

EQUALITY COMMISSION FOR NORTHERN IRELAND

Response to the Department for Economy's Consultation on the proposal to integrate additional disability support within the Department for the Economy's training programmes at Entry Level and Level One

October 2024

Executive Summary

- i. The Equality Commission for Northern Ireland (The Commission) welcomes the Department's vision to ensure that the disability support model maximises the support provided to participants with a disability and is delivered flexibly to meet the specific needs of all young people participating on ELL1 training programmes.
- ii. The Commission broadly supports the Department's proposal to transition to an integrated provision that includes disability support as part of the mainstream offer to disabled participants provided by the training provider (option 2).
- iii. This approach would appear to be consistent with UNCRPD rights highlighted in section three which commit government departments to ensure that persons with disabilities are able to access education and vocational training without discrimination and on an equal basis with others.

1 Introduction

- 1.1 The Equality Commission for Northern Ireland (the Commission) is an independent non-departmental public body established under the Northern Ireland Act 1998. We have a statutory remit to:
- promote equality of opportunity and affirmative action;
 - work towards the elimination of unlawful discrimination and harassment;
 - keep relevant legislation under review;
 - promote good relations between persons of different racial groups and good disability practice;
 - oversee the effectiveness of statutory equality and good relations duties on public authorities.
- 1.2 The Commission welcomes the opportunity to respond to the Consultation on the Department for the Economy's (DfE) proposal to integrate additional disability support within Entry Level/Level One (ELL1) training programmes.¹
- 1.3 The Commission and the NI Human Rights Commission form the 'Independent Mechanism for Northern Ireland' (IMNI) which is tasked, under Article 33.2 of the [UN Convention on the Rights of Persons with Disabilities](#), with promoting, protecting and monitoring implementation of the Convention in Northern Ireland. Together with the Equality and Human Rights Commission (GB) and Scottish Human Rights Commission we form the United Kingdom's Independent Mechanism (UKIM).²
- 1.4 This response draws on our work across a range of policy areas including that derived from our role as part of the 'Independent Mechanism' in Northern Ireland as well as our work to promote equality and ensure the effectiveness of the Section 75 duties.³

¹ DfE (2024) [proposal to integrate additional disability support within the Department for the Economy's training programmes at Entry Level and Level One](#)

² For further information on the Convention see: <https://www.equalityni.org/uncrpd/>

³ Our powers and duties derive from a number of statutes which have been enacted over the last decades, providing protection against discrimination on the grounds of age, disability, race, religion and political opinion, sex and sexual orientation. We also have responsibilities arising from the Northern Ireland Act 1998 in respect of the statutory equality and good relations duties.

2 UNCRPD Obligations

- 2.1 **Article 27** of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) requires State Parties to recognize the right of persons with disabilities to **work and employment**, on an equal basis with others.⁴
- 2.2 This includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities.
- 2.3 States Parties shall safeguard and promote the realization of the right to work, including by taking appropriate steps to:
- Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;
 - Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;
 - Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;
- 2.4 **Article 24** of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) requires State Parties to recognize that persons with disabilities have the right to **Education** without discrimination and on the basis of equal opportunity.⁵
- 2.5 States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:
- The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;

⁴ [Article 27 - Work and Employment | United Nations CRPD](#)

⁵ [Article 24 – Education | United Nations CRPD](#)

- The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
- Enabling persons with disabilities to participate effectively in a free society.

2.6 States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.

2.7 In 2016 The UNCRPD Committee issued **General Comment Number Four**⁶ addressing their concern that profound challenges persist for many disabled people when seeking the right to inclusive education, noting that:

“Ensuring the right to inclusive education entails a transformation in culture, policy and practice in all formal and informal educational environments to accommodate the differing requirements and identities of individual students, together with a commitment to removing the barriers that impede that possibility. It involves strengthening the capacity of the education system to reach out to all learners. It focuses on the full and effective participation, accessibility, attendance and achievement of all students, especially those who, for different reasons, are excluded or at risk of being marginalized.

Inclusion involves access to and progress in high-quality formal and informal education without discrimination. Inclusion seeks to enable communities, systems and structures to combat discrimination, including harmful stereotypes, recognize diversity, promote participation and overcome barriers to learning and participation for all by focusing on the well-being and success of students with disabilities. It requires an in-depth transformation of education systems in legislation, policy and the mechanisms for financing, administering, designing, delivering and monitoring education.”

⁶ [UNCRPD Committee's General comment No. 4 on Article 24 - the right to inclusive education \(2016\)](#)

- 2.8 **Article 9** of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) requires State Parties to recognize that persons with disabilities have the right to **accessibility**.⁷
- 2.9 Accessibility is a vital precondition for persons with disabilities to participate fully and equally in society and enjoy effectively all their human rights and fundamental freedoms. In 2014 The UNCRPD Committee issued **General Comment Number Two**⁸ specifically addressing this right.
- 2.10 In relation to education, General Comment Number Two notes the following:

Without accessible transport, accessible buildings, and accessible information and communication, persons with disabilities would not have the opportunity to exercise their right to education. It is the entire process of inclusive education that must be accessible, not just buildings, but all information and communication, including ambient or FM assistive systems, support services and reasonable accommodation in schools.

In order to foster accessibility, education as well as the content of school curricula should promote and be conducted in sign language, Braille, alternative script, and augmentative and alternative modes, means and formats of communication and orientation, with special attention to the appropriate languages and modes and means of communication used by blind, deaf and deaf-blind students.

Modes and means of teaching should be accessible and should be conducted in accessible environments. The whole environment of students with disabilities must be designed in a way that fosters inclusion and guarantees their equality in the entire process of their education.

⁷ [Article 9 - Accessibility | United Nation CRPD](#)

⁸ [UNCRPD Committee General Comment Number Two on Article 9 - Accessibility](#)

3 Proposal to Integrate Support

3.1 The Commission welcomes the Department's vision to ensure that the disability support model maximises the support provided to participants with a disability and is delivered flexibly to meet the specific needs of all young people participating on ELL1 training programmes.

Option 2 - Proposal for new integrated provision

3.2 In response to questions 2⁹ and 3¹⁰ The Commission broadly supports the Department's proposal to transition to an integrated provision that includes disability support as part of the mainstream offer to disabled participants provided by the training provider (option 2).

3.3 This approach would appear to be consistent with UNCRPD rights highlighted in section three which commit government departments to ensure that persons with disabilities are able to access employment, education and vocational training without discrimination and on an equal basis with others.

3.4 To this end, ensuring that additional support and reasonable accommodations are provided to persons with disabilities directly by the training provider would be consistent with mainstreaming access to education for disabled participants.

3.5 We also note that stakeholder engagement with both current providers and representatives of the disability sector included support for the proposal on the basis that it would enable:

- more flexible, tailored and timely support for all participants;
- a more open and integrated support environment, with a greater proportion of participants likely to ask for additional help from training and support staff that they know and trust; and
- teaching staff to take more responsibility for identifying the needs of their own trainees and suggesting the help that may be most appropriate.

⁹ Do you think that the proposal to integrate additional disability support within DfE programmes at Entry Level / Level One (Option 2) would be the most appropriate way to support young disabled people to complete their training?

¹⁰ Do you think that the proposal outlined under Option 2 would meet the needs of young disabled people on DfE's Entry Level / Level One training programmes?

3.6 The Commission also welcomes the proposal to develop a quality assurance, monitoring and review approach to ensure that the quality of the learning experience provided to people with disabilities by different training providers is kept under review.

Pre-entry Support

3.7 The Commission also welcomes the Department's plan to undertake an internal review of the current Pre-Entry Support for young disabled people.

3.8 In response to question 5¹¹, the Commission does not have a specific view on how to best tailor Pre-Entry Support for young people considering vocational training.

3.9 However, in response to question 4¹², the Commission would support any changes to the current approach that mainstream access to learning for disabled people by addressing duplication of support that is provided directly by the main training provider. This again would appear consistent with UNCRPD rights highlighted in Section three.

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¹¹ In your opinion, how can we best tailor Pre-Entry Support for young people considering vocational training as their next step?

¹² Do you think Pre-Entry Support should change from what is currently provided?