



SOCIAL INTEGRATION OF PERSONS WITH DISABILITIES

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SUMMARY

The Importance of the Audit

In 2019, 8% of Lithuania's population (236 thousand) had a disability. The majority of them were of working age (158 thousand) and only 29% worked and this figure has not increased over the last five years. Since 2016, in Estonia, following the so-called "work capacity reform", in three years the share of working persons with disabilities has increased by 9 percentage points up to 40% (in 2018). In 2018, benefits for persons with disabilities accounted for around 1.4% of GDP and were above the EU average. Organisations representing persons with disabilities stress that benefits help to survive but do not eliminate social barriers to being independent in the labour market or daily activities unless targeted services are created and developed.

Ten years ago, after Lithuania ratified the UN Convention on the Rights of Persons with Disabilities, the National Programme for Social Integration of Persons with Disabilities for 2013–2020 was run to implement its provisions. In 2016, the UN Committee on the Rights of Persons with Disabilities expressed serious concerns about the lack of self-assurance to live independently, inclusion in the community, low employment, and environmental accessibility and made recommendations¹. The European Pillar of Social Rights² also emphasises that persons with disabilities have the right to financial support that ensures a dignified life, services that enable them to participate in the labour market and society, and a working environment adapted to their needs.

In recent years the policy of social integration of the disabled persons in Lithuania has been changing from social assistance and support to the ability of persons with disabilities to integrate themselves into social life. In 2019, 31.3% of persons with

¹ Final remarks of the UN Committee on the Rights of Persons with Disabilities on Lithuania's Initial Report, 2016.

² Internet access: https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights_lt.

disabilities were at risk of poverty in Lithuania, which decreased by 3.7 percentage points over the last year, however, when comparing the data of 2018 it is well above the EU average (LT – 35%, EU – 21.3%). Therefore, the measures taken did not significantly improve the situation of persons with disabilities. The European Semester Country Report on the Disability of 2018/2019 identifies³ the high risk of poverty among these people, low employment rate, the lack of effective measures for integration into the labour market, and the fact that the transformation of institutional care and the development of community-based services is still at an early age as the main problems. Studies/assessments, carried out by the Department for the Affairs of the Disabled, the Information Society Development Committee show that the accessibility of all public buildings, transport, and websites for persons with disabilities is not ensured.

Recognising the importance of social services, integration into the labour market, the environment, and access to information in ensuring the independence and inclusion of persons with disabilities in the community, the National Audit Office of Lithuania conducted a public audit. In previous periods, audits were conducted in the areas of education, health, and social care where problems were identified and recommendations made also have an impact on the integration and quality of life of persons with disabilities⁴.

Objective and Scope of the Audit

The objective of the audit – to assess the opportunities provided to persons with disabilities to live independently, to participate fully in society, and integrate into the labour market.

Key audit questions:

- do persons with disabilities have access to services that enable them to live independently;
- do persons with disabilities have the opportunity to enter the labour market;
- is the accessibility of the environment, transport, and information for persons with disabilities ensured.

The auditees:

- The Ministry of Social Security and Labour which forms the policy of social integration of people with disabilities, organises, coordinates, and controls its implementation. Its subordinate institutions: Employment Services, Disability and Working Capacity Assessment Office, the Department for the Affairs of the Disabled;

³ Internet access: <https://www.disability-europe.net/theme/eu2020?country=lithuania>.

⁴ “Does Social Assistance Ensure the Minimum Consumption Needs of People Living in Poverty and Promote Labour Market Integration” (2019), “Whether Early Rehabilitation Services and Inclusive Education Meet the Needs of Disabled Children and Ensure their Social Integration” (2016), “Could Lithuanian Students Perform Better” (2017), “Is Vocational Training Organised Efficiently” (2020), “The Accessibility of Health Care Services and the Orientation Towards the Patient” (2018).

- The Ministry of Transport and Communications and the Ministry of Environment which shape policy, organise, coordinate, and control the implementation within their competency;
- Information Society Development Committee under the Ministry of Economy and Innovation which assesses the state of websites and mobile applications of municipal institutions.

The information was collected from all municipalities, five vocational rehabilitation centres, and the Lithuanian Transport Safety Administration. We held meetings and cooperated with the Vice-Chairman of the UN Committee on the Rights of Persons with Disabilities, researchers of the Lithuanian Social Research Centre, non-governmental organisations, representing persons with disabilities: Lithuanian Forum of the Disabled, association “Independent life”, Lithuanian Association of People with Disabilities, Lithuanian Union of the Blind and Visually Impaired, Panevėžys’ Association of People with Disabilities, VšĮ “Pschikos sveikatos perspektyvos”, Lithuanian Deaf Association, association “Gyvastis”; “Betzata” community, day centre “Šviesa”, SOPA; with organisations uniting employers and businesses – the Association of Lithuanian Chambers of Commerce, Industry and Crafts, “Investor’s Forum”, Lithuanian Confederation of Employers, Lithuanian Business Confederation, Lithuanian Confederation of Industrialists.

The audited period – 2017–2019. In some cases, we used data from previous years to assess trends and estimated changes that have occurred in 2020.

The audit was conducted in accordance with the Public Auditing Requirements and International Standards of Supreme Audit Institutions. The scope of the audit and the methods used are described in more detail in Annex 2 “Scope and Methods of the Audit” (pp. 77–82).

Key Audit Results

The integration of persons with disabilities does not sufficiently ensure the ability to live independently in the community and receive individual services according to the needs. The development of services is carried out without reliable data and is insufficient; social and employment services are planned and provided without a comprehensive assessment of individual needs; few unemployed people are involved in the employment support system; job offers do not meet the needs of individuals and employers; and the labour market is not motivated to recruit persons with disabilities. Not all public buildings, transport and websites are adapted for persons with disabilities and the adaptation of mobile applications is not assessed.

1. There is a lack of data on the services provided to persons with disabilities, insufficient focus on their needs, and integrated assistance to live independently

- The municipalities, responsible for planning and provision of social services in their territory determine the needs for services based on the fact of the previous year, and they have no data about all persons with disabilities residing in the territory and the nature of their disability, except for those persons who

apply for support. The data is available to different institutions⁵, however, it is provided to municipalities in a fragmented manner. During the audit, we conducted a case study and assessed the services provided to the selected 416 persons of working age with disabilities. It has been determined that 35% of them did not apply for support and municipalities have no information on them. To assess the level of development and availability of services, the Ministry of Social Security and Labour has at its disposal data from several different sources (e.g.: a municipality provides information on recipients of services it finances while the Lithuanian Department of Statistics – on all users, regardless of who finances the services provided to them). The municipal data on the number of social service users and the need for services is not accurate and the information on the funds allocated from municipal budgets to provide services for persons with disabilities is not collected. Therefore, not all decisions related to the development of services are made at the State and municipal levels with data on the real needs (Sub-section 1.1, pp. 18–21).

- In accordance to the legislation⁶ the needs for assistance and services for persons with disabilities are identified in several institutions⁷, and it does not provide for coordination between different institutions. Municipalities assess the need for a particular service at the request of a person but do not comprehensively evaluate what other services are needed. Since 2019, the Disability and Working Capacity Assessment Office has been assessing the need for assistance to persons of working age and making recommendations to them but the participation of municipalities and the exchange of information is not provided for. In the cases assessed by the audit, only 13% of the persons who received recommendations from the Office (i.e. 26 out of 207 persons) applied for and received special services and other assistance in the municipality. The legislation does not oblige to draw up an action plan for an individual and involve professionals in different fields, responsible authorities, relatives; besides, such plans are not developed in municipalities. Thus, the services to individuals are provided without an integrated assessment of all the needs and without monitoring whether the assistance provided enables them to live independently (Sub-section 1.2, pp. 21–25).
- Only one third (4 out of 12) of the municipalities visited started providing at least one new service in the community. Since 2020, 4 types of services⁸ have been tested when implementing the institutional care transformation project but only about 1 thousand people will receive them. Approximately 6.3 thousand people currently live in care institutions and about 0.3 thousand of them live in group living homes with access to services in the community. With the increasing need for assistance due to demographic change and failure to provide community-based services, in 3 years the queue in municipalities to receive long-term social care in the institution increased by 1.8 times (in 2020 – 216 persons). As a result, the volume of community-based services does not

⁵ Ministry of Social Security and Labour, Disability and Working Capacity Assessment Office, Lithuanian State Social Insurance Fund Board, non-governmental organisations, Lithuanian Department of Statistics.

⁶ Law on Social Services, Article 13; Law on Social Integration of the Disabled, Articles 18 and 201; Law on Employment, Articles 31 and 301; Law on the Development of Non-governmental Organisations, Article 4.

⁷ In municipalities, Disability and Working Capacity Assessment Office, Employment Services, non-governmental organisations.

⁸ Sheltered housing, social workshops, employment support, and support in making decisions.

increase in such a way as to replace institutional care services for people who could live in the community with assistance (Sub-section 1.3, pp. 25–28).

2. The integration of persons with disabilities into the open labour market is not increasing and employment support services and measures are insufficient

- The UN Committee on the Rights of Persons with Disabilities recommended that Lithuania implement programmes to enable people with disabilities to work in an open labour market. In 2019, the number of working-age workforce in the open labour market fell to 22.6% (in 2018 – 24.5%), while the number of working people with disabilities was 3 times (35.7 thousand) higher than in social enterprises (10 thousand persons). State aid is more oriented towards a closed labour market with 82% of the EUR 40 million allocated to social enterprises. The Ministry of Social Security and Labour does not implement programmes to change employers' attitudes and encourage their more active involvement. In 2019, the Employment Services organised 71 targeted events for employers on the employment of persons with disabilities and in 10 counties seminars on equal opportunities and non-discrimination in the labour market. Representatives of organisations that unite the country's employers and businesses claim that there is a lack of complex and joint activities. Due to declining interest from employers and after the changes in legal regulation, in 3 years the number of jobs created (adapted) in the open labour market decreased by 5 times (in 2019, 39 positions were created, including those completed in 2020), not all enterprises can receive wage subsidies for the entire planned⁹ maximum period, legal regulation in Lithuania provides for unequal support (subsidisation) of job positions for social and open labour market enterprises. Social enterprises aim to promote the return of people with disabilities to the labour market, their social integration and to reduce the social exclusion, however, the employment for people with severe disabilities is low (6%), the employee turnover is high (33%) and no enterprises used subsidies for the training of employees, the adaptation of working environment, production and recreation premises and the measures provided for in the plans for the development of working and social skills and social inclusion are not different from those of other enterprises. In the absence of incentive measures for employers and for redirecting a large part of the State aid to social enterprises, the open labour market is not prepared and motivated to recruit people with disabilities (Section 2, Sub-sections 2.2–2.3, pp. 28–30, pp. 40–42, pp. 46–56).
- Not all unemployed persons with disabilities are involved in the employment support system as every year around 7% of people (11 thousand) apply to the Employment Services, although the number of unemployed in 2019 was 113 thousand. Disability and Working Capacity Assessment Office has data for all persons who can work while the Employment Services – only for the persons who register in it. In Lithuania, the payment for social benefits for persons with disabilities is not associated with active participation in the labour market, and

⁹ The Law on Employment, Article 42(3).

studies¹⁰ have shown that persons with disabilities were not aware of the provided employment assistance (26% of surveyed people) and where to apply for (41%), moreover, people are afraid to lose benefits and other social assistance. In Estonia, following the so-called “work capacity reform” (linking the amount of benefits to active participation in job search, combining the functions of the assessment of working capacity, benefits, employment services), in 3 years the number of registered persons (up to 15%) and the share of working persons (up to 40%) increased by approximately 10 percentage points. The exclusion of persons from the employment support system does not create the conditions for them to receive assistance and to be active in job search (Sub-section 2.1, pp. 30–32).

- Over the past three years, an increasing number of persons with disabilities registered in the Employment Services have started to work (6% increase), in 2019, 5.9 thousand people were employed, however, the share of employed in the total number of registered persons accounted for 24.2%¹¹ and did not significantly improve. Most of the job offers of the Employment Services do not meet the needs of individuals and employers: almost 7 thousand offers were issued in 2019 but in 87% of cases people were not recruited, and every year one-third of the people are de-registered (8.7 thousand in 2019), even though they were not employed. At the end of 2018, case management-based service was introduced in the Employment Services, but there was no regulation of work processes, little cooperation with social and labour partners, the workload of case managers is uneven (between 143 and 668 persons) and exceeds the workload recommended by the OECD (150 persons). Barriers to employment and individual needs of persons with disabilities are not sufficiently identified, there is still a lack of orientation towards the development of skills required by the labour market, few people acquire work skills and professional qualifications directly at the workplace (in 2019, 11 people participated in apprenticeship and 59 in measures to support the acquisition of work skills). The Employment Services’ acquisition of vocational rehabilitation services is limited to the programmes offered by vocational rehabilitation centres, thus reducing the flexibility of training programmes for persons with disabilities. In 2015, the National Audit Office of Lithuania recommended¹² that the Ministry of Social Security and Labour reform the vocational rehabilitation system but no changes occurred. Since 2020, the assisted employment services, provided for in the Law on Employment, which should improve the communication between the employer and the individual during the employment process and work, have not been yet provided. As a result, persons with disabilities registered in the Employment Services do not receive adequate support for employment and gaining a foothold in the workplace (Sub-sections 2.1–2.3, pp. 32–40).

¹⁰ The study by the Association for the Physically Disabled of Lithuania “Research on Meeting the Individual Special Needs of the Disabled, Assessing the Effectiveness of Implementation of the Provisions of the UN Convention on the Rights of Persons with Disabilities in Lithuania”, 2018; methodological tool prepared by VŠĮ “Jaunimo karjeros centras” in 2013 “What shall be Known about the Integration of People with Disabilities”, p. 22 and p. 27; PhD student of Vytautas Magnus University D. Šėporaitytė and Assoc Prof Dr A. Tereškinas’ research report “Employment and Education Opportunities for People with Disabilities in Lithuania”, 2007, p. 7.

¹¹ In 2019, the share of unemployed (except for persons with disabilities) from the number of registered unemployed (except for persons with disabilities) reached 41%.

¹² Public audit report No. FA-P-10-5-11-1 of 22/07/2015.

3. Monitoring of public buildings and transport, websites and mobile applications needs to be improved and ongoing measures still do not ensure equal access to them

- The Ministry of Environment and the Ministry of Transport and Communications are not directly obliged to collect data and evaluate the accessibility of all public buildings and transport facilities. The Ministry of Transport and Communications has reliable data only on the adjustment of rail transport and infrastructure and an action plan to increase accessibility. 20 municipalities have developed sustainable mobility plans. The Information Society Development Committee assesses the level of accessibility of websites, however, it does not analyse the state of accessibility of mobile applications. The information available to the Department for the Affairs of the Disabled is insufficient to assess the level of accessibility at the State level and to monitor progress. It is not possible to assess the level of accessibility, the progress of the environment, transport, mobile applications and to plan appropriate measures to improve the situation (Sub-sections 3.1–3.2, pp. 54–57, pp. 64–66).
- More than half (32) of municipalities have not ensured that at least 30% of public buildings providing essential services¹³ are made accessible. Social service centres are the most accessible (61%), the number of educational institutions is the smallest (16%). Legislation does not oblige to adapt existing buildings to the needs of the disabled if they are not renewed (modernised), reconstructed, or repaired. Adaptation of buildings does not always mean that their accessibility throughout their lifetime is maintained. The legislation¹⁴ provides that municipal administrations supervise the use of buildings, however, the functions of the controlling authorities in supervising the maintenance of accessibility for persons with disabilities are not precisely defined. The accessibility of public transport in the 5 largest cities is increasing and has reached 56%, in other municipalities – 12%, nevertheless, the renewal of local transport fleets is slow (EU investment-funded measures are not used, only 6 (out of 55) municipalities participate). None of the public vehicles has been made accessible in 34 municipalities. More than half (32) of the municipalities indicated that when purchasing vehicles and services, they do not specify criteria for the accessibility of vehicles in the technical specification, the requirements are specified only in ongoing EU projects. All websites will have to be adopted by September 2020, though in 2019, only 3.4% were adapted so far. Measures to increase accessibility did not ensure the accessibility of all public buildings and transport, websites and mobile applications for persons with disabilities, thus it is not in accordance with the Convention on the Rights of Persons with Disabilities (Sub-section 3.2, pp. 57–66).

¹³ Eldershops, social service centres, education, health and culture institutions.

¹⁴ Law on Construction, Article 49(1)(3); Order No. D1-971 of the Minister of Environment of 30 December 2016 approved the technical construction regulation STR 1.03.07: 2017 “Procedures for technical and operational supervision of structures. Procedure for formation of new real estate cadastre objects”, Point 10.24.

Changes during the Audit

- The Ministry of Social Security and Labour is implementing the project “Improvement of the Disability Detection System” from EU funds, where it will make recommendations on the improvement of the work capacity/disability assessment system (the end of the project is in 2020).
- The amendment to the Law on Social Services, which entered into force on 1 July 2020, provides for the exclusion of employment-related income of persons with disabilities when determining their financial capacity to pay for social services, when they do not exceed the minimum monthly salary set by the Government.
- The Employment Services are developing a statistical profiling system to forecast the employability of a job seeker. A case management methodology has been approved.
- Since 2020, the amendment to the Law on Employment provides for the provision of assisted employment services (employment assistance and accompanying assistance after the employment) to persons with disabilities who have limited and moderate employment opportunities.
- In 2019, new conditions were approved by the Law on Social Enterprises: the share of profit reinvestment was increased (75%), the target groups were changed, the terms and amounts of subsidy payments were changed, the share of employed persons with severe disabilities (10%) was provided, etc.
- The technical construction regulation STR 2.03.01:2019 “Accessibility of Buildings” came into force in 2020: the principle of the universal design set in the Law on Construction and international ISO standards were taken into account.
- In 2020, the Department for the Affairs of the Disabled prepared a checklist for the accessibility of services and the suitability of products for all consumers to the broadest possible extent (universal design).
- In September 2019, the Description of the General Requirements for the Websites and Mobile Applications of State and Municipal Institutions and Agencies was amended by the Government decree: the requirements for the agencies to assess the conformity of their website and mobile application individually were established.

Recommendations

To the Ministry of Social Security and Labour

1. In order to substantiate the development and integration of social services for persons with disabilities on reliable data, to perform an analysis of the development and needs of social services for persons with disabilities at municipal and national levels (1 key audit result).

2. In order to plan and provide assistance to persons with disabilities according to individual needs and to help them to live independently in the community and be active in the labour market, to create an integrated system of personal needs assessment and assistance provision (to include the information about a person in determining the level of the working capacity provided by the State and municipal institutions responsible for the provision of social integration measures, social and labour market services: assistance provided, individual needs, living and working environment; to establish assistance/service plans and monitoring the implementation; to ensure the sharing of information on persons with disabilities between different institutions: municipalities, Disability and Working Capacity Assessment Offices and Employment Services, the State Social Insurance Fund Board) (1 and 2 key audit results).
3. In order to maximize the participation of persons with disabilities in the open labour market and the involvement of employers, to implement the most effective measures (to perform an assessment of open labour market measures to persons with disabilities in terms of the expediency of their improvement, termination or further development; to promote the more active acquisition of work skills by individuals in the workplace; to help employers to create or adapt workplaces for persons with disabilities when employing or already working in legally managed facilities) (the 2nd main audit result).

To Employment Services

4. In order to improve the quality of services provided to persons with disabilities, to take measures to identify needs and improve employment processes (to prepare a survey/questionnaire to identify employment opportunities and needs of persons with disabilities and a list of recommended services/measures according to the identified employment opportunities; to approve the case management application methodology, which would determine the selection of persons, identification of needs, preparation of an individual employment action plan, monitoring, organisation of coordinated assistance) (2 key audit result).
5. To provide measures for employers to focus on increasing the employment of persons with disabilities and reducing barriers to employment due to disability (change employers' attitudes towards the ability of persons with disabilities to work, to make existing measures and good recruitment practices public; to identify the reasons for non-employment according to the offered jobs, to prepare recommendations on the development of social skills, planning and implementation of social integration measures in social enterprises and to disseminate them) (2 key audit result).

To the Ministry of Environment and the Ministry of Social Security and Labour

6. In order to make the environment more accessible to persons with disabilities and their equal access to public buildings, to ensure that action plans are drawn up for the adaptation of key buildings, determining the implementers, deadlines, targets and monitoring of the plans (to Ministry of Environment to ensure self-assessment of accessibility of buildings of State and municipal institutions and preparation of action plans in cooperation with building owners (managers), the Department for the Affairs of the Disabled and non-governmental organisations representing persons with disabilities;

to the Ministry of Social Security and Labour to monitor the implementation of action plans for the adaptation of key buildings) (3 key audit result).

To the Ministry of Environment

7. In order to enable persons with disabilities to use adapted constructions (buildings) throughout their period of use, to clarify the legal regulation establishing the functions of the institutions supervising the use of buildings regarding the maintenance of accessibility of elements for persons with disabilities (3 key audit result).

To the Ministry of Transport and Communications

8. In order to increase access to public transport for persons with disabilities, to ensure that action plans are developed and monitored to increase the accessibility of transportation modes combined with infrastructure (other than rail transport) (to ensure that State and municipal enterprises or institutions providing transport services assess the accessibility in cooperation with the Department for the Affairs of the Disabled and non-governmental organisations representing persons with disabilities, or entrust the assessment to the Lithuanian Transport Safety Administration, involve plan implementers, set deadlines, targets and monitoring) (3 key audit result).
9. In order to purchase public transport or transport services adapted for persons with disabilities, to ensure that the criteria for accessibility of transport for persons with disabilities, which must be followed by municipalities, are established in the legislation (3 key audit result).

To the Information Society Development Committee

10. To take measures to implement the Directive 2016/2102 on the accessibility of the websites and mobile applications of public sector bodies, focusing on the accessibility of public information in cyberspace (to provide means of information and methodological assistance on the use of websites and mobile applications; to involve non-governmental organisations representing persons with disabilities in the assessment, to highlight shortcomings identified to entities and monitor their elimination) (3 key audit result).

To Municipalities

Municipalities are one of the most important institutions for the social integration of persons with disabilities, therefore they must meet the needs of persons by providing general and special social services in cooperation with non-governmental organisations to enable persons with disabilities to integrate into the community and adapt the environment and public transport to them.

As ministries and other institutions implement public audit recommendations, municipalities should contribute to the improvement of disability identification and service provision processes and ensure the provision of accurate data in the Information System for Social Support to Family, analyse the current situation aiming for progress and share best practices in implementing the UN Convention. Municipalities with low transport accessibility should take the opportunity to renew the local public transport fleet with the help of the measure funded by EU investments. In order to increase the

impact of the audit, its results are submitted to municipal administrations and municipal control and audit services.

The measures and deadlines for the implementation of the recommendations are presented in the section “Implementation Plan of the Recommendations” of the Report (p. 67).