



EQUALITY COMMISSION FOR NORTHERN IRELAND

Response to: Disability and Work: A Strategy for Northern Ireland
Ireland Consultation closing date: 12 January 2026

Introduction

The Equality Commission for Northern Ireland welcomes the publication of the draft Disability and Work Strategy as a framework for addressing the low levels of disability employability in Northern Ireland.

The Commission, in line with its statutory remit¹ and recognising the significance of this issue for disabled people, has prioritised actions to address the persistently low rates of disability employment in Northern Ireland in its most recent two corporate plans.

As part of this commitment, the Commission has provided targeted guidance and information to employers to help them better understand their responsibilities and meet the needs of disabled people. This included raising awareness of employer responsibilities under the law and also best practice in recruitment, retention, and making reasonable workplace adjustments for disabled employees. The Commission has also supported individuals who may have experienced disability discrimination within employment settings. Further, the Commission has advocated for the development of a disability strategy for Northern Ireland and has been pressing for legislative reform to strengthen protections and promote equality for disabled people.

By tackling barriers to employment for disabled people, this Strategy has the potential to deliver positive outcomes that extend well beyond individual jobseekers to benefit the overall economic and social fabric of Northern Ireland. The success of the Strategy will be dependent on how the Department for Communities develops and delivers the Strategy and will require engagement with all relevant stakeholders and sufficient resources. It is important that there is clarity on the respective roles of all stakeholders and accountability for delivery and outcomes.

The Strategy must focus on interventions that are known to positively impact on disability employability, which will be informed by evaluations of Northern Ireland programmes and learning from best practice in other regions.

It is essential to recognise from the outset, that to enable disabled people to secure and sustain high-quality employment they must have the confidence that they have access to a comprehensive range of tailored support. This should include pre-employment training, job opportunities as well as vocational education, employment assistance, positive action initiatives, and work placements.

¹ See Annex of this Submission

These programmes should be delivered with the understanding that all relevant organisations, including education and vocational training providers, employment support providers, and employers, are legally required to comply with the Disability Discrimination Act 1995 ('DDA') when developing and running such programmes.

The Commission's response draws on our statutory remit and responds to each of the consultation questions. We look forward to engaging with the Department, and the full range of stakeholders, to shape the design, delivery and evaluation of outcomes.

1. Strategy Scope

The Commission **recommends** that the scope of this Strategy is aligned with the Executive Disability Strategy 2025 – 2035, ensuring that any wider barriers such as accessible transport to work are identified and addressed. This approach will help establish a comprehensive framework that supports disabled people in all areas of their lives.

We acknowledge the significant evidence base setting out the strategic context in NI and welcome that the draft Strategy includes the availability of better-quality jobs and career pathways, as well as increasing opportunities for disabled people to access work. Given the breadth of the Strategy, it *must include actions* to address the barriers encountered by the full range of people covered by the Strategy accessing work and accessing better quality jobs.

The draft Strategy references the legislative context for the development of the Strategy. We **recommend** that the scope of the Strategy is more explicitly set within the context of what is required by the equality laws in respect of disabled people in the field of employment and occupation. A summary of this information, and its relevance to the Strategy, is set out below.

Disability Discrimination Act 1995 ('DDA')

The DDA prohibits disability discrimination in relation to a wide range of activities and includes the duty to make reasonable adjustments. Of relevance to this Strategy is its application to organisations in the field of employment and occupation, including employers (public and private), recruitment and employment agencies, the providers of vocational training and practical work experience, trade unions, employment support providers and charities, and vocational qualification bodies.

The DDA requires public authorities (sections 49A and 49B), when carrying out their functions, to have due regard to the need to promote positive attitudes towards disabled people, and to the need to encourage participation by disabled persons in public life. There is also an associated duty on public authorities to prepare a ‘disability action plan’ showing how it proposes to fulfil these duties.

Special Educational Needs and Disability (NI) Order 2005 (‘SENDO’)

The SENDO prohibits disability discrimination in the field of education and is therefore relevant to the draft Strategy’s theme of ‘Inclusive Skills, Careers, and Educational Transitions’ and to those organisations that provide primary, secondary and third-level education, qualifications and associated services (such as careers advice) to disabled pupils and students. This includes the Education Authority, schools, further education colleges and universities, and associated qualification bodies. SENDO also imposes a reasonable adjustment duty on duty-holders.

Section 75 of the Northern Ireland Act 1998

Section 75 requires public authorities, when carrying out their functions, to have due regard to the need to promote equality of opportunity between people in respect of certain characteristics, including between persons with a disability and persons without. It also requires each public authority to prepare an ‘equality scheme’ showing how it proposes to fulfil its duties.

The Department’s EQIA on this draft Strategy determines that ‘*everyone will benefit*’. Differential impacts are however identified for disabled people of different ages, specifically the 16–24-year-old cohort and older disabled people² and it is acknowledged that disabled people and people with health conditions within the various Section 75 categories exhibit different employment rates³. It is essential that the EQIA findings are appropriately considered in terms of informing the Strategy. The EQIA should consider any existing inequalities and opportunities to promote equality of opportunity.

The Department should adhere to the arrangements in its equality scheme regarding monitoring the impacts of the Strategy across the various stages of its development and implementation, and the future assessment of potential impacts and opportunities to promote equality across the Section 75 grounds.

² DfC (2025): [Disability and Work Strategy – Draft EQIA](#), paragraph 3.25.

³ *Ibid.*, paragraph 4.2.

UN Convention on the Rights of Persons with Disabilities (‘UNCRPD’)

A number of the provisions of the international treaty, the UNCRPD, to which the UK is a signatory and has ratified are relevant to the Strategy and include:

- Article 3 outlines General Principles, including respect for each person’s dignity and autonomy, non-discrimination, full and effective participation and inclusion in society, equality of opportunity, accessibility, equality between men and women and respect for the evolving capacities of children with disabilities.
- Article 5 prohibits disability discrimination and imposes a duty of ‘reasonable accommodation’.
- Article 9 imposes a duty to identify and eliminate physical and other obstacles and barriers to accessibility, including information and communication services.
- Article 27 imposes a duty to safeguard and promote the realisation of disabled people’s right to work by, amongst other things,
 - prohibiting disability discrimination in employment,
 - enabling disabled persons to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training,
 - promoting employment opportunities and career advancement for disabled persons in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment,
 - ensuring that reasonable accommodation is provided to persons with disabilities in the workplace.

2. Guiding Principles

The Commission agrees with the inclusion of guiding principles that are embedded in all aspects of the Strategy. We welcome the commitments to ensuring that people with lived experience of disability are at the centre of developing the Strategy and that partnership working will continue throughout its design and delivery.

We **recommend** that further detail on this collaborative approach is provided so that there is clarity regarding accountability and responsibilities of each partner or stakeholder. This is particularly important where several government departments have responsibility for delivering aspects of the Strategy.

3. Overarching outcome

The draft Strategy includes its aim of raising the disability employment rate, and reducing the disability employment gap, seeing individuals progress into good jobs and fulfil their potential. The overarching outcome is to have an additional 50,000 disabled people in the workforce by March 2036, and a disability employment rate of 50%.

While this may be a desirable outcome, on its own, it may be a misleading metric. For instance, the number of disabled people in work could increase due to a rise in the working-age population, an increase in employment or an increase in the prevalence and reporting of disability, without necessarily improving the relative disadvantage experienced by disabled people compared to their non-disabled counterparts. The Commission has previously⁴ **recommended** that the Strategy aims to reduce the disability employment gap as a more effective overarching outcome, given the focus on equality and comparing the employment situation of disabled people to that of non-disabled people. Focusing on the gap acknowledges that disabled people are persistently disadvantaged in the labour market, even when the overall number of disabled people in work is increasing.

We therefore **recommend** that a range of metrics are included as the desired overarching outcome and that a reduction in the disability employment gap is included as an outcome.

4. Sub-outcomes

Given that the overarching outcome conceals important variations within the data, the Commission agrees with the identification of a range of sub-outcomes, each of which will require appropriate interventions.

⁴ See for example: <https://www.disabilityatwork.co.uk/wp-content/uploads/2022/05/Disability@Work-briefing-on-1-million-target.pdf>; Government's 'milestone' disability jobs stats 'are meaningless when it comes to equality' – Disability News Service

We **recommend** that the actions required to deliver on each of these sub-outcomes are identified and that specific targets are set for each.

5. Themes

The Commission broadly welcomes the framework of issues, organised under the draft Strategy's key themes, with commitments and actions to achieve the Strategy's outcomes.

While it is accepted that the initial stages of the Strategy will involve actions to review and develop plans, the disparate nature of the actions is noted with many focusing on scoping the potential for actions, rather than taking actions. In addition, the volume of actions does not enable consultees to gauge potential prioritisation.

We **recommend** that the DfC considers the priority of actions and ensures that they are SMART so that there is clarity regarding delivery expectations. This will be important for the first Action Plan.

Personalised Support: Issue 1 - Fear of Making the Change

The actions aimed at further enhancing the learning and development of DfC frontline staff **should take account of the impacts of the previous training programme** delivered by DfC, in partnership with a range of stakeholders, including the Commission.

We **recommend** that DfC explore, and report on its consideration of, the Department of Work and Pensions' proposal to introduce a 'right to try' employment without loss of benefits. This intervention has the potential to enable disabled people to test their capacity for work without immediately jeopardising their eligibility to receive social welfare benefits.

Personalised Support: Issue 2 - Tailoring Support

The Commission welcomes the DfC commitment to employability support that is personalised and responsive to individual needs and to actions to deliver on this commitment. As noted above, the actions required to improve disability employability are likely to differ depending on factors such as the nature of the disability, the age of the person and the nature of the employment.

The proposed actions should include the communication of DfC's evaluation of current programmes so that there is clarity going forward about the key interventions that positively impact on disability employability, including those people furthest removed from the labour market. This information should be the foundation for the proposed actions. For example, the Commission has been advised that there are concerns regarding the availability and effectiveness of the Access to Work (NI) Programme (as referred to in a previous Commission consultation response)⁵. It is essential that disabled people and employers are confident that the support is sustainable, with any potential changes being communicated clearly so that disabled people may make informed choices with regard their employment.

The Commission has previously highlighted resource shortfalls arising from the loss of European Social Funds⁶ and the need to ensure the provision of sustained long-term funding arrangements for disability employment projects⁷. The shift in focus of transition funding arrangements from 'social inclusion' to 'economic inactivity' in the UK Shared Prosperity Fund (UKSPF)⁸ adversely impacted on the number of disability projects funded, levels of funding, resulted in problems of staff loss and retention, and a reduced capacity to support services to people with more severe levels of disability⁹. Projects supporting disabled people in NI received £15.6m per annum under ESF Call 3 compared to £10.7m per annum under the UKSPF.¹⁰ The new Local Growth Fund announced in the UK Government's June 2025 Spending Review, which will replace the UKSP in April 2026, will only be available to previous recipients of the UKSPF¹¹. This will result in those organisations which were unsuccessful when UKSPF was introduced in 2023, due at least in part to the shift in focus away from addressing social inclusion, being excluded again, including six organisations in NI which provided support

⁵ Equality Commission for Northern Ireland (2025): [Consultation Response to the Department for Work and Pensions Green Paper - Pathways to Work: Reforming Benefits & Support to Get Britain Working](#), paragraphs 2.20 to 2.24, pp. 8-9.

⁶ Hepburn, E., Bloss, L and Jeffery, H., Funding for Equality Groups in NI. The impact of the transition from EU funding to UK Shared Prosperity Fund, (ECNI, 2025), p107.

⁷ Independent Mechanism for Northern Ireland (2023): [Jurisdictional 'Parallel' Submission on the implementation, in Northern Ireland, of the recommendations by the Committee on the Rights of Persons with Disabilities in its 2016 report on the Inquiry, carried out under Article 6 of the Optional Protocol, in the United Kingdom](#), p. 11.

⁸ The UK Shared Prosperity Fund was launched by the previous UK Government in April 2022, and intended to be a replacement for European Structural Funds after the UK left the EU. See: UK Government, 'UKSPF Prospectus, April 2022' (Gov.UK, 2022).

⁹ Hepburn, E., Bloss, L. and Jeffery, H., [Funding for Equality Groups in NI. The impact of the transition from EU Funding to UK Shared Prosperity Fund](#), (ECNI, 2025), p.107.

¹⁰ Hepburn, E., Bloss, L. and Jeffery, H., [Funding for Equality Groups in NI. The impact of the transition from EU Funding to UK Shared Prosperity Fund](#), (ECNI, 2025), p.85.

¹¹ HM Treasury, 'Spending Review 2025', (Gov.UK, 2025).

to disabled people¹². The Commission recommends that consideration should be given to how to make future funding streams accessible to these and other such organisations providing tailored employability/employment services to people with disabilities. The Commission is very concerned at the recent announcement by the UK Government that the Local Growth Fund in Northern Ireland will also involve a cut from £25 million to £9.2 million in April 2026.

While we appreciate that responsibility for the Local Growth Fund is not strictly within the remit of DfC, we raise in the context of the Disability at Work Strategy due to our concern that the proposed cuts will impact on the ability of third sector organisations to provide tailored support to those living with a disability who wish to join or remain in the workforce.

Personalised Support: Issue 3 - Navigating Disability & Work Ecosystem

The Commission notes the commitment and the actions arising to ensure disabled people can access the support they need.

Inclusive Skills, Careers and Educational Transitions: Issue 4 - Difficulties Transitioning from Education; Issue 5 – Need for Specialised Careers Support; Issue 6 – Accessing Appropriate Skills Provision

The Commission has emphasised the importance of providing effective support to young people with special educational needs when moving beyond school¹³. We therefore welcome the acknowledgement that the transition process is linked to the risk of economic inactivity and the commitments made in the draft Strategy to provide appropriate and timely guidance to all young disabled people to support their transition to employment.

We also welcome the DfE actions to enable disabled people to access appropriate skills provision.

The Commission **recommends** that further consideration is given to the potential for employers to partner with education providers to offer inclusive training pathways.

¹² Hepburn, E., Bloss, L. and Jeffery, H., [Funding for Equality Groups in NI. The impact of the transition from EU Funding to UK Shared Prosperity Fund](#), (ECNI, 2025), p.85

¹³ ECNI (2024): [Advancing Equality for Children with Special Educational Needs](#), p. 15.

Supporting and Enabling Employers

Year on year approximately half of all enquiries to the Commission's discrimination advice line relate to disability, and around half of those enquiries relate to employment. Failure to make reasonable adjustments is a common concern for many disabled people who contact the Commission, and this can impact on their ability to secure and retain employment. The Commission also engages daily with employers on disability employment issues through its enquiry line, the employer training programme and Commission guidance.

The Commission, as it continues this work, is committed to collaborating effectively with the DfC and other relevant partners to realise the objectives of the Strategy.

Supporting and Enabling Employers: Issue 7 - Misconceptions in Employing Disabled People

The Commission agrees that it is important that employers can access support and guidance to address any misconceptions they may have regarding employing disabled people, ensuring that they are aware of their legislative responsibilities and, in this context, of the reasonable adjustment requirement. It will be important that the DfC research findings on reasonable adjustments is published and informs the Strategy.

While we welcome the action (3.2) relating to a campaign that encourages 'trusted disclosure' it is important that the action relates to employers' actions to build trust and that the action of disabled people providing monitoring information is accompanied with the assurance that the information will be used constructively by employers to accommodate their needs. The Commission has guidance on equality monitoring¹⁴.

Supporting and Enabling Employers: Issue 8- Employer Fear and Lack of Confidence

The draft Strategy notes that many employers are unsure of best practice, regarding factors such as facilitating reasonable adjustment requests, and have a poor knowledge of the support available to them

¹⁴ [ECNI - Fair Employment: Registration, monitoring, Article 55 review - Equality Commission](#)

and their employees with disabilities¹⁵. It is important that there is an awareness of, and compliance with, the requirements to implement reasonable adjustments. These requirements should not be communicated as ‘best practice’, as this may infer that such adjustments are not DDA requirements. It should also be made clear that many reasonable adjustments require limited resources but may have a major impact on a disabled person’s ability to access or retain employment and that a disabled person’s needs may change over time.

It is important that the proposed actions regarding the development of employer guidance recognises the volume of employer information that is currently available from a range of organisations, including disability organisations and the Commission. Any further employer information must take account of employer needs and the experiences of disabled people so that it impacts positively on disability employment and takes account of learning from other jurisdictions.

The Commission would **recommend** and welcome engagement on these actions to ensure that any work is properly co-ordinated and does not duplicate work across the Department, the Commission or other organisations.

We **recommend** that any further employer guidance is aligned to the various proposed actions across the Strategy relating to key messages contained in promotional or awareness campaigns so that it is linked to the Strategy and its desired outcomes. It is presumed this detail will follow in the year one Action Plan.

Supporting and Enabling Employers: Issue 9 - Employer-facing Provision is Difficult to Navigate

The Commission **recommends** that the DfC evaluates the outcomes from the previous training of its employer-facing staff, conducted by a range of stakeholders, including the Commission. We also recommend that employers are centrally involved in actions targeted to improve services for them and that other stakeholders, including the Commission, are involved to ensure that resources are appropriately targeted and services are not duplicated.

¹⁵ Department for Communities (2025): [Disability and Work: A Strategy for Northern Ireland](#), paragraph 7.29, p. 77.

Strategic and Structural Enablers: Issue 10 - A Lack of Strategic Coherence

The Commission welcomes the Department's commitment to co-production, delivery and monitoring¹⁶ and to establishing a Disability and Work Council for Northern Ireland, tasked with strategic oversight and implementation of this Disability and Work Strategy.

The direct involvement of disabled people in the design, implementation and monitoring processes is important as they can identify and address the barriers that others may not see and help to address negative attitudes and ensure that the approaches are effective, practical, and person-centred.

The work of developing and implementing actions that match the ambition of this strategy and ensuring that meaningful progress is achieved is essential. This is of particular importance given the aspirational nature of many of the commitments and actions, the volume of actions, including their lack of prioritisation, the range of stakeholders and the timespan of the Strategy. The framework becomes more complex when actions arising from each of the sub-outcomes are identified in the context of limited resources.

The Commission **recommends** that the establishment of the Disability and Work Council is identified as a priority for the first year of the Strategy's implementation. The Council's effective operation will be dependent on the meaningful involvement of disabled persons organisations, which must be central to its success. Furthermore, the Council's relationship with the proposed regional disability forum¹⁷ is a key factor in ensuring coordinated and impactful action.

It is important that the Department for Communities (DfC) regularly reviews the Disability and Work Council through mechanisms of co-production, delivery, and monitoring. The engagement of employers and

¹⁶ This is consistent with obligations set out in UNCRPD Articles 4(3) and 33(3) and the recommendations of the UN CRPD Committee General Comment No.7: [Article 4](#), (3): States Parties shall closely consult with and actively involve persons with disabilities in the development and implementation of policies and in other decision-making processes concerning issues relating to them; [Article 33](#) (3): Civil society, in particular persons with disabilities and their representative organizations, shall be involved and participate fully in the monitoring process; UN Committee on the Rights of Persons with Disabilities (2018): [General Comment No.7](#).

¹⁷ Department for Communities (2025): [The Northern Ireland Disability Strategy 2025-2035](#), p. 18.

other relevant parties is essential, as their commitment and actions will have a significant bearing on the overall success of the Strategy.

Additionally, it is crucial that the guiding principles underpin the formation and ongoing work of the Disability and Work Council. There must be clear and well-defined roles and responsibilities among all stakeholders involved. As the lead organisation, DfC should provide transparent and timely communication regarding developments, progress, and the outcomes achieved, ensuring all stakeholders are kept informed throughout the process.

The draft Strategy acknowledges the Commission as part of the NI Disability and Work Ecosystem (paragraph 4.3, p. 47) and we were represented on the Department's Disability Employment Strategy Stakeholder Forum.

Given the Commission's remit we would welcome the opportunity to provide participate in relation to equality matters in the proposed Disability and Work Council potentially on the proposed engagement forum for employers.

Strategic and Structural Enablers: Issue 11 - Achieving More Through the Public Sector

The Commission welcomes the commitment to: 'leverage the scale and influence of the NI public sector to lead by example in driving inclusive employment practices and setting new standards as employers.'

The Commission is encouraged that the NICS People Strategy confirms that the NICS will implement a ring-fencing scheme for disabled applicants. We **recommend** that further detail is provided on this scheme in terms of the number and type of jobs that this scheme will apply to and an approximate timeframe for implementation of the measure. We also **recommend** that targets are set for increasing the

employment of disabled people in the NICS, as recommended by the Disability Strategy Expert Advisory Panel^{18 19}.

We **recommend** that actions are incorporated whereby government departments will influence and advocate for improved disability employability across the public sector, including a range of positive action measures e.g. job trials, prevocational training, guaranteed interviews (with job description reviews) and the setting of employment targets. We welcome that DfC will offer support to Executive departments as they develop Social Value Strategies, seeking to maximise employment opportunities for disabled people.

Strategic and Structural Enablers: Issue 12 - Shifting the Focus to Outcomes

We welcome the commitments and actions in the draft Strategy to place greater focus on outcomes. We **recommend** that these actions are prioritised and include measuring progress against the overarching outcome, as well as sub-outcomes.

However, we also recognise that further legislative steps will be required to more fully realise UNCRPD rights, for example, by addressing the current gaps in protection against disability discrimination in the workplace²⁰.

¹⁸ The NICS has 5.5% representation of persons with disabilities in its workforce compared to 10% in the GB Civil Service and 9.5% in the US Civil Service. This means that people with disabilities are represented 44% less in the NICS than the average representations of disabled people in the civil services of GB and the US. (Source: Olsen J. (2018): *Employment in Northern Ireland's Civil Service: Social Barriers and Hyperbole Mean Disabled Need Not Apply* in [International Journal of Disability Management, Volume 13, e2, pp. 1–14](#).)

In the Republic of Ireland, the Disability Act 2005 sets out a minimum statutory target for the employment of disabled people across the public sector of 3%. Under the Assisted Decision-Making (Capacity) (Amendment) Act 2022, the minimum statutory target increased to 4.5% in 2024 and to 6% in January 2025 (Source: [National Human Rights Strategy for Disabled People 2025-2030](#), paragraph 4.5, p. 28).

¹⁹ DfC (2020): [Disability Strategy Expert Advisory Panel – Report and Recommendations](#), p. 87.

²⁰ Equality Commission for Northern Ireland (2013): [Strengthening Protection for Disabled People - Proposals for reform](#)

Annex

Remit of the Equality Commission for Northern Ireland

The Equality Commission for Northern Ireland ('the Commission') is an independent public body established under the Northern Ireland Act 1998.

In general terms, our statutory remit provides that we are 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
- overseeing the statutory equality duties on public authorities.

The Commission's remit also includes overseeing the statutory duties on public authorities to promote equality of opportunity and good relations under Section 75 of the Northern Ireland Act 1998, and the disability duties under the Disability Discrimination Act 1995.

The Equality Commission has been designated to act as an 'independent mechanism' jointly with the Northern Ireland Human Rights Commission (NIHRC), to promote awareness of, and monitor the implementation of the United Nations Convention on the Rights of Persons with Disabilities with regard to Government's obligations in relation to 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).

Further, the Commission, along with the NIHRC, is mandated in accordance with Article 2(1) of the Windsor Framework (formerly Protocol on Ireland/Northern Ireland) of the UK-EU Withdrawal Agreement to oversee the UK Government's commitment on rights and equality in Northern Ireland (NI) after EU withdrawal.