultation on central policy issues and review progress at national level on implementation of the objectives and policies set out in the Sectoral Plan. The DASPAC will complement, but not replicate, other monitoring and review processes.	To be established in Spring 2007 and meet bi-annually over 2007 – 2009 period.
Progress on implementation will be included in the Department's Annual Reports and those of its Agencies.	Annual reporting.
The Department will continue to work closely with other Government Departments bi-laterally and through the Inter-Departmental High Level Group on Disability in order to review progress on co-ordination of key cross cutting issues.	At regular intervals over 2006 – 2009 period.