

Danish disability policy

Equal opportunities through dialogue

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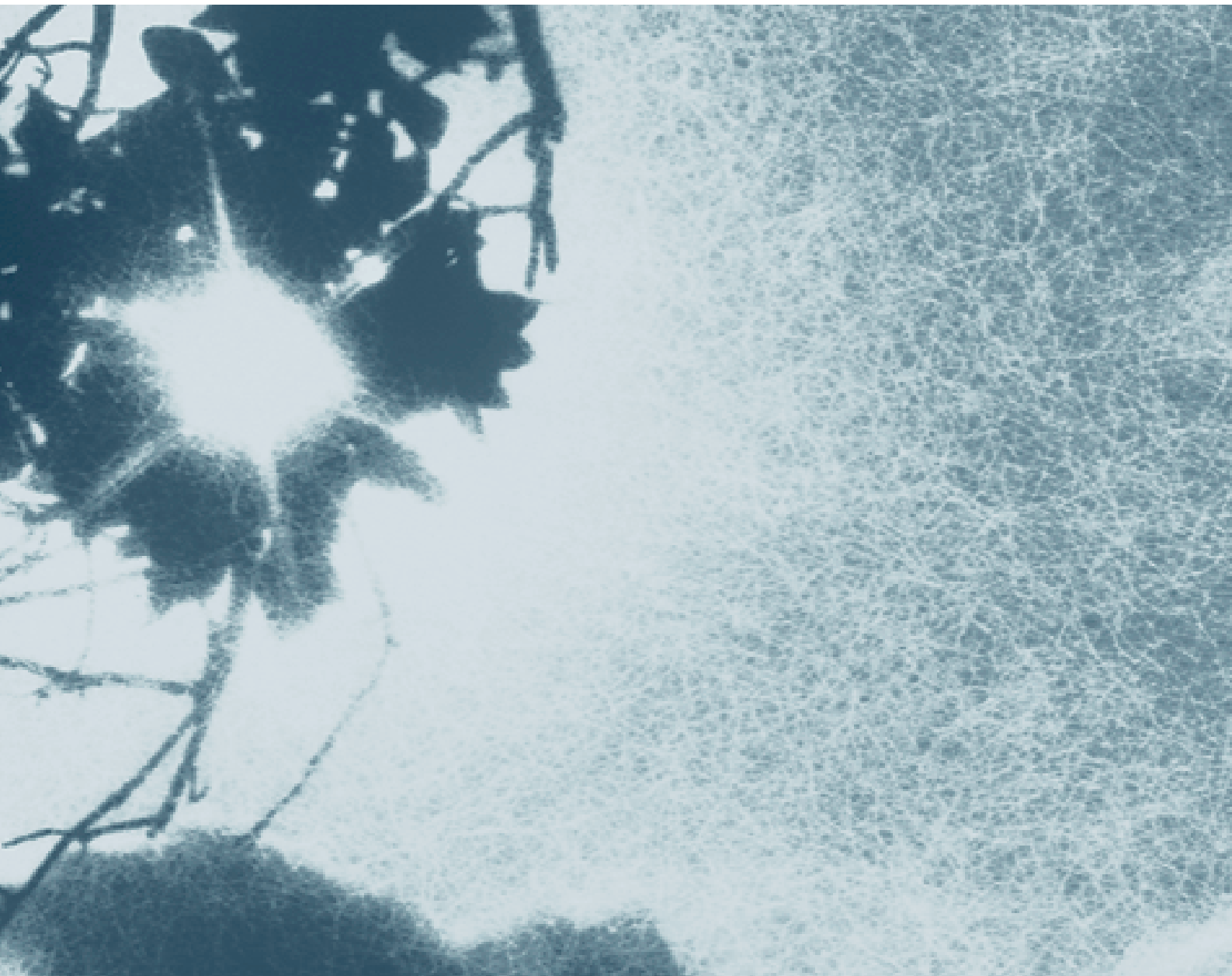
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Preface

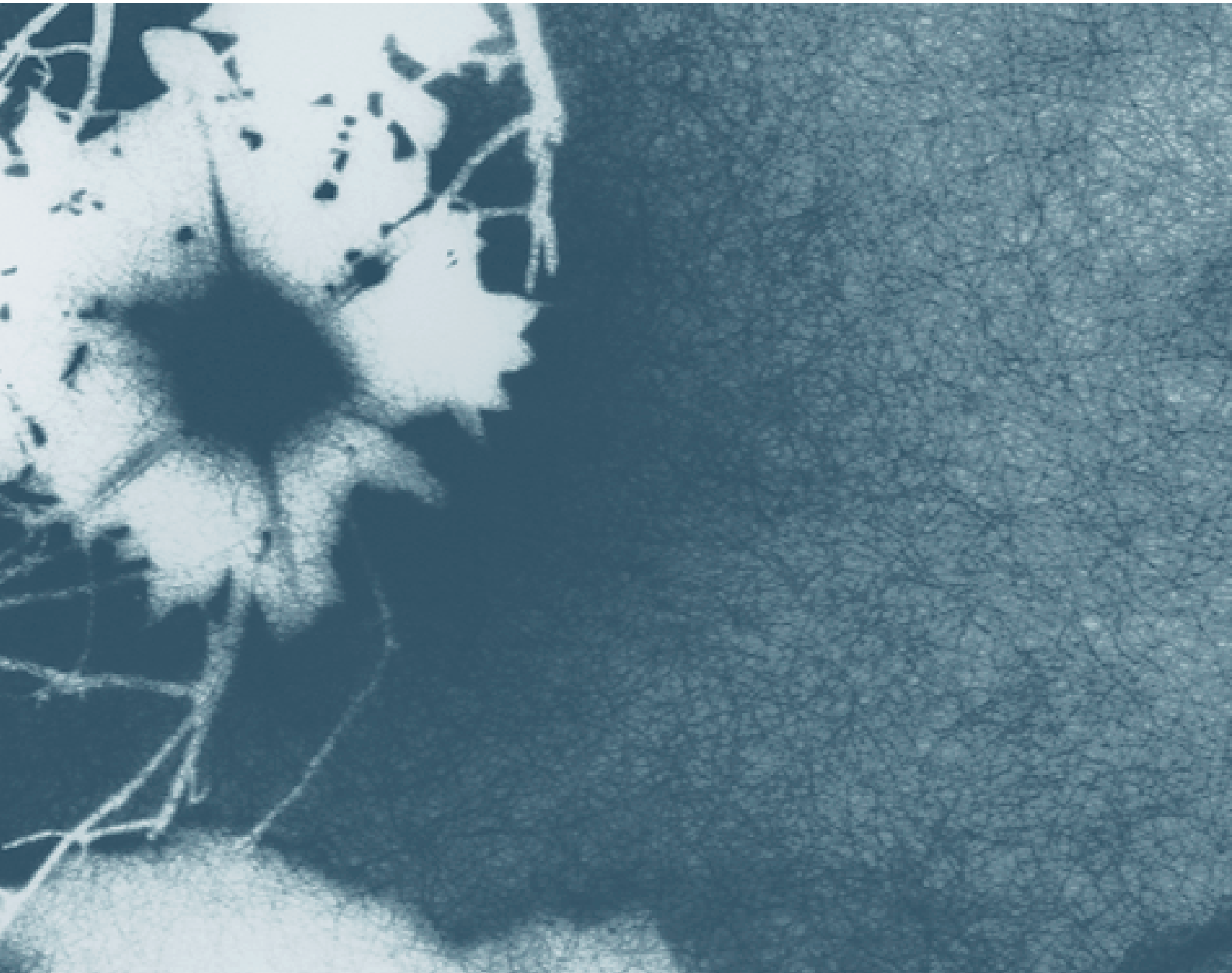
To an outsider it can be very difficult to form an impression of how a country has chosen to organise and administer a given political sphere. This also applies to Danish disability policy. If you are not actually brought up with the system it can be very difficult to understand the background and the way things work. Language difficulties, different cultural, organisational and administrative frames of reference are some of the obstacles to be overcome.

With this publication we try to address some of these obstacles. We will provide a survey of the fundamental principles of Danish disability policy, and we will try to give an overall description of the way in which the disability policy manifests itself in law and in practice in all sectors of society.

There are very narrow limits as regards the details that can be included in a publication like this. However, our objective has been to

go into so much detail that the reader will get an impression of the nature and the multiplicity of the principles, support measures and services which disabled people can enjoy in Denmark. Reading this publication will not make you an expert in Danish disability policy but, hopefully, the publication will give you a sufficient overview and enough knowledge to enable informed questions.

The publication is divided into two main sections. Section I gives a general introduction to Danish disability policy: their principles, objectives and players. Section II explains the legal framework for exercising disability policy. In other words, Section II aims to give a survey which is as all-inclusive as possible, describing the many and varied initiatives that have been taken – in the different areas of society, individually – to ensure that disabled people can participate on an equal footing with other citizens.



Section I. Danish disability policy

The basis of Danish disability policy

Danish disability policy is not a defined and isolated political area. It is a coherent and integrated part of the values and norms on which the Danish society is based. Thus a brief description of the Danish society and the Danish welfare model is a precondition for describing and understanding the policy which is pursued in the disability field.

The Danish welfare society

The Danish society is a welfare society in which an income related tax-financed distribution policy is one of the largest components. Through distribution policy society offsets, to a certain extent, social differences, compensating individuals for expenses towards which it is found reasonable that the community contributes. The Danish State has assumed a number of welfare tasks which in other countries are taken care of, paid for or insured against, by the individual herself. Examples of such tasks are childcare, education, hospitalisation, etc.

Welfare services are financed via duties, VAT and income tax. The Danish tax system is progressive. This means that a higher rate of tax is paid on the last krone a person earns. This again means that people with high incomes pay a larger proportion of their

income in taxes than those with low incomes. In general, Danish income tax is higher than that in most other countries.

Moreover, the Danish welfare model is characterised by a decentralised public sector. Denmark is divided into 14 counties (the regional level) and 275 local authority districts (the local level). The sizes of local authority districts vary. More than half of the districts have less than 10,000 inhabitants. Copenhagen, the largest local authority district, has almost 500,000 inhabitants. The counties include from 5 to 26 local authorities and have from about 40,000 (the county of Bornholm) to about 600,000 (the county of Copenhagen) inhabitants.

The Government and the Folketing (the Danish parliament) determine via legislation the framework for the right of self-determination of counties and local authorities, but the counties and local authorities have extensive powers to formulate and organise their own levels of service within the terms of legislation. The management of counties and local authorities is in the hands of democratically elected councils which independently have powers to collect taxes and take initiatives. The autonomous government at local and county levels functions both as the body exercising powers on behalf of the State and as an independent politico-democratic institution with decision-making authority. This

enables each county and local authority to fix its own levels of service within the scope of the legislation.

The distribution of tasks between the State, counties and local authorities (the central, regional and local levels) means that counties and local authorities are in charge of those tasks which are closest to the citizens. The principal tasks to be undertaken by the local authorities regard such services as primary schools, kindergartens, care for the elderly, traffic and payment of social benefits, such as pensions, housing benefits and cash benefit. The counties are in charge of tasks which require a large population base, such as hospitals and functions of a more specialised nature, for example offers of special services for disabled persons.

In political quarters there is a desire that local differences in levels of service should be possible. However, the administrative distribution of the decision-making authority to so many and very small bodies also makes it likely that there will be many unintended differences in the decisions made by the different local areas. Therefore the strongly decentralised Danish system implies a well-developed complaints system, where the citizens have the opportunity to complain against decisions made by the authorities. This also implies a complaints system which maintains a certain uniformity in practice

despite the large number of decision-makers. The complaint is considered by an administrative body at a higher level than the one of which the citizen complains. However, citizens cannot complain against all decisions.

In the political system and the political culture, professional and industrial bodies as well as voluntary organisations (NGOs) play a major role. Professional and industrial bodies as well as NGOs are involved in political decision-making processes in a large number of areas. Involvement of these organisations takes place via formal channels, such as representation on committees, boards and commissions, which the decision-makers consult about political issues, for example new legislation. However, the organisations also seek influence via more informal contacts. Danish political culture is, in many areas, characterised by co-operation, dialogue and negotiation between the authorities and the related interests. This means that the professional and industrial bodies will also have an influence on developments in the society. Similarly public administration obtains expert knowledge from the professional and industrial bodies and an immediate support for initiatives. The result is a highly consensus-orientated political culture.

This is also characteristic of the handicap-political area where the handicap organisations carry on a dialogue with the decision-

makers through, among other things, formal boards and committees. This kind of political culture has had great influence on the development within the handicap-political area.

From placement in State-run institutions to equal treatment – the development in disability policy

Integration and normalisation

Today the objective of Danish disability policy is equalisation of opportunities. This objective is the outcome of a development process that has resulted in people with disabilities no longer being placed in special institutions. They are, to an increasing extent, integrated in society.

As late as the end of the 1970s it was still quite normal for people with disabilities to live most of their lives at special State-run institutions for the care of handicapped persons. In the 1950s and 1960s there was a growing criticism of the living conditions of disabled people at institutions. This criticism was formulated into an objective to the effect that disabled people should have a life as similar to a normal life as possible, and therefore they should be integrated in the society on equal terms with other people.

In 1970 a local government reform was implemented in the form of an amalgamation

of Denmark's then approx. 1,300 local authority districts to 275, and 25 counties to 14. From 1970 a number of tasks were devolved from the State to the counties and local authorities. In 1980 the tasks belonging under the State-run institutions for the care of handicapped persons were devolved to counties and local authorities.

This devolvement represented a new orientation in political thinking as regards disabilities, where the key words became normalisation, integration and subsidiarity in the solution of the problems. The devolvement of the care of disabled persons at State-run institutions resulted in a change in the housing conditions of disabled people for example. The large institutions were divided into smaller units and new dwellings were established for disabled people. Various activities and employment opportunities were offered in the local communities. Disabled people became more visible in the community and lived in better conditions.

In terms of disability policy the period from the 1970s to the 1990s was thus characterised by the end of the era of State-run institutions for the care of handicapped persons. The objective of the new disability policy was based on integration as opposed to placement in an institution and on normalisation as opposed to State-run institutions for the care of handicapped persons.

Equal treatment

At the beginning of the 1990s the debate on disability policy measures was revived when the USA passed the ADA Act (The Americans with Disabilities Act). The Act prohibits discrimination of disabled persons. Similar anti-discrimination legislation was also discussed but did not gain support in Denmark either with the authorities or among most of the disabled people's organisations. Such laws were, in a Danish context, considered to be an expression of undesirable individualisation and legalisation and thus also a risk of undermining the principle of solidarity which otherwise characterises Danish disability policy. It was also feared that such legislation would, if anything, contribute to separating disabled citizens as a group from the rest of the society and thus rather prevent than promote equal opportunities and equal participation.

Instead the discussion resulted in a proposal from the Danish Disability Council (Det Centrale Handicapråd) (see page 14) that the Danish parliament should make a decision in principle on equal rights and opportunities for disabled persons. Then in 1993 the Danish parliament adopted "B 43, Folketingsbeslutning om ligestilling og ligebehandling af handicappede med andre borgere" (parliamentary resolution concerning equalisation of opportunities for disabled people and non-disabled people). The parliamentary resolution lays down that Danish disability policy

rests on a principle of equal opportunities for disabled citizens and non-disabled citizens. The resolution states that:

"The Danish parliament appeals to all national and municipal authorities as well as private enterprises that, with or without public support, they

- follow the principle of equal rights and equality of opportunities for disabled persons compared with other citizens, and
- show regard for and create possibilities for expedient solutions in consideration of disabled citizens' needs in connection with the preparation of resolutions in which such consideration is at all relevant."

The same year the United Nations adopted the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, to which Denmark acceded. The objectives set in the standard rules in many ways conform with the principle of equality of opportunities laid down in the parliamentary resolution. The principle of equality of opportunities and the demand for equal opportunities have thereafter been mileposts for disability policy in Denmark.

The parliamentary resolution is not a legally binding act but a decision in principle by which the Danish parliament signals that disabled persons should be given equal rights

and be treated in the same way as non-disabled people. The primary objective of the parliamentary resolution is to promote a move in this direction.

Principles and objectives of disability policy

Three concepts: the environment-based perception of disability, the principle of compensation and the sector responsibility principle, are central elements in the principle of equalisation of opportunities and thus in the disability policy pursued in Denmark. The three elements indicate on which considerations and attitudes the objective of the principle of equality of opportunities is based and they are therefore important preconditions for understanding what the principle of equalisation of opportunities means in Danish disability policy.

The environment-based perception of disability

In Denmark we aim to understand the concept of disability as a dynamic concept in constant development and change. Thus there is no one fixed definition of the concept of "disability" and therefore no list exists of the disabilities that make a person eligible for special rights. However, there is widespread support for the use of "the environment-based perception of disability" and the clarification of the concepts contained in the UN

Standard Rules on the Equalization of Opportunities for Persons with Disabilities, where:

"The term 'handicap' means the loss or limitation of opportunities to take part in the life of the community at an equal level with others. It describes the encounter between the person with a disability and the environment. The purpose of this term is to emphasize the focus on the shortcomings in the environment and in many organized activities in society, for example, information, communication and education, which prevent persons with disabilities from participating on equal terms."

The definition clarifies the relationship between the two key concepts "handicap" and "disability". A disability is that which is objectively ascertainable in the person, for example impaired vision, impaired hearing, impaired mobility. Handicaps are the limitations to a person's abilities which are a consequence of the disability because the surrounding society is not equipped to meet the needs that people with disabilities have and the demands they make.

The principle of compensation

The principle of compensation implies that society offers disabled persons a number of services and aids in order to limit or offset the consequences of their disabilities as much as possible. The compensation is to make good the consequences of the disability for

the purpose of giving disabled persons as equal a basis as at all possible.

Compensation may be in the form of individual personal aids, for example a wheelchair, hearing aid and the like. Compensation may also be parallel offers, for example that written material is published in a parallel version on audio tapes and discs for people with impaired vision or that an offer is made to deaf people that they can have a text telephone as an alternative to the ordinary voice telephony. Finally, compensation can be joint initiatives, where society is organised so that regard is paid to the widest possible extent to people with disabilities. This may for example be by establishing in new buildings access for users of wheelchairs without any differences in levels and fitting up ordinary telephone booths so that they can be used by blind people and wheelchair users without the need for special aids.

It is a fundamental part of Danish handicap policy that compensation is free for the individual person and is granted irrespective of the person's own and his or her family's income or capital.

As is evident from the principle of compensation, equalisation of opportunities is not a matter of treating everyone in exactly the same way. A prerequisite for equal opportunities is a varied and individually adapted

effort. Equal opportunities mean to secure real and equal opportunities for disabled citizens to take part in all activities in society, despite their different starting points. This can only happen if each individual sector of society takes on its responsibility for equal opportunities.

Sector responsibility principle

The principle of sector responsibility implies that responsibility for the equalisation of opportunities for disabled people in a specific area in society is placed with the authority responsible in general for the area in question.

The principle of sector responsibility rests on a basic view that in order for disabled people to obtain full participation in the life of a community, all sectors must be involved and assume their part of the responsibility for the principle of equalisation of opportunities to be implemented. Disability policy cannot be reduced to health policy or social policy.

In order to ensure sector responsibility there must be a legal basis and economic willingness to compensate for disability in all places where there are obstacles – in the transport system, the educational system, the job market, and in areas such as housing, shops, information, etc. It is an important task for the players to work towards providing this basis.

The players in disability policy

Danish disability policy, and the objectives and strategies on which it is based, is formulated in a dialogue between representatives of disabled persons and the authorities. Therefore, the important players in the disability policy area will always be the public authorities' organisations on the one hand, i.e. ministries, counties, local authorities and other bodies exercising authority, and, on the other hand, individual organisations for disabled persons, local disabled person's organisations and committed individuals.

It is not possible to give a reasonable and all-embracing description of all these players. Therefore, in the following pages there will only be a brief description of the most centrally located and formal players in the area of disability.

The Danish Council of Organisations of Disabled People (DSI)

The precondition for dialogue on an equal footing between public authorities and the users is that there is representation for the users which is widely supported by them, and which can give strong expression to the problems that are experienced by the users. In Denmark such representation for disabled persons is found in the umbrella organisation, the Danish Council of Organisations of Disabled People.

Denmark has a strong tradition of citizens organising themselves in associations according to their communities of interest in order to make their viewpoints heard. This is also the case where disabled persons are concerned. There are several organisations which represent one or more groups of disabled people.

In order to concurrently plead the case of disabled people, four organisations for disabled people set up the umbrella organisation the Danish Council of Organisations of Disabled People (DSI) in 1934. Since its formation the DSI has contributed to setting the agenda for disability policy by taking part in the dialogue with the Government.

The DSI's object clause states that, – "The object for which the DSI is formed is to safeguard common interests for national member organisations working on the prevention and combating of physical and mental disability as a consequence of hereditary illnesses, diseases or accidents as well as the consequences thereof."

Today the DSI is the umbrella organisation for 29 national member organisations representing 300,000 members in total, and it conducts NGO activities locally, regionally as well as centrally. This takes place, among other things, through contact with the

authorities, through responses to public hearings on relevant bills, by exerting an influence on public attitudes through publication of information material and through the media. Centrally and locally the DSI is represented on a number of relevant committees, boards and commissions, putting great effort into spreading awareness of the objectives of Danish disability policy and of the United Nations' Standard Rules on the Equalization of Opportunities for Persons with Disabilities. Over the years the DSI has achieved a strong position as a representative of disabled persons in negotiations with the authorities.

The Danish Disability Council

In 1980 the dialogue between representatives of disabled persons and the authorities was strengthened by the formation of the Danish Disability Council.

Devolvement of the State-run institutions for the care of handicapped persons implied a desire both with the organisations for disabled persons and the Government that the dialogue about equal opportunities for disabled persons should be placed with an effective central body. This led to the establishment of the Danish Disability Council.

The Danish Disability Council is a Government-funded body made up of an equal number of representatives from disabled

people (nominated by the Danish Council of Organisations of Disabled People) and from public authorities. The Council's tasks are to monitor the situation of disabled people in society and to act as an advisory body to Government and Parliament on issues relating to disability policy. The Council can take initiatives and propose changes in areas affecting the life of disabled people and their living conditions, and all central authorities are expected to take the Council's advice in these matters.

Section 87 of the Danish Act on Due Process of Law and Administration in the Social Area is the Danish Disability Council's working basis. The Ministry of Social Affairs appoints the chairman of the Council. In order to strengthen the professionalism of the Council a number of people with special expert knowledge from various sectors are attached to the Council. This composition of the Council ensures wide scope of knowledge and experience concerning disability policy.

The Equal Opportunities Centre for Disabled Persons

By parliamentary resolution B 43 of 1993 (see page 10) it was decided to establish an Equal Opportunities Centre for Disabled Persons under the Danish Disability Council. B 43 sets out the task of the Equal Opportunities Centre for Disabled Persons as follows:

"This unit is to collect, initiate and communicate, nationally as well as internationally, the information and expertise required about the situation of disabled people and the effects of particular disabilities. Moreover, the unit is to pay attention to instances where people with disabilities are discriminated against so that the Danish Disability Council can raise the issue with the relevant authority."

The Equal Opportunities Centre for Disabled Persons is to monitor developments in the equalisation of disabled people and non-disabled people. Moreover, the Centre's task is to draw the authorities' attention to areas and situations where there are not equal opportunities for disabled people and non-disabled people. The Centre is also to publish information on the subject of equal opportunities for disabled persons in the Danish society.

The Centre is financed by the Danish State and obtains its funds via the Ministry of Social Affairs. The autonomy of the Centre is guaranteed by an independent executive committee made up of an equal number of representatives from the organisations for disabled persons and from the public authorities. The Centre has no formal legal competence, but exercises its influence by documenting problems relating to equal opportunities.

The Centre was established at the request of the Danish Disability Council, and it is in charge of the secretarial function of the Danish Disability Council. The efficiency, competence and argumentation of the Council have also been strengthened considerably by virtue of the documented evidence that the Centre provides. On the basis of this documentation it has become possible, over the years, to establish a dialogue with the relevant authorities on specific solutions to those problems that have been documented.

The Folketing Ombudsman

The Folketing Ombudsman was established in 1953 as an independent institution under the Danish Parliament. The task of the Ombudsman is, on behalf of parliament, to keep watch on public administration at the national, regional and local authority levels.

In accordance with parliamentary resolution B 43, the Ombudsman is to particularly monitor the development in the disability area. This takes place by including the principle of equality in the Ombudsman's work in general, for example through the inspection of public buildings where the Ombudsman checks for easy access for disabled people. Moreover, the Ombudsman on his own initiative or in response to an approach by for example the Equal Opportunities Centre for Disabled

Persons takes up matters which are concerned with equal opportunities for disabled people.

The intercivil servant committee for the disability area

In March 2002 the Danish Government nominated the Deputy Prime Minister, who is also the Minister for Economic and Business Affairs, as the Minister for Co-ordination of the disability area. At the same time a committee of civil servants from the ministries of most importance for the disability area has been established. Besides the Ministry for Economic and Business Affairs, who has the chairmanship, the other members are the Ministry of Employment, the Ministry of Finance, the Ministry of Culture, the Ministry of Transport, the Ministry of Social Affairs, the Ministry of Education, and the Ministry of Science, Technology and Innovation.

On the basis the United Nations' Standard Rules on the Equalisation of Opportunities for Persons with Disabilities the committee is to co-ordinate the Government's disability policy.

Through the committee a forum has been created which can contribute to co-ordinating the Government's disability policy initiatives and ensure ownership to problems which do not naturally belong to a given ministry.

Section 2 of this publication deals with a number of legislative areas and schemes, which are aimed at using disability policy for practical measures and initiatives.

Section II. Disability policy in practice

The way in which our society functions is essential for the opportunities of disabled people. The consequence of the principle of sector responsibility is that all of society should be involved in the work of carrying disability policy into reality.

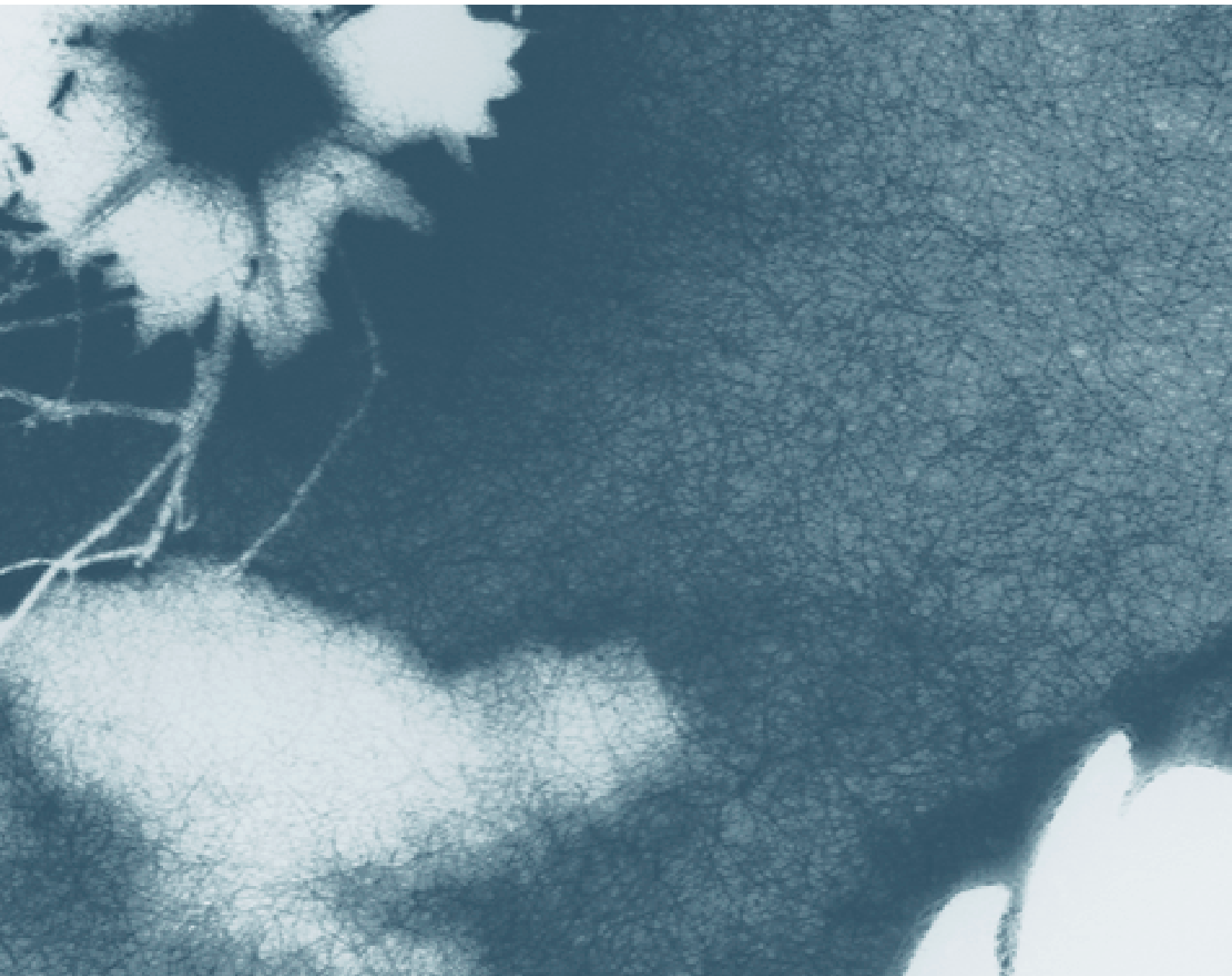
Many players are involved in converting disability policy from words into action. Counties and local authorities play a particularly central role as they are responsible for implementing much of the service and many of the activities aimed at disabled people. However, businesses, NGOs and many other players are also involved in this work.

The objective of this section of the publication is primarily to explain the legal framework behind the practical efforts made to ensure equalisation of opportunity for disabled people. For the sake of clarity the relevant areas of legislation are examined one by one, but in practice efforts in one area are often connected with initiatives in other areas.

The organisation of this section is based on inspiration from the areas covered by the UN's Standard Rules. It is not necessary to read the chapters in sequence in order to understand the contents of each individual chapter. Each chapter refers to other chapters if necessary for the context to be fully understood. This enables the reader to go back and forth between chapters.

The different areas of legislation are divided into the following chapters:

- Accessibility
- Education
- Work and social security
- Support measures
- Family life and personal freedom
- Housing – other types of accommodation
- Health
- Transport
- Culture



Accessibility

Over the past few years the concept of accessibility has become one of the most central concepts in the disability policy debate – both in Denmark and internationally. The concept of accessibility has changed meaning from being synonymous with physical access for wheelchair users to being the overall key concept describing the varied and complex process which has to do with adjustment and organisation of all the activities in society in such a way that from their starting point they include also the needs of disabled people.

Accessibility to buildings, housing and physical environments

Danish building legislation gives the Minister for Economic and Business Affairs authority to issue building regulations by which all building work, by and large, is regulated. After the latest amendments were made to the Danish building legislation it appears from the object provisions that one of the objects of the legislation is to promote accessibility for disabled people. The building regulations set out specific rules as regards the requirements that buildings are to live up to, ranging from fire precautions and ventilation to demands for accessibility for disabled people.

Building regulations

Today Denmark has two sets of building regulations, one for small houses (single-family

houses and summer houses) and one for other buildings. In the building regulations for small houses there are only a few requirements which directly have to do with accessibility for disabled people. It is a fundamental principle, however, that there is to be direct level access to the houses.

In the 1995 Building Regulations, which by and large regulate all buildings other than small houses, there are several requirements which provide for the needs of disabled people. There are for example demands for direct level access to buildings, demands that there is a lift if a building has more than two floors above ground level, and demands that there are handicap toilet facilities. Moreover, Danish building legislation has just been amended so that it is now possible to demand installation of an induction loop system.

Since 1977 the Building Regulations have contained requirements for direct level access to buildings. Despite many efforts to ensure accessibility to new buildings, the awareness of the problems surrounding such accessibility, however, is still inadequate. Likewise, problems with the enforcement of the laws also mean that buildings are still being erected which are not accessible to disabled people. In addition Denmark has a very large volume of old buildings which constitutes a massive accessibility problem, which is both difficult and expensive to solve.

Initiatives in the accessibility area

In 2001 the Government has taken initiatives to ensure that future buildings become accessible, including the training of a special corps of accessibility consultants. The purpose of having such accessibility consultants is to ensure that a number of persons are trained so that they will be able to map out in a qualified way the accessibility of cities, towns and buildings with a view to the subsequent offering of professional advice.

At the same time a campaign about accessibility has been launched. The campaign aims to increase the awareness of accessibility among the general public and focuses on accessibility as a problem affecting many more people than just disabled people.

In September 2000 a requirement was set out in the training of architects that future architects are to have knowledge and know-how of accessibility for disabled people.

Legislation on accessibility in the local authority districts

Besides building legislation as such, Denmark has other legislation that can contribute to ensuring that the physical environment becomes accessible to disabled people. Local authorities are under an obligation to make a local authority district plan setting out the overall objectives for the development and use of the land in the local authority district

and local authority district plans which for smaller areas describe the physical environment in more detail. These plans too may include demands made by the local authorities as regards accessibility for disabled people. Additionally, the local authorities have the possibility of presenting demands as regards accessibility in connection with urban renewal projects, for example.

Access to information and communication

As mentioned by way of introduction, accessibility is no longer a matter of physical access for wheelchair users alone. Access to information has become an increasingly urgent theme concurrently with the technological development.

In this publication we have chosen to divide the description of accessibility to information into two, namely telecommunication and accessibility to information (including the Internet).

Telecommunication

In connection with the extensive liberalisation in telecommunication, laws have been passed in Denmark ensuring that the special telecommunication requirements of disabled people are also provided for in a liberalised telecommunication market.

Deaf people are thus entitled to have a text telephone (the telephone apparatus) made available for them by the provider of the telecommunication service. For the purpose of the text telephone a relay service has been established, which is open round the clock and which deals with conversations between hearing people and people with impaired hearing. Private telecommunication companies run and finance the text telephone and the relay service as part of their obligation to supply communication facilities. There are 2,200 text telephone users in Denmark.

In parallel with the text telephone a special text telephone for deaf-blind people has been established. The telephone is based on Braille or on a much enlarged text displayed on a screen. The telephone for the deaf-blind is also part of the relay service. There are approx. 60 users of the telephone for deaf-blind people in Denmark.

Disabled people who cannot use a traditional telephone directory can have access to the manually operated directory service via a service named "the directory service for disabled people". The manual directory enquiry service is usually a very expensive service, but disabled people get a discount of approx. 75% of the normal rate.

The question as to whether the existing rules relating to the obligation to supply are sufficient to ensure disabled people equal

access to telecommunication is now under consideration. These thoughts may very well result in the introduction of comprehensive changes in access to telecommunication for disabled people in the near future.

Information technology

Over the last few years, rapid development has taken place within information and communication technology. This has changed the focus to how barriers for disabled people can be removed by means of information technology, while at the same time new barriers preventing disabled people from using the new technologies can be avoided.

Denmark supports the idea of introducing *Universelt Design* (Design for All), which gained widespread acceptance in large parts of the world in the course of the 1990s. The principle of Design for All is that generally applied technologies should be designed in such a way that they can be used by everybody – disabled people included. However, at the same time there is focus on the development and the financing of the necessary replacement technology in those cases where new specially developed technology can in itself remove existing barriers (text telephone services for example may compensate for deaf people's problems with using ordinary telephones), or where the widespread use of technology in itself puts up new barriers which have to be compensated for by means of the technological aids.

Development in recent years

There is no specific legislation ensuring the implementation of the above principles. However, during the 1990s the Ministry of IT and Research (now the Ministry of Science, Technology and Innovation) set up a number of action plans and guidelines aiming at this objective. In 1996 the Ministry of IT and Research made an action plan for disabled people's use of IT called "Frihed til at vælge" (Freedom to choose). The action plan lists a number of initiatives to be implemented for the purpose of strengthening the opportunities for disabled people to use IT technology. These initiatives cover, among other things, the development of a Danish speech synthesis, the establishment of a centre for accessibility, and the accessibility to cash dispensers.

At the same time as the action plan was made, the Ministry of IT and Research took the initiative in establishing a reference group with representatives from the disabled people's organisations, the resource centres and the IT and telecommunications sector. This reference group has continuously dealt with especially the implementation of the action plan and has contributed to setting priorities and to financing new projects in the area from 1996 onwards.

Already by 1997 guidelines had been prepared for publications via the Internet containing detailed requirements for accessibility for

disabled people. In 1999 guidelines were laid down for accessible homepages which are to be monitored by public authorities. These guidelines take their starting point in international guidelines from the World Wide Web Consortium's (W3C) Web Accessibility Initiative (WAI).

In 1999 the Danish Government presented a new report "Det Digitale Danmark" (The Digital Denmark) on Denmark's readjustment to a network society. The new report did not act as an introduction to any special initiatives in the areas of disability and IT but, on the other hand, the principle of sector responsibility and the joint responsibility for the development of an accessible web design was underlined. One of the report's principal recommendations therefore contains a proposal that IT solutions should be accessible for disabled people.

The report from the Minister for IT and Research to the Danish Parliament "Realigning to the network society" from December 1999 includes specific initiatives to raise the quality standard of public authorities' homepages through continuous quality control, including control that homepages are accessible to disabled people. This initiative is in the process of being realised under the heading "Bedst på Nettet" (Best on the Net).

Education

Education is one of the main routes to the labour market, self-support and integration into society as well as to personal development. That is why the access of disabled persons to education is high on the disability policy agenda. Effective efforts to include disabled people in the education system can prevent many of the exclusion mechanisms that disabled people will otherwise encounter later on in life.

It is a fundamental principle of Danish education policy that everybody meeting the formal admission requirements has access to the education concerned. In principle, this applies to disabled people too. However, to ensure disabled people full and equal access a number of practical and educational conditions must be met:

The educational institutions must be physically accessible; compensatory measures must be made available; and education offers must also be provided to those who cannot complete their education in the ordinary system. Compensatory measures might, for example, be aids, teaching material on an accessible medium, e.g. Braille, and practical assistance for example from an interpreter or a secretary. Educational compensation is granted according to the compensation principle, i.e. without regard to the recipient's financial situation.


The Danish education system

Education is compulsory for nine years in Denmark. Most children receive this education in the municipal primary and lower secondary schools (the "Folkeskole"), which offer education from the pre-school class to the tenth form (basic school education). The pre-school class and the tenth form are voluntary. Tuition in the municipal school is free. Approx. 13% of Danish children receive their basic school education in private independent schools financed partly by the parents and partly by State subsidies.

After having completed their basic school education young people may proceed to youth education courses and later on higher qualifying courses. After the qualifying courses the education system offers a large number of opportunities for continuing and advanced training, in addition to leisure activities of an educational nature with both vocational and more hobby-like contents.

Basic school education

All children, disabled as well as non-disabled, have a right to at least nine years' basic school education. Disabled children's basic school education is subject to Danish Act on the Folkeskole, which applies to all basic school education in Denmark. Basic school education is the responsibility of the local



authorities, and it is the local school authorities that make any compensatory measures available to disabled children, e.g. special education, special aids, specially planned teaching material or any other thing that is necessary to enable the pupil to follow the instruction.

The Folkeskole teachers must be qualified to teach all children, including disabled children. This makes great demands on the qualifications of the individual teacher, and continuing training will often be required when a disabled child is to be integrated into the ordinary Folkeskole. Approx. 10% of the children in the ordinary Folkeskole receive some kind of special education or some other form of compensation.

Severely disabled children who need very extensive special education are offered education at specialised special schools. The county are responsible for the special education. This education is provided either at proper special schools, at twin schools where an ordinary Folkeskole and a special school have been established in immediate connection with each other, or in centre classes which are special classes at ordinary schools. It is the local authority which decides whether a child is to receive extensive special education. However, it is the county authority which decides how the special education is to be

provided. In the 1998-1999 school year, approx. 1.9% of the total number of pupils in the Folkeskole received extensive special education.

Youth education

Having completed the basic school education young people may continue their school education by taking a youth education course leading to an upper secondary school leaving examination or a higher preparatory examination or by taking a vocational/technical education or training course, or a course at a production school. The youth education courses are offers which to a different degree give weight to providing the student with vocational qualifications, study qualifications and personal qualifications. Having completed his or her basic school education the individual pupil may choose a youth education course according to his or her abilities, qualifications and interests. In 1999, approx. 83% of a year group finished youth education.

Disabled pupils who wish to proceed to youth education after having completed their Folkeskole education are subject to the same rules as apply to all other pupils undergoing youth education. In most cases it is the individual school/educational institution which is responsible for offering disabled pupils the necessary compensation.


Production schools

Production schools are an offer provided to young persons under 25 who have not completed any other form of youth education, either because they could not be admitted to the education they wanted or because they had to give up completing the education. Production schools offer instruction in workshop subjects, and the teaching is very practically oriented. The Danish Production Schools Act contains a provision that compensatory measures *may* be offered but there is no requirement that they *shall be* offered. Nor can production schools which choose to offer handicap compensating measures obtain financial compensation.

Specially organised youth education

Young people who are so severely handicapped that they do not have a realistic chance of completing a youth education course in the ordinary education system may instead receive youth education organised in accordance with the Danish Special Education for Adults Act. However, this Act does not contain any guidelines for the contents of such a youth education offer. It is up to the individual county authority to decide how the offer is to be provided, both in terms of duration and in terms of quality. All counties have such youth education offers, but the offers vary a great deal as to duration, contents and objectives.

Higher education



Having completed the youth education approx. 50% of a youth year group commence higher qualifying education. These courses vary in length from 18 months to 6-7 years, depending on the type of education involved.


When disabled students have been admitted to higher education, they may apply to their educational institution for compensatory measures as it is the individual educational institution which is responsible for granting handicap compensating measures.

Continuing and advanced training

One way of keeping one's vocational qualifications up to date is by taking continuing and advanced training. In this way persons both in and outside the labour market can upgrade or improve their educational skills and thus improve their qualifications further.

In Denmark there is a kind of a continuing and advanced training system for adults. Within this system it is possible to obtain support to cover the costs of living during adult education. However, the reform does not contain any general possibilities of support for handicap compensating measures.

One area of the continuing and advanced training system provides special possibilities for the access of disabled persons. This



applies to the labour market courses (AMU), courses of shorter or longer duration taken with a special view to acquiring or upgrading practical skills in the labour market. It has been agreed that the accessibility of the educational institutions must be improved, and that disabled persons' possibilities of attending classes must be ensured. Funds have been earmarked for providing improved accessibility and compensation in class.

According to the Danish Compensation for Disabled Persons in Employment etc. Act (see page 31 in the chapter on work and social security), it is possible to obtain personal assistance in connection with continuing and advanced training. However, it is only disabled persons who are already in work who can make use of the scheme, and the education or training course cannot exceed one year. In addition, the continuing and advanced training program must be closely related to the disabled person's present employment. Therefore, it is not possible for the handicapped person to improve his or her skills with a view to employment in other fields of work.

“Folkeoplysning” (liberal adult education) and folk colleges

In Denmark, it is traditional that the population participates in youth and adult liberal educational activities during their leisure


time. The activities are paid for by the participants, often, however, with a small subsidy from the State. At the same time, it is a very long tradition that people attend folk colleges offering short-term or long-term courses on a large number of subjects. The expenditure is financed partly by the participants and partly by State subsidies.

Liberal adult education will usually not be qualifying education, but informative, general and maturing education. Folk colleges and liberal adult education courses are generally based on the condition that the education offer must be open to everybody. This condition must be met if a course organiser wants to receive a public subsidy in accordance with the rules on support to liberal adult education and support to folk colleges etc.

The Danish “Folkeoplysning” Act provides for a larger subsidy for courses for disabled participants. This makes it easier to organise the instruction specially for disabled persons. However, compensatory measures cannot be provided if a disabled person wants to attend a course which is not specially designed for a group of disabled persons.

Compensatory measures may be provided by folk colleges if you are disabled, but the educational institutions are not subject to any requirements concerning accessibility.

Special education for adults



In addition to the compensation offered within each area of education, disabled persons may receive compensatory special education in accordance with the Danish Special Education for Adults Act. The purpose of special adult education is to compensate for the consequences of functional impairments by learning how to use certain tools or methods in everyday life situations.


Special education for adults may for example be instruction in the use of a tape recorder and Braille for blind persons as well as instruction in how to get around. It may be instruction in new forms of communication for late deafened, and it may be provision of instruction in the use of EDP to several groups of disabled persons, including mentally disabled and people with impaired speech, for whom it will be easier to communicate by means of computers.

In some cases special adult education will be a must in order to be able to handle everyday functions, but it may also be necessary as a form of compensation in relation to the education system and the labour market.

Education and support

Young persons may obtain financial support from the State to cover their costs of living, both when undergoing youth education and later when undergoing higher qualifying education. While the young person is still living at home, he or she is often supported by the parents, but already when the young person turns 18, he or she can apply to the Danish State Education Grant and Loan Scheme (Statens Uddannelsesstøtte) for support to cover the costs of living.

The Danish State Education Grant and Loan Scheme consists of grants of a fixed monthly amount the size of which depends on the student's financial situation. 18-19-year-olds get not less than DKK 1,335 and not more than DKK 4,231 per month, depending on whether they are living with their parents or not. Students who are 20 years or older get not less than DKK 2,103 and not more than DKK 4,231 also depending on whether they are living with their parents or not. In addition, the student may obtain an educational loan (DKK 2,165 per month), which, unlike the grants, is to be repaid when the education has been completed. It is possible to have limited earnings in addition to the State Education Grant.




A large group of disabled students do not have the possibility of supplementing the grants from the Danish State Education Grant and Loan Scheme with occupational employment. Instead these students may receive a rehabilitation allowance (see the chapter on work and social security page 34) from their local authority. However, this allowance will only be paid if the local authority finds the student's employment plan to be realistic. By a realistic employment plan is meant inter alia that the student must have a reasonable chance of completing the education, and that the education may lead to employment and thus a possibility of self-support. The rehabilitation allowance is equal to the unemployment benefit (see page 30) if you are more than 25 years old. Young persons under 25 with no support obligations will only receive half the rehabilitation allowance.

Within adult education too it is possible to obtain support to cover the costs of living. The support within adult education is called the State Educational Support for Adults and can be paid for education at the levels of primary school, lower secondary school and upper secondary school, but also in higher education. The amount of the benefit varies depending on the level of education and on whether the recipient is unemployed or employed at the time of application for the support. Financial support to cover the costs of living can also be obtained for labour market courses (AMU courses). This support is called an allowance for participation in vocationally oriented adult education and continuing training. This amount too depends on the nature of the education and the recipient's employment situation.

Work and social security

As a general rule conditions in the Danish labour market are regulated via collective agreements between employers and employees. These agreements are negotiated at both central and local levels. At the central level the large central employers' organisations and the employees' trade unions negotiate overall guidelines. At the local level, i.e. the individual places of work, negotiations concerning more specific conditions, such as pay increases and allowances prescribed by the collective agreement, take place.

In Denmark, we talk about the spaciousness of the labour market; where there is room for everyone. The objective is to have as many people in employment as possible and as few people as possible on transfer income, early retirement pension for example (see page 36). To most people it is important to have a job in order to have a basis of existence, but also to have an identity and be part of the life of the community. This applies also to the group of disabled persons who may not have a full capacity for work in every respect. Therefore, as part of the spacious labour market many agreements today include so-called "social chapters". These chapters open up the possibility for the individual place of work to enter into agreements about jobs paying regard to an employee's reduced capacity to work, for example for an employee to work fewer hours and with less pay than set out in the collective agreement.



The participation rate in Denmark is 83% for men and 75% for women. As a total it is 79%. There are no exact figures for the participation rate for disabled people as in Denmark people are not registered on the basis of their disabilities. However, a survey from 1995 shows that 42% of all disabled people are working. The figures are 47% for men and 38% for women.

As the figures show, it is not everybody and certainly not all disabled people who get jobs. Thus Denmark has a system of social security which can ensure that people who, for one reason or the other, do not have a job or have never been in work, have a basis for existence. This is ensured by means of cash benefit (see page 30) which is paid to people who are expected to be out of work only temporarily, and by means of early retirement pension which is paid to people who are unable to work.

The security schemes of the labour market

The same rules apply to disabled people on their application for unemployment benefit that apply to non-disabled people. However, a small number of disabled people are employed on special conditions, and they are therefore covered by other rules (see page 34).

Unemployment benefit

People in work or people who have completed an education qualify for membership of an unemployment fund. An unemployment fund (the funds are often grouped by vocations) is an insurance scheme into which people pay a fixed monthly contribution. If a member loses his or her job and thus his or her basis of existence he or she, thereby, qualifies for unemployment benefit. Unemployment benefit equals 90% of the member's wages up to the date of unemployment, or a maximum of DKK 588 per day five days a week if the member worked full time prior to unemployment, i.e. 37 hours a week. People who are unemployed must also be registered with the employment service and thus be available for work.

Members can receive unemployment benefit for a maximum of four years. If they have not found a job within this period, payment of the unemployment benefit will discontinue. After that the member may receive cash benefit directly from the state.

Anticipatory pension

Members of an unemployment fund who pay contributions into an anticipatory pension scheme can claim anticipatory pension from the age of sixty. This means that they have the opportunity to withdraw from the labour market or to work for a limited number of hours only. Anticipatory pension is a

maximum of 91% of the highest level of unemployment benefit. Also in this case, the same rules apply to disabled and non-disabled persons.

Cash benefit

If a person loses his or her basis of existence and is not a member of an unemployment fund, he or she may qualify for cash benefit. Cash benefit is a temporary benefit and is granted as an amount in cash and an offer of a work activation programme, which will be rewarded by an employment supplement and an allowance. The amount in cash is DKK 7,919 per month for persons over 25 years. This amount will cover expenses for food, clothing, housing, etc.

Sickness benefit

If a wage earner or a self-employed person gets ill, sickness benefit can be paid to him or her under the Danish Sickness Benefit Act. It is the employer who pays the sickness benefit to the employee for the first 14 days of the employee's absence. After the first two weeks of sickness it will be the local authority in the employee's district of residence that takes over the obligation to pay sickness benefit. The employee will receive 90% of his or her wages or a maximum of DKK 3,016 in sickness benefit per week. As a general rule the employee can be paid sickness benefit for one year only.

If an employee is chronically sick or is ill over a prolonged period resulting in at least 10 days of absence in any one year, the employer can make an agreement with the employee and his or her local authority that the cost of sickness benefit will be refunded from the first day of absence. Popularly this is called a section 28 agreement because the provision relating to the situation is found in section 28 of the Danish Act on Daily Benefit in connection with sickness and maternity.

If a person is employed in a job with flexible working arrangements (see page 34), the employer will also in this instance be able to have the cost of sickness benefit refunded right from the employee's first day of absence.

Possibilities of compensation for disabled people in employment

There are several acts regulating conditions in the Danish labour market, but no legislation serves as an actual protection for disabled people if, for example, because of their disability they are not employed in the first place or if they are dismissed. As for public authorities in their capacity as employers an equality principle applies. This principle implies that disabled people must not be discriminated against when positions in the public service are to be filled (see preferential access page 32).

On 27 November 2000 the Council of the European Union adopted a directive on the general framework provisions concerning equality in employment and occupation. The aim of the directive is to implement the principle of equality and establish a general framework for combating discrimination in employment and occupation because of disabilities, among other things. The directive has to be incorporated in the Danish code of practice before 2 March 2003 which will, as a matter of course, entail increased legal protection for disabled people in employment.

Today, Denmark has laws that ensure disabled people compensation for their handicap so that they will be able to function in a job. This legislation can be found in the Danish Compensation for Disabled People in Employment etc. Act, which the employment centres administer, and also in the Danish Act on An Active Social Policy and the Act on Social Services, both of which are administered by the local authorities.

Schemes found in the Danish Compensation for Disabled People in Employment etc. Act

In 1994, special handicap consultants were included in the staff appointed by the employment service. Their job is to help disabled employees familiarise themselves with the opportunities available for assistance towards their becoming employed or remaining in a job. The consultants' job is also to administer

the code of practice concerning the Danish Compensation for Disabled People in Employment etc. Act.

"The Icebreaker Scheme"

The Icebreaker Scheme is a kind of in-service training scheme. The aim of the scheme is for newly qualified people with disabilities to gain work experience, making it easier for them to get a job later on. The Icebreaker Scheme was implemented because many disabled people did not have as easy access to work experience relevant to their studies as other students had. Through this scheme a disabled person is engaged by a firm on ordinary terms of employment. The employer can then for a period of 6-9 months receive a wage subsidy of 50% of the employee's pay, however, a maximum of DKK 11,000 per month.

Preferential access

Disabled people may face barriers resulting from other people's ignorance of and prejudice against disabled people. In order to dismantle these barriers, rules about preferential access for people with disabilities have been introduced. Preferential access means that on application for a vacancy with public employers disabled people must be summoned for a job interview if they meet the formal educational requirements for the job.

If, after the job interview, the public employer finds that the disabled person is as qualified as

the other applicants, the job should be offered to the disabled person. In the event that the enterprise does not employ the disabled person, it will have to explain to the employment service why this person was not employed.

Personal assistance for disabled people in work
Wage earners and self-employed persons with impaired vision or hearing or with another physical disability are able to get personal assistance in the form of interpreting or assistance with practical work functions. Granting a wage earner or a self-employed person personal assistance implies that the personal assistant only performs tasks of a purely practical nature for the disabled person, such as copying on a copier which the wheelchair user cannot get to, or lifting things down from bookcases. The personal assistant thus must not take over the tasks of the disabled person.

The personal assistant is employed by the same firm as the disabled person or in the disabled person's own business. The employer will receive a subsidy for the cost of the personal assistant. Assistance can be granted for a maximum of 20 hours per week unless the disabled person has two different disabilities, is deaf-blind for example. In that case assistance can be granted for the full number of hours for which the disabled person is employed. If the personal assistant participates in work-related travels, the employer will also have the costs reimbursed.

Personal assistance can also be granted to employees in sheltered jobs or in jobs with flexible working arrangements, i.e. jobs for which the employer is paid a wage subsidy. (see page 37 and 34)

Aids

The general rule is that aids for disabled persons are granted by local authorities under the provisions of the social legislation (see the chapter on supportive measures page 39). However, a pilot scheme has been started which gives the handicap consultants of the employment service the discretion to grant aids of a particularly urgent nature. So far, this scheme has proved very useful as it has turned out that the employment services have a fast administrative procedure and also a thorough understanding of the conditions in the job market.

All assistance granted in relation to the Danish Compensation for Disabled People in Employment etc. Act is granted irrespective of the size of the income and capital of the disabled person.

Schemes under the Danish Act on An Active Social Policy and the Act on Social Service

Local authorities can also grant compensatory support to disabled people in work. Local authorities do this under the Act on An Active Social Policy and the Act on Social Services, which enable them to provide the following schemes:

Aids or changes at a place of work

If special tools, aids or changes at the place of work will enable the disabled person to perform particular work, it is possible for that person to receive assistance for this purpose. The local authority would for example grant assistance for specially designed tools, special work chairs, the installation of grab handles, widening of doorways, installation of ramps and lifts.

For such assistance to be granted, the person's working capacity must be impaired for physical, psychological or social reasons, and the assistance must be essential for the person to be able to retain or obtain employment. It is not relevant whether the person is employed in a job under normal conditions or in a job where the employer receives a wage subsidy. Self-employed people also have the opportunity of receiving assistance. This assistance is granted without regard to the disabled person's income or capital.

Social rehabilitation

Rehabilitation is job oriented activities as well as financial support which help a person with limited capacity for work to remain in or enter the job market. It is the local authority that decides on the granting of rehabilitation. The aim is to improve a person's opportunities to be self-supporting through entering the job market. The local authority can offer financial support for edu-

cation, financial support for a work test, training for a job or training taking place in a specific firm or financial support for establishing their own business.

Rehabilitation is tailored to meet the individual person's capabilities, needs and wishes for future employment. Prior to the rehabilitation course, the rehabilitee and the local authority's rehabilitation officer draw up a job-orientated plan. The plan sets out the constituent parts of the rehabilitation plan and includes a time schedule which normally cannot exceed five years. When a person receives rehabilitation assistance for educational purposes, it is possible for this person to study for one or two terms abroad. If required, the rehabilitee can take part in preparatory courses, work tests and the like prior to rehabilitation. In the course of preliminary rehabilitation the rehabilitee retains his or her previous basis of existence, for example sickness benefit or cash benefit.

If the rehabilitee is either over 25 years of age, maintains his or her own children in his or her home or has previously had an income from work, he or she will receive a maintenance benefit corresponding to the highest rate of unemployment benefit. Persons under the age of 25 receive half this amount. If the rehabilitation entails employment with an employer, it is possible to grant the employer a subsidy towards the rehabilitee's pay.

In certain cases, rehabilitation can lead to a desire on the part of the rehabilitee to establish his or her own business, if he or she has the necessary professional skills and business knowledge. The support is granted in the form of an interest-free loan and in some cases as an allowance towards the rehabilitee's maintenance for a short period.

During rehabilitation certain expenses relating to this may be covered. These would be expenses towards the purchases of books, course fees, course material and expenses incurred because of a physical or psychological impairment of the person's capacity for work. It is also possible to receive assistance towards transport. Furthermore, special rules apply to support for compensatory measures when a person is studying. (See, if desired, the chapter on education page 23)

Flexible working arrangements

If a person's capacity to work is so reduced that the person cannot get a job or retain a job under normal conditions, it is possible to establish a job with a wage subsidy created for that person – a job with so-called flexible working arrangements. The special thing about a job with flexible working arrangements is that it is possible in the terms of employment to pay regard to the person's reduced capacity for work and special needs. Such considerations could be that the employee has rest periods in the course of the

working day, that the employee works more slowly than the other staff, or that the employee works for a reduced number of hours, but receives full pay.

It is a condition of being employed in such a job that the same person does not receive a social pension. This scheme is relevant only when all other attempts at obtaining employment under normal working conditions and rehabilitation are exhausted. The capacity to work can be reduced both for physical, psychological, and social reasons.

Private as well as public enterprises can establish jobs with flexible working arrangements. On the basis of the agreement for the area in question, the employer, the employee and the trade unions agree on the wages to be paid to the employee in this job. The employer pays the wages to the employee but receives a wage subsidy of $\frac{1}{2}$ or $\frac{2}{3}$ of the salary (however not more than $\frac{1}{2}$ or $\frac{2}{3}$ of the lowest hourly rate under the collective agreement for the area in question). Whether the wage subsidy is $\frac{1}{2}$ or $\frac{2}{3}$ will depend on the percentage reduction of the capacity for work.

It is the local authority in the district of which the person with reduced capacity to work lives that approves the person for a job with flexible working arrangements and pays the wage subsidy to the business in which the

person is employed. If a person has been approved for this sort of job, he or she is obliged to accept a reasonable offer for such a job.

There are no rules as to how quickly a local authority has to find a job with flexible working arrangements. However, in the period from when the local authority has approved a person for a job with flexible working arrangements and until employment is effected, it is possible to receive an unemployment allowance. The unemployment allowance is equal to 91% of the highest rate of unemployment benefit. If a person becomes unemployed after having been employed in a job with flexible working arrangements, he or she cannot receive unemployment benefit but only unemployment allowance.

A person who is employed in a job with flexible working arrangements cannot, like other people in the job market, claim anticipatory pension (see page 30) at the age of sixty. People employed in such jobs can receive a flexi-benefit instead – a scheme resembling the anticipatory pension scheme especially for people in jobs with flexible working arrangements. The rules relating to the flexi-benefit resemble in many ways the rules relating to anticipatory pension, for example in that the person employed in the job with flexible working arrangements has to pay a monthly amount in order to receive this benefit.

Today [2001], approx. 12,000 people are employed in jobs with flexible working arrangements.

Early retirement pension

Persons who cannot support themselves due to long-term impairment of their capacity for work are entitled to a maintenance benefit from the Danish State in the form of early retirement pension. It is a condition for obtaining early retirement pension that a person's capacity for work cannot be improved by training, rehabilitation or treatment. The basic principle is that everybody should be able to lead an independent, active life with an attachment to the job market.

In a pension context, capacity for work is defined as the ability to meet the requirements made in the job market with respect to performing different kinds of clearly defined tasks. It is thus a matter of evaluating the skills of the individual person compared with the requirements made in the present job market.

It is the local authority that assesses whether a person is entitled to early retirement pension. This assessment is made on the basis of all relevant information about the person's health, education, etc. If a person's capacity for work is reduced by at least $\frac{2}{3}$, the local authority will grant early retirement pension.

The pension is equal to the highest level of unemployment benefit (see page 30) if the pensioner is single, and 85% of the daily benefit level if the pensioner is married or has a partner.

If the local authority refuses an application for early retirement pension, it has to provide documentation that the applicant can perform specified work functions, possibly after having been trained, rehabilitated or after some other initiative has been taken. The work functions stated by that local authority must exist to a reasonable extent in the job market.

These rules for the granting of early retirement pension were adopted under a reform of early retirement pensions in 2001. The reform takes effect as from 2003 and onwards. According to the old rules, the amount of the early retirement pension varied according to the pensioner's remaining capacity for work. Until the reform comes into force there are four levels of pension. The new pension scheme is both much simpler and a financial step forward for the early retirement pensioner. With the reform of early retirement pensions in 2001 it has become clearer that the early retirement pension is a basis of existence whereas expenses that may originate from the pensioner's need for practical assistance can only be covered under the rules relating to this.

The early retirement pension ceases when a person reaches the age of 65. From that point people are paid old-age pension, a pension which the Danish State pays to everyone who is over 65 years of age, irrespective of their capital or health situation. Old-age pension is, however, a smaller pension than early retirement pension.

Many Danes pay money into different pension schemes. Some schemes are private arrangements, while other schemes are incorporated as compulsory schemes in collective agreements (labour market pension). Supplementary pension schemes are becoming increasingly important in terms of maintaining persons over 65 and those who will need disability pension before they are 65 years of age. Supplementary pension schemes depend, for most people, on their attachment to the job market. The size of the amount contributed to the labour market pension varies considerably. Most often the employer pays $\frac{2}{3}$ while the employee pays $\frac{1}{3}$.

Many early retirement pensioners have not had any connection with the job market and, therefore, have not been able to participate in any pension scheme. Consequently, their basis of existence is considerably reduced when they are transferred from early retirement pension to old-age pension. In order to safeguard early retirement pensioners against an unfair reduction in their basis of existence,

they are given the opportunity of paying money into a supplementary pension scheme. A small proportion of these payments are compulsory. Voluntary payments amount to DKK 4,212 annually, $\frac{2}{3}$ of which are financed by the Danish State. The savings will be converted into a life-long, age-related pension and are paid out together with the old-age pension when the early retiree reaches the age of 65.

Sheltered job with a wage subsidy

Early retirement pensioners can have an earned income in addition to their early retirement pension. If this income, however, becomes too high, the early retirement pension will be reduced correspondingly, or the local authority may consider that the early retiree's capacity to work has improved so much that he or she is no longer entitled to receive early retirement pension.

The early retiree can either earn the wages from a job under normal conditions or the pensioner can be employed in a sheltered job with a wage subsidy. A sheltered job with a wage subsidy is a job where special considerations are made for the employee's impaired capacity for work. It may for example be agreed that the employee has rest periods in the course of the day.

The condition for employment in a sheltered job with a wage subsidy is that the early

retiree is under 65 years of age, receives early retirement pension, and cannot retain or obtain employment at reduced hours in the normal job market. It is the local authority in which the early retiree lives which approves this person for a sheltered job with a wage subsidy. The local authority pays the wage subsidy to the firm that employs the early retiree.

Sheltered jobs with a wage subsidy can be established with private as well as public employers and in all types of business. Employment in a sheltered job can be full time or part time. The decisive factor is that the offer must be reasonable. It is the local authority which assesses what is reasonable, and there is no obligation to accept an offer of a sheltered job.

The employer and the employee agree on the wages in co-operation with the trade unions. This does not take place until after the local authority has made the offer of a sheltered job with a subsidy and has ensured that the employer agrees to pay the necessary regard to the person in the sheltered job. The employer pays the wages to the employee and receives a wage subsidy from the local authority. Often the salary will be fixed at approx. $\frac{1}{3}$ of the lowest wages of the collective agreements. The wage subsidy cannot be more than half this amount. If the employer wishes to pay a larger amount, the employer will pay the difference himself.

Sheltered employment

If a person's capacity for work is so impaired that he or she cannot be employed in a job without a wage subsidy or in a job with flexible work arrangements or a sheltered job (see page 37) with a wage subsidy, the person in question can be employed in sheltered employment, for example at a sheltered workshop.

Most people in sheltered employment have their early retirement pension (see page 36) as their major income because the income from sheltered employment is often very low, about DKK 5 to 15 an hour. Disabled people who do not receive early retirement pension are often paid the lowest hourly rate under the collective agreement for the area in question or the wages that are normally paid for similar work. This sort of employment is aimed in particular at people who can cope with production-orientated work, assembly and packing jobs for the further processing and finishing of the products.

An offer of sheltered employment can be combined with other offers, such as special education.

Most often, it is the county that makes the decision about sheltered employment, upon the local authority's recommendation. The local authority, however, has the possibility of offering sheltered employment to its own citizens.

Supportive measures (the social area)

In 1998, a comprehensive reform of parts of the social legislation was carried out. The reform is an important step towards all disabled adults being given better chances of self-determination and improved opportunities of assistance and support tailored to the individual person's needs. With this reform, support arrangements not previously available have been introduced and the old concept of institutions for adults with disabilities has been abolished. After the reform, all supportive services will be offered individually and irrespective of the type of accommodation, and can be combined independently of each other.

This chapter describes the individual possibilities of support which social legislation offers to adults with disabilities beyond their maintenance. Various possibilities of support to disabled children and young persons and their families are described in the chapter on family life and personal integrity (see page 43).

Responsibility for granting and financing aids and other support lies in most cases with local authorities. In individual cases, where it is a question of a high degree of specialisation or assistance to persons who live in housing provided by the county, the responsibility for granting assistance is transferred to the county (see the chapter on Housing and other types of accommodation page 47).

Aids and consumer goods

Aids

Persons with permanent disabilities can be granted aids when the aid in question remedies considerably the consequences of that disability and thus makes the person's daily life easier or facilitates the performance of a job. There is no predetermined limit as to what can be defined as an aid as long as its purpose meets the provisions of the Act. An aid can for example be a crutch or a wheelchair, special clothing, special tools or orthopedic footwear. The assistance will normally be granted as a loan, as a cash benefit or be given to the person to keep. The granting hereof is independent of the person's age.

The principle of compensation essentially characterises a vital factor as regards the possibility of obtaining aids. There are no legal limits as to which and how many aids the individual person may be granted. The local authority grants the individual benefits on the basis of a specific assessment of the existing need and irrespective of the person's income or capital. With a few exceptions, for example artificial limbs and orthopedic footwear, the assistance is granted as a benefit in kind and is free of charge to the recipient.

Durable consumer goods

The local authority grants support towards purchases of so-called consumer durables if those items can to any considerable extent remedy the consequences of the disability. Consumer durables may for example be kitchen appliances, a washing machine, a dryer or other kitchen hardware, which are not specially made for disabled people, but which enable the user to perform everyday functions. Support towards consumer durables is granted at 50% of the price of the product, which then becomes the user's property. This implies that the recipient himself pays for any repairs of goods and also their replacement.

Personal help and support

There are problems and needs which will only be dealt with if another person does it for the person with a disability. The public authorities may in various ways make persons available to help carry out tasks in the home.

Home help

If technical aids do not enable a person to perform a given function, a possible solution might be a municipal home help. The home help is granted for a fixed number of hours as needed and gives practical and personal help with, for example, personal hygiene, cleaning, shopping and the like. A home help is granted if the local authority considers it

necessary to make the person function in the home. Importance is attached to making the person self-helped.

Training etc.

It is possible to obtain help to maintain a person's physical or mental skills through training, e.g. physio- or ergotherapy. This can be done at a clinic, a day centre or in the home of the person receiving training.

The local authority is under an obligation to provide support for elderly persons' needs for rehabilitation after illness etc. Persons who need rehabilitation after accidents or illness which requires hospitalisation will receive rehabilitation through the services provided by the Danish health care service. The county authority and the local authority coordinate the rehabilitation efforts when the person needing rehabilitation is discharged from hospital.

The local authority is also to provide offers of socio-pedagogical support for persons who because of a disability are in need of help, care or support. In addition, retraining and help for the development of skills are to be offered. Socio-pedagogical support includes a broad spectrum of support services such as daily skills training and rehabilitation. Socio-pedagogical support is given irrespective of type of accommodation, but it will often be an integral part of an accommodation facility.

Relief of relatives

A spouse, parent or other close relative caring for a person with a severe disability in the home may need an offer of substitute or relief assistance. The local authority provides substitute assistance in the home by sending staff from the local authority to replace the relatives. Relief assistance can also be granted outside the home. In that case the person needing care will stay in e.g. a nursing home on a day, night or full-time basis.

Personal assistance scheme

A person having a particularly massive need of care, supervision and attendance because of a permanent disability may obtain a subsidy from the local authority for the engagement of a person to assist him or her personally. The person will obtain full cover of the cost of engaging help round the clock if there are no other provisions that will cover the need. To be covered by this scheme the person concerned must have a level of activity which makes intensive support necessary. The person must be able to administer the scheme as employer.

Attendance scheme

For people who cannot get around on their own outside the home due to a disability, the attendance scheme can be a great help because it makes activities possible which it would otherwise be difficult or impossible for the disabled person to participate in. The atten-

dance scheme gives people with disabilities the right to 15 hours' attendance a month. It is up to the disabled person to determine how to use the attendance scheme. It might, for example, be for shopping, cinema visits, family visits or a walk in the woods. The attendant's task is to follow along and provide help with, for example, driving the car, finding goods in shops or help in relation to toilet visits etc.

Support and contact person schemes

The Danish Services Act provides for the granting of contact persons as practical help for deaf-blind and mentally ill persons. The two contact person schemes are not identical. The contact person's tasks depend on the recipient's needs which differ greatly from one person to another, and on whether the recipient is deaf-blind or mentally ill. In so far as it is necessary, the local authority must offer deaf-blind persons a contact person who is to visit and communicate with the deaf-blind and function as a link to the surroundings. Mentally ill persons may get a support and contact person to serve as an attendant and contact person.

Extra costs caused by a disability

Based on an assessment of their functional capacity persons with permanent physical or mental disabilities may obtain a subsidy

towards extra costs caused by the disability. The objective of the provision is to compensate disabled persons for extra costs caused by their disability. Reimbursement of extra costs may be granted to both recipients of early retirement pension (see page 36 in the chapter on work and social security) and persons who support themselves.

These rules setting out who qualify for reimbursement of extra costs are rules that apply from 1 January 2003. In accordance with the old rules it is only a limited group of persons with substantially and permanently impaired physical or mental function who qualify for reimbursement of extra costs. For example, among recipients of anticipatory pension it is only persons receiving assistance under section 77 of the Danish Services Act who qualify for reimbursement of extra costs. From 2003 everybody may be considered for reimbursement of extra costs on the basis of an assessment of the functional capacity.

Reimbursement of extra costs may be granted in a large number of cases, e.g. to cover expenses for food and dietary preparations,

special clothes, etc. The provision can also be used to cover special extra expenses that disabled persons may have in connection with the support of children, e.g. substantial child-care expenses etc. Further, the provision can be used to cover any extra transport costs that disabled persons may have for education, training, leisure-time and treatment purposes. Also participation in disability related courses for both the person him- or herself and for relatives is covered by the provision on the reimbursement of extra costs.

The provision is a subsidiary provision compared with other rules, both within the Services Act and other legislation. If costs of transport to a training or educational establishment can be covered, for example, through the Danish Act on An Active Social Policy as part of an employment plan, the provision on reimbursement of extra costs cannot be applied. The same applies if costs of transport to the place of treatment are covered by the hospital legislation.

Family life and personal integrity

The fact that as a citizen you are not to depend on your family or friends for help with private tasks such as the daily caring for your children or help with personal care and hygiene constitutes an important element of the Danish welfare model.

The aim is to enable persons with disabilities to participate in family life on equal terms with the rest of the family. This applies to both children and adults in the family. Children of disabled parents must be able to function as normally as possible with the extraordinary strain that may follow from the disability of a family member. The family, including the children, must not be made a care measure but must be able to continue to function as a normal family. This also applies to families where it is a child or a young person who has a disability.

Parents with disabilities

The Danish social legislation does not contain any separate provisions concerning support to disabled persons in connection with their responsibilities as parents. However, there are rules on general support for technical aids, practical assistance, payment of extra costs in connection with a disability etc. (See chapter on supportive measures page 39)

Disabled parents may of course obtain support for themselves to the extent they satisfy the criteria for support. However, the support possibilities are more limited to the extent that the need for support arises from or is directly related to the disabled parents' responsibility for bringing up their child in a way corresponding to that of children of non-disabled parents in an equal position.

Children and young persons with disabilities

The local authority must inform the parents of children and young persons with disabilities about all the services that may be relevant to their child. The local authority must on its own initiative give advice on all the services and subsidies that the family may possibly obtain for their disabled child.

The disabled child should as far as possible remain in the home and be integrated into facilities in the immediate environment, possibly together with a support educator or some other support person. If the child's or the young person's special needs for support cannot be covered by extra help in the immediate environment, the child or the young person may be placed in facilities specially designed for disabled children and young

persons. The local authorities are responsible for the ordinary childcare and leisure-time facilities for children and young persons in the local authority district. Special offers adapted to meet special needs are the responsibility of the county authorities.

Payment in money and benefits in kind

The local authority is under an obligation to make help available if the child or the young person needs personal care or help and/or practical support for necessary tasks in the home which go beyond what the parents can handle. The local authority may provide the help in the home or offer relief outside the home for a number of days a week or month.

If the parents of disabled children have extra costs due to the child's or the young person's disability the public authorities may cover these extra costs. Typical extra costs are food/dietary preparations, medicine, extra transport, clothes, washing and personal hygiene, holidays and expenses for courses for parents and other relatives (e.g. sign language courses for parents with children and young persons who are deaf).

If one of the parents is the best to care for the disabled child or if one of the parents is to stay with the child at hospital for a long period of time, that parent may obtain compensation for loss of earnings. Pay compensation may be given for a few hours a day and up to cover of a full-time income. Calculation of

the subsidy will be based on the assumption that the family is to have the same amount at its disposal as it used to have.

Full-time institution

Many children with disabilities are living at home with their family, but there are also quite a lot who are living in an institution, because the family cannot give the children the necessary treatment or handle the task themselves. The county authorities are responsible for these full-time institutions for disabled children. In some cases the institutions are used as relief for a period, in other cases as a permanent residence for the children.

Attendant for 16-17-year-olds

16- and 17-year-olds, who are living at home with their parents, but who are not able to get around on their own outside the home because of a disability, may be offered an attendant for activities outside the home for up to 15 hours a month. The local authority pays the attendant's salary. The scheme is voluntary for the local authorities and is therefore not available throughout the country.

According to this scheme it is up to the young person to decide where and for what he or she wants to use the attendant. The attendant may be used to help the young person in connection with outdoor activities, when the young person is to do some shopping, help in areas of poor accessibility, help with toilet visits, communications and the like.

Adoption and artificial insemination

The rules regulating public subsidies for parenthood in Denmark are formulated in a way which as far as possible places disabled persons on equal terms with non-disabled persons.

Adoption

In 1999 the Danish Adoption Act was amended. It was now emphasised that adoption applicants with a disability are to be evaluated on equal terms with other applicants. When the applicant's suitability as a parent is evaluated account must be taken of how the applicant specifically compensates for and is compensated for his or her disability. In a few cases, e.g. if an applicant is chronically sick or there is a risk that the applicant may have a shorter life than the average population, the applicant will be refused approval as an adopter. However, the outcome of an application depends on a specific evaluation in each individual case.

Artificial insemination etc

The Danish health care service provides treatment, free of charge, to childless persons, offering different types of insemination. This does not require a specific evaluation of the parenting skills of the persons wanting artificial insemination as in the case of adoption. Disabled people will therefore, as a general rule, have a right to artificial insemination on equal terms with others. Furthermore, the health care service provides forms of treatment

which can remedy any fertility problems resulting from specific disabilities.

Personal integrity

Sexuality

Some people may need help for their sexual life because of a disability. Help is granted as part of the social services. When help is granted for an active sexual life focus is placed on respecting the boundaries of the persons involved. At the same time, great attention is paid to the limits imposed by legislation to provide protection against sexual abuse. Help to learn how to get an active sexual life may be given to a limited extent and in a way which does not include sexual intercourse between the support person and the person needing help.

Legal capacity and self-determination

The right of self-determination is important to the entire disability field. However, there are a number of different rules which are aimed specifically at handling this field for persons with mental disabilities such as intellectual disabilities or mental illnesses.

Legal capacity and guardianship

In 1997 a new Act on Legal Guardianship was passed. The basic idea is that a person with limited legal capacity should retain as

much of his or her right of self-determination as possible. If a person is of unsound mind, e.g. because of intellectual disabilities or mental illness, the person concerned may be deprived of his or her right of self-determination in designated areas. Guardianship can only be used for legal obligations such as the management of one's financial funds or the making of contracts. The right of self-determination in personal affairs like the question of what kind of dwelling, assistance or activities you want is subject to special rules and cannot be excluded through the exercise of guardianship.

Coercion used in connection with care

Local and county authorities are under a general obligation to help persons with severe disabilities. There is a general obligation to provide care, which is not written in the law. It is up to the person him- or herself whether he or she will accept the help.

For persons with specific substantially impaired function like intellectual disabilities or dementia, the authorities may in special cases intervene in the personal liberty earlier than is normally permitted. Rules have been laid down which provide for, for example, the possibility of restraining the person concerned, removing the person to another place, and keeping an eye on whether the person concerned leaves his or her dwelling, if this is necessary to prevent the person concerned from being injured. In addition, the

authorities may in exceptional cases permit that the person concerned is moved to another dwelling if it is not possible to provide the necessary care in the present dwelling.

It is always a condition that coercive measures are not used as substitutes for adequate care and that the intervention is aimed at preventing a serious risk of personal injury. It is furthermore a condition that the person receives social support in the form of practical assistance, socio-pedagogical assistance, treatment or daytime employment.

Crime and sanctions

Persons with substantially impaired mental function are subject to other criminal rules than citizens in general. This means, for example, that intellectually impaired or mentally ill persons who commit a crime, are not subject to the general types of sanction such as a suspended prison sentence or imprisonment. If persons who are intellectually impaired or mentally ill commit a crime they will be placed on probation with a condition of treatment. The probation order may contain a demand for placement in an institution subject to different degrees of supervision or a demand for supervision of the person's accommodation in his or her own dwelling outside an institution. Such an order is not subject to the same time-limits as ordinary criminal sanctions, and in the case of more serious crimes an upper limit is not normally to be fixed for the duration of the order.

Housing and other types of accommodation

Around half the housing stock in Denmark is owner-occupied housing. The other half is rented or co-operative housing. Co-operative housing is an intermediate form of housing between owner-occupied and rented housing. Like everybody else disabled persons have different wishes for their homes. Some persons with disabilities need to have their homes arranged and furnished in a special way because of their disability. The public authorities may subsidise construction of housing for elderly persons and persons with disabilities. County and local authorities are under a special obligation to provide housing for disabled persons, who are in need of care, attendance or treatment.

Previously many disabled people, particularly those with severe disabilities, had to live in special institutions. These institutions covered all the person's needs, and the institution functioned as a home, workplace and place for leisure-time activities. Today, persons with disabilities are living in many different places. Some live alone or with their family in dwellings among persons with no disabilities. Others live in shared housing provided by local authorities or accommodation facilities provided by county authorities with staff attached and together with other persons with disabilities. Common to all types of accommodation is that the support and assistance that the individual person needs can be provided independently of his or her type of accommodation, and any pension

awarded to the person in question is paid irrespective of type of accommodation.

The offer provided to the individual person is composed by combining different services into one overall offer. Assistance and support to function in everyday life is provided in the form of home help, an attendance scheme, technical aids, etc. under the provisions of the Danish Act on Social Services.

Public rented housing

Many rented dwellings are in publicly subsidised housing developments. Some of these dwellings have been arranged and furnished so that they can be used by people with restricted mobility. Those of the local authority's citizens who have restricted mobility have a preferential right to these dwellings.

County authority accommodation

Persons with disabilities who are in need of very extensive support and assistance often live in so-called county authority accommodation. This applies, for example, if the person concerned needs substantial assistance for general day-to-day functions or extensive care, attendance or treatment because of his or her disability. Also the local authorities can offer accommodation combined with substantial assistance. The objective of such accommodation could be to give the person sufficient strength to enable him or her to fend for himself or herself in the future.

Previously the specific type of accommodation was of great importance to the financial affairs of the individual person. Persons living in an institution received, for example, pocket money instead of early retirement pension (see page 36). Today everybody who has been awarded early retirement pension will receive the pension irrespective of the type of accommodation.

Assistance for interior design

The local authority provides assistance for special arrangement and furnishing of the dwelling where this is necessary because of permanently impaired function. The principle of assistance for adaptation of a dwelling is based on the idea that persons with permanent disabilities should be able to lead a life which is as close to normal life as possible and should not have to incur extra expenses due to their disability. Adaptation of the dwelling may include mounting of railings, grips, ramps, etc. This assistance too is granted by the local authority without regard to the recipient's financial circumstances. If the adaptation of the arrangement of the dwelling results in an increase in the value of the dwelling the assistance is granted as an interest- and repayment-free loan, which is to be repaid by the owner when the dwelling is sold.

Assistance for moving

The Services Act provides for assistance towards the cost of any move to another dwelling. This is only relevant if it is not possible to make the necessary adaptations in the person's present dwelling, if the necessary adaptations are exceptionally expensive, or the local authority cannot refer the person to another suitable dwelling. It is a condition of assistance for a move to another dwelling that the person's physical or mental function is substantially and permanently impaired. The local authority may grant a rent subsidy to cover the difference between the previous rent and the rent after the move to a more suitable dwelling. At the same time local authorities may grant assistance if a person's expenses are increased because of his or her moving from one owner-occupied dwelling to another.

Housing subsidies

Persons living in a rented dwelling and persons receiving social pension may obtain a subsidy towards their housing expenses. The housing subsidy is calculated on the basis of the household income, the housing expenses and the size of the dwelling. Persons with severely restricted mobility who live in a dwelling suitable for persons with restricted mobility may obtain a subsidy for a dwelling which is larger and more expensive than normal.

Health

The Danish health care service is based on free and equal access to treatment irrespective of residence, age, health, life style and income. Everybody receives treatment based on a medical assessment.

The Danish health care service consists of two parts: the primary health care service, which comprises general medical practitioners, specialists, dentists, physiotherapists, etc., and the hospital service. Each of these services is regulated by its own act, i.e. the Danish Hospital Service Act and the Danish National Health Security Act.

Everybody living in Denmark is entitled to benefits from the health care reimbursement scheme. Benefits include free medical attendance by general medical practitioners and practising specialists as well as reimbursement of part of the cost of medicine, dental treatment, physiotherapy, chiropractor treatment and psychological assistance. The health care reimbursement scheme also includes a travel insurance which guarantees medical attendance during acute illness on holidays in Europe and the countries around the Mediterranean. The Danish Hospital Service Act provides for a right to free treatment.

General medical practitioners and dentists etc. are self-employed professionals, working under collective agreements between their trade unions and the Negotiation Committee

of Public Health Security, who negotiates on behalf of the counties.

The State, county and local authorities have their own fields of responsibility in the health care sector. The State is responsible for the overall planning in the sector, including the setting of targets and strategies. The county authorities are responsible for the operations, planning and development of the hospital service and the primary health care sector. The local authorities too have responsibilities within the health care service. They administer health care, preventive health schemes, the school health service, the school dental service, the care for the elderly and home nursing schemes.

Most of the Danish health care service expenditure is financed via taxes. In 1995 approx. 83% of the expenditure on treatment was financed by taxes while the remaining 17% was paid by the citizens. The 17% co-pay was mainly expenses for medicine and dental treatment. Denmark has few private hospitals where the patients are to pay all the expenses themselves. The use of private hospitals is growing but is still of a limited extent. In 1998 private hospitals only accounted for approx. 0.2% of all hospital bed days. The use of private health insurance is growing and will probably increase the use of private hospitals in the coming years. Approx. 50,000 Danes have currently taken out a health insurance.

The primary health care service

General medical practitioners

General medical practitioners in Denmark play a key role in the Danish health care service. There are approx. 3,500 general medical practitioners in Denmark. Each citizen is attached to a general medical practitioner who has a practice near the place where the citizen lives.

Most patients get into touch with the national health care service through the general medical practitioners, who themselves examine, diagnose and treat most of the patients. If the general medical practitioner's knowledge and equipment are not sufficient, the patient is referred to a specialist or other teams of healthcare professionals such as a physiotherapist, hospital or laboratory for further examination and possibly treatment. The citizens are not to pay for the treatment.

The choice of doctor are often subject to some limitations if the patient is a wheelchair user. Far from all general medical practitioners have fitted out their practice so that it is physically accessible.

Specialists

There are approx. 1,200 specialists practising for the health care reimbursement scheme in Denmark. However, more than half the practising specialists are also attached to a hos-

pital and are only working half-time or a few hours a week in their practice. The general medical practitioner refers the citizen to specialists if, for example, it is necessary to make a more detailed examination of skin diseases, back problems, etc. The specialists are also paid via an agreement with the health care reimbursement scheme based on the number of consultations, and like the general medical practitioners they must have permission to set up a practice.

Due to their disabilities many disabled persons need to consult specialists in connection with treatment/follow-up on their illness. As in the case of general medical practitioners, the physical accessibility is a barrier to consultations of specialists.

Dentists

The citizens are free to choose the dentist they wish to use. Unlike the other areas of the health care reimbursement scheme, dentists are not required to have permission to set up a practice. There are approx. 2,700 dentists in Denmark. The charge made to each citizen in this field is relatively large. The health care reimbursement scheme covers only approx. 30% of the expenses. Dental treatment is free for children and young people under 18.

The county authorities cover the cost of dental treatment for citizens who have sub-

stantial expenses for dental treatment due to congenital deformities in the mouth, cancer diseases and sequelae of radiotherapy. They also cover the cost of dental treatment for mentally ill and intellectually impaired persons staying at county authority institutions as well as physically and intellectually impaired persons who have difficulty in visiting the dentist.

Physiotherapists

There are approx. 1,600 physiotherapists in Denmark. The health care reimbursement scheme pays part of the cost of treatment by a physiotherapist while the citizen must pay the rest. To obtain treatment by a physiotherapist, it is necessary to have a referral from one's general medical practitioner. Physically disabled persons who are to be treated by a physiotherapist because of their illness may be granted physiotherapy free of charge. Approximately 43,000 disabled persons and chronic sick people receive physiotherapy free of charge. Some county authorities also offer special groups of disabled persons riding as a physiotherapeutic treatment if prescribed by a doctor.

Chiropractors

The health care reimbursement scheme pays some of the expenses for treatment by chiropractors. The remainder of the treatment expenses must be paid by the citizen. The chiropractor service includes diagnostics,

prevention and chiropractic treatment of biomechanical functional disturbances and derived pain conditions in the spine, pelvis and extremities. The citizens may use the country's 250 chiropractors without having a referral from their general medical practitioner. Unlike physiotherapy, disabled persons cannot receive free treatment by chiropractors. Chronically sick people can, however, obtain subsidies for treatment without limits on the subsidised services.

Reimbursement of expenses for glasses etc.

Normally no reimbursement is granted for glasses and contact lenses. Citizens needing glasses and contact lenses due to medically/optically defined eye diseases can also obtain subsidies for glasses and contact lenses through the social legislation. The rules in this field have been substantially tightened in recent years so that only relatively serious eye diseases will qualify for reimbursement.

Other services provided by the health care reimbursement scheme

The health care reimbursement scheme also offers a number of other services which are free of charge for the citizens. Diabetic patients and overweight persons may be referred to dieticians. Rehabilitation expenses after accidents or diseases are also covered by the health care reimbursement scheme. Psychologist consultations may be paid for in a number of cases, e.g. after death in the family, rape and

other violent events which require professional treatment if the citizen is to be able to function in future without having suffered permanently from the occurrence. Disabled persons can obtain free psychological assistance in direct connection with the discovery of the disability. In special cases the health care reimbursement scheme will pay the cost of interpreter assistance and of transportation between the home and the place of medical treatment. If the individual doctor finds it necessary to use the assistance of an interpreter to be able to finish a treatment/examination, the doctor may request such assistance without any expense for the citizen. This may be necessary both in the case of deaf/hard-of-hearing patients and patients, who do not understand Danish.

Normally the citizens must themselves arrange for transportation between their residence and the place of treatment/surgery. Some groups of severely disabled persons may, however, obtain payment of the transport costs through the health care reimbursement scheme. This applies, for example, to citizens who are to be conveyed in a recumbent position.

The hospital service

In addition to the primary health care service, of which a general description is given above, the Danish national health care service con-

sists of the hospital service, which is operated by the county authorities. There are 81 somatic and psychiatric hospitals in Denmark. Hospital stays and treatment are free for everybody in Denmark. There are no major problems relating to the physical accessibility of hospitals, and here too it is possible to use the assistance of interpreters for deaf/hard-of-hearing persons and for persons who do not understand Danish.

There are ten special places of treatment, e.g. for rheumatic patients, diabetic patients, epileptics, etc. The places of treatment are operated by various associations but co-operate with the hospital service. Treatment at these specialist hospitals is free for the individual person.

Not all hospitals can treat all illnesses and there are a large number of doctor's specialities which are concentrated on specific hospitals. Since 1993 the citizens have been free to choose where they would like to be hospitalised. The Ministry of the Interior and Health publishes waiting lists for the treatment of various disorders so that the citizens can see which hospital they can choose with advantage when they are to be treated for a specific illness or have a specific operation performed. Besides the public hospitals citizens are also free to choose between the ten special places of treatment.

In Denmark maximum periods of waiting for treatment at the hospital have been laid down in case of cancer and some other conditions related to heart diseases. If it is not possible for the patient to be treated at a hospital in the patients own county within the maximum period of waiting the county is to offer the patient treatment at a public or private hospital somewhere else in Denmark or abroad.

Services for mentally ill persons

The treatment of mentally ill persons takes place both at hospitals and in district psychiatry centres which are cross-disciplinary facilities for outpatient psychiatric treatment. Unlike the psychiatric hospitals the district psychiatry centres have no facilities which make it possible for patients to stay overnight or live there. The idea of district psychiatry is to treat persons suffering from mental disorders in their own environment so that they avoid hospitalisation.

The psychiatric area has undergone a major change with the establishment of district psychiatry units. This development has taken place parallel with the reduction of the number of hospital beds. At the same time, the number of district psychiatry units has grown from a few units in 1985 to 120 units in 1999.

In the field of hospital psychiatry, psychiatric examination, assessment and treatment are offered. If a mentally ill person is to be compulsorily admitted to hospital, this will be done under the auspices of the hospital service where the patients are offered psychiatric treatment.

County authorities are responsible for the hospitals and the district psychiatry units which provide treatment outside the framework of the hospitals in the local area. Today district psychiatry units exist all over the country where they operate as a link between psychiatric treatment and the various social services for mentally ill persons that are made available by the local authorities, e.g. offers of a support and contact person and accommodation facilities/shared housing.

Home nursing

All the country's local authorities have established home nursing schemes. The general medical practitioner sees to it that home nursing care is granted to citizens in need of treatment in the home because of short-duration or chronic illnesses or because the citizen is dying. The scheme is free for the citizens, and the citizens have a right to assistance from the home nursing scheme if the general medical practitioner prescribes it. Disabled persons too have a right to treat-

ment under the home nursing scheme. When this is possible it may be a good alternative to treatment at hospital.

Rehabilitation

Rehabilitation is an area involving several sectors. The hospitals handle the actual rehabilitation which is part of the whole treatment. The local authorities are mainly responsible for the maintenance training. During the hospital stay the rehabilitation is handled by physiotherapists and ergotherapists employed by the hospital.

When discharged, there are a number of options for treatment of patients needing rehabilitation. Rehabilitation can take place on an out-patient basis at hospital, under the auspices of the local authority by therapists employed by the local authority or by practising physiotherapists based on a medical referral. The lack of coordination, including the many overlaps and grey zones in the division of work, represents a major problem in the area.

Medicine and pharmacies

In Denmark medicinal products are primarily sold by pharmacies. Pharmacies must have been granted an authorisation by the Danish

Ministry of the Interior and Health before they can set up. There are approx. 300 pharmacies in Denmark, spread evenly over the individual local authority districts. A few pharmacies operate a 24-hour duty scheme so that the citizens can get medicine round the clock. The health care reimbursement scheme grants reimbursement of prescription medicine. The reimbursement considers patients who need much medicine, and the size of reimbursement depends on the personal consumption of the patient. Citizens suffering from chronic illnesses may apply to the Danish National Board of Health for a larger reimbursement in respect of any necessary medicine or for complete exemption from payment of the part which is paid by the patient and exceeds DKK 3,600 within a year.

Generally, the accessibility of pharmacies is poor for disabled persons. This applies to both the physical accessibility and the accessibility of the information that the pharmacies give about, for example, medicinal products and opening hours. Only just over half the central pharmacies have direct level access to their premises, and nearly all information is in writing and is practically never available on tape or another alternative medium.

Transport

To be able to get around on your own and on your own initiative is a precondition for participating in social life and leading a life on equal terms with persons with no disabilities. Equal terms in the field of transport means the existence of real transport facilities for everybody. It also means having a choice of modes of transport which differ in terms of expenses, comfort, duration of travelling, etc.

Responsibility for the public transport service in Denmark is divided among State, county and local authorities. The authorities outsource to some extent parts of their tasks to private providers, and private companies may also obtain permission to provide transport services or to supplement the services provided by the public authorities. Lastly, private cars account for a major part of the passenger transport.

Parliamentary resolution on traffic and accessibility

In 1987 the Danish Parliament, the Folketing, passed a resolution in the form of a political recommendation on improvement of traffic and accessibility for persons with disabilities. The resolution represents a desire to improve the accessibility of traffic terminals and public means of transport and to expand telebus

systems and special transport schemes for persons who cannot use the ordinary public transport service due to a disability. According to the Parliamentary resolution, physical accessibility and the accessibility of information are matters of vital importance which require special awareness if persons with disabilities are to be ensured equal access to the transport system. Physical accessibility refers to the accessibility of bus and coach terminals, train stations, airports, etc, including the physical design of cash dispensers, newsstands and ticket offices. The access to information concerns, among other things, the possibility of getting information about times of arrival and departure, prices, delays, etc.

In addition to the matters mentioned in the Parliamentary resolution, compensation for higher travelling expenses caused by the disability may also be needed. These extra expenses might be travelling expenses for a personal attendant who is necessary to make the trip or extra expenses because it is not possible to use the ordinary means of public transport.

In recent years there has been a general improvement of the accessibility of short-distance traffic, e.g. through the introduction of low-floor buses and coaches. This has improved the accessibility of the individual

means of transport, which is important for many people's access to transport. At the same time, it is a requirement that bus and coach routes which are 100 km or more long within Denmark must have at least one daily departure in either direction by buses or coaches which must be able to transport at least two wheelchair users.

Accessibility is also being improved in connection with the continuous renovation of long-distance traffic – including purchases of new rolling stock. The replacements of the means of transport and the conversions of traffic equipment are expensive and carried out over a long period of time.

The national train traffic service has facilities which ensure that wheelchair users can get help to use a lift to come from the platform to the train. The assistance must be ordered 48 hours in advance and is available from selected stations. Approx. one-third of all train stations used by the national train traffic is covered by this facility. In addition, it is possible to join a scheme where the person with a disability who needs an attendant can obtain a discount on his/her own and the attendant's ticket prices. Many regional transport providers have similar special price schemes, often for blind persons or persons with severe visual impairment.

Individual transport scheme

County and local authorities are under an obligation to provide individual transport schemes to persons with restricted mobility. The scheme is statutory and exists parallel with the public transport service. This scheme offers individual door-to-door transport to persons who because of restricted mobility are unable to use the ordinary public transport service. The transport is to be used for leisure-time activities or social events such as visits, participation in social or cultural activities. The person must be approved for the scheme, and the scheme gives a right to at least 104 single trips per year. The price must not be much higher than the price of ordinary public transport. Today, there are approx. 37,000 users of the individual transport scheme.

Subsidies for taxi transport

There are a number of different schemes granting subsidies towards the cost of transportation to treatment at the doctor or at hospitals and transportation to training or educational establishments. In addition, there is a more general possibility of subsidisation in those cases where other schemes cannot be used. The local social authorities may grant subsidies for taxi transport to persons in

need of individual transportation due to permanently impaired function. The local authority's decisions on this possibility cannot be appealed, and there is very little knowledge of how this possibility is administered in practice.

Cars for persons with disabilities ('disability cars')

In some cases subsidies can be granted for the purchase of a car if the public transport service, the individual transport schemes or other schemes cannot cover the need for transport. This possibility exists when the person's freedom of movement is substantially reduced because of a disability if he or she has no car and if the person in question is in need of transport in connection with employment or education or training. The possibility also exists if the access to a car would make the person's daily life much easier. The subsidy is not conditional upon the recipient being able to drive a car him- or herself. Consequently, a disability car can also be granted to children under 18.

The subsidy for the purchase of a car is given as a loan of up to DKK 128,000 (at 1 January 2002), which in Denmark corresponds to the price of a small car. It is a condition that the

recipient purchases a brand new car. The loan is interest-free and only part of it is to be repaid, depending on the recipient's income.

A larger amount may be granted if a more expensive car is needed because of the applicant's disability. For example, he or she may need more space to get in and out of the car or for necessary aids. The part of the loan which covers these purposes is not to be repaid.

Special adaptations of the car are subsidised too, if they are needed due to a disability. They might include the fitting of special grips, a lift or equipment for manually operated driving. The subsidy for special adaptations is not conditional upon the car owner meeting the conditions for obtaining a subsidy for the purchase of a disability car.

Driver's licence

Driving lessons by an instructor and a medical certificate are required to obtain a driver's licence. Subsidies are granted for both, and for the renewal of the driver's licence too if, for example, the person suffers from a progressing illness or if other health conditions make it necessary to renew the driver's licence regularly. If it is not the disabled person him- or herself who are to drive the car but, for example, the parent of a disabled child, a subsidy may be

granted towards payment for the driving lessons of that person too.

If the driving lessons are to take place in the car specially adapted for the disabled person, a subsidy can also be obtained towards payment for the mounting and dismounting of pedals for use by the driving instructor.

Parking card

People whose freedom of movement is greatly reduced because of their disability may obtain special parking cards. The parking card is issued to the person and not for the car, and it gives the right to park longer than under the general parking rules. The card is issued to persons with a disability car, persons who are covered by the individual transport schemes, or persons whose freedom of movement is reduced because of a disability.

Culture

Disabled persons' access to culture has been on the agenda for several years, and the Danish Government has taken a number of initiatives to improve the accessibility of the State's cultural institutions. However, cultural life flourishes in many different fora, and the State's institutions account only for some of the many different cultural activities. The local authorities are responsible for the libraries, and a large number of cultural activities are carried out by the private sector and voluntary associations. Cultural and leisure-time activities encompass a broad spectrum of activities such as scouts, sports, theatres, etc. Consequently, disabled persons' access to culture is not a task that can be undertaken by the public authorities alone; it is an area where many parties are responsible and therefore must be involved.

Special activities aimed at persons with disabilities exist in the field of culture and leisure-time too. There is, for example, a national association (The Danish Sports Organization for the Disabled), which has a large number of sports activities aimed at different groups of persons with disabilities.

The Danish Ministry of Culture's action plan

In February 1996 the Danish Minister for Culture set up a working group to examine disabled persons' possibilities of making use

of existing cultural activities. In a report from March 1997 the working group prioritised its recommendations and divided them into two groups. One group contains proposals for immediate solutions, and the other group contains proposals which can be carried out within a time horizon of 3-10 years. In October 1999, based on the working group's report, the Minister for Culture published her action plan "The Cultural Profile – An Action Plan for Disabled Persons' Access to Culture". In August 2000 the Minister for Culture also published a request to the Ministry of Culture's institutions to make it free for disabled persons to bring an attendant.

Most recently the Minister for Culture has tabled a Bill Amending the Act on Museums. The Bill proposes that in order to keep and obtain subsidies museums must endeavour to provide the greatest possible accessibility for, among others, persons with disabilities. Accessibility here means not only physical accessibility but also the possibility of sign language interpretation and the possibility of touching exhibits so that they become accessible to blind persons.

Libraries

The local authorities are responsible for operating public libraries which make books, magazines, audio books and other materials

available to the citizens. The public libraries are also central providers of local and state information as well as information about society in general. The libraries have audio books, books printed in Magna (large) Print and easily readable books for persons with dyslexia. A few libraries also have other services aimed at different groups of disabled persons, e.g. recording of local newspapers, information leaflets, private letters, etc. on audio tapes for persons with disabilities which make it impossible for them to read printed texts.

The local authorities are also responsible for establishing library services for children and adults who because of, for example, a disability are prevented from visiting the library. Most of the public libraries have therefore established a system where persons with disabilities can have books delivered to and returned from their homes. In future the library services for children and adults who are prevented from visiting the library themselves will be improved through the extension of the electronic access to the resources of the libraries. Further, in 2001, the Royal School of Library and Information Service, Denmark made it possible for students to expand their knowledge of library services for persons with disabilities.

The Danish National Library for the Blind
Lack of access to information has traditionally been associated with blind and visually impaired persons' difficulties in reading printed text and deaf and hearing impaired persons' difficulties in communicating with the speaker. In Denmark, there have for many years been a number of different services which compensate for these problems.

The Danish National Library for the Blind is a national library and the central provider of information and culture to blind, visually impaired and dyslexic persons. The library arranges loans of audio tapes and other materials directly to blind persons. Compared with the public libraries the library's task is to procure materials for the public libraries and provide advice.

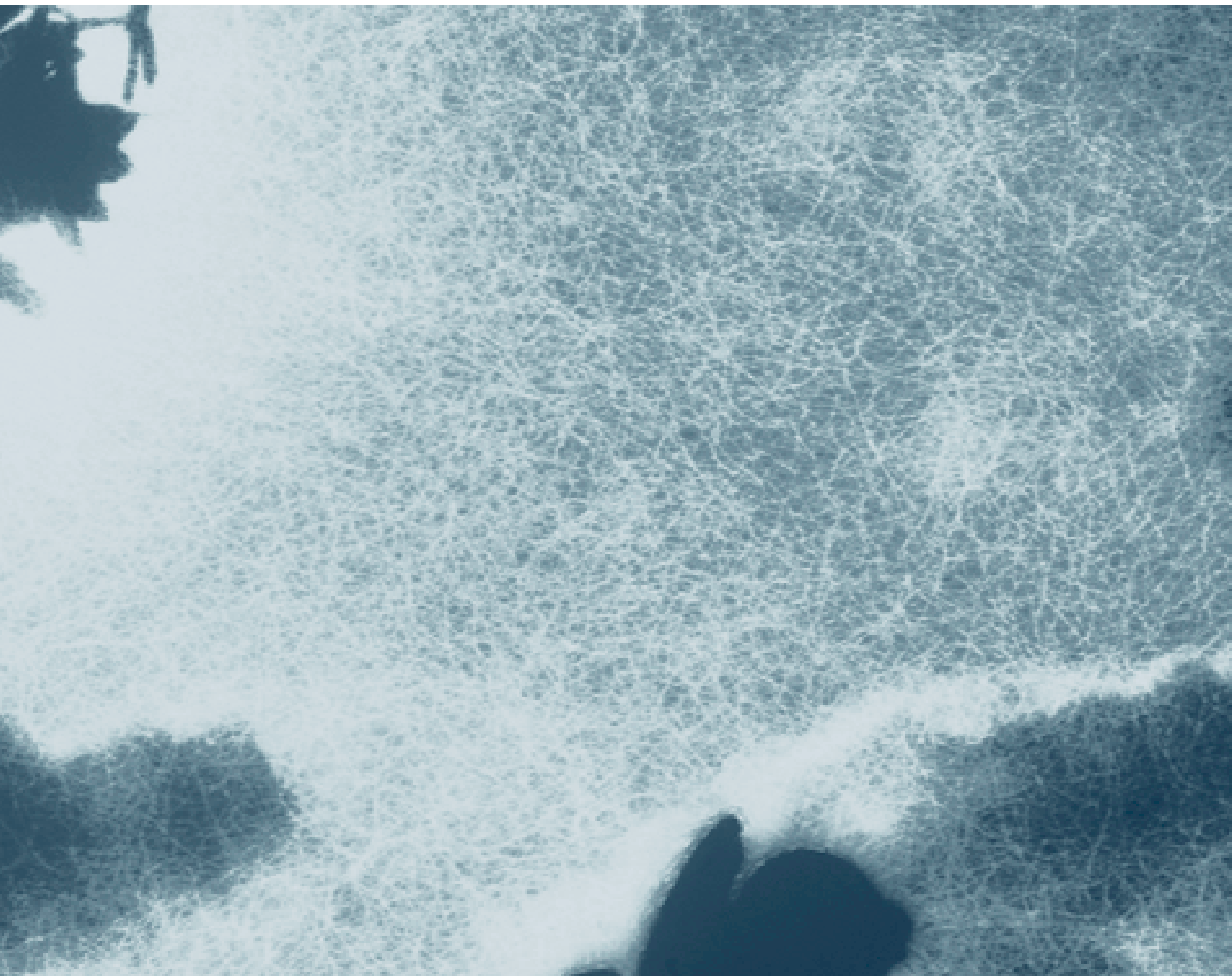
The Danish National Library for the Blind has a tape recording service which is made available, free of charge, to persons who because of a disability are unable to read printed text. The Ministry of Culture finances the library's activities, and the Tape Recording Service records a broad spectrum of both fiction and non-fiction in addition to various magazines, leaflets and technical journals. Further, blind persons in employment may have work-related texts recorded on tape, transcribed into Braille or receive them in electronic form – free of charge.

Subtitling of television broadcasts

Deaf persons can be informed through the use of subtitling or sign language interpretation in the public service channels' television broadcasts. However, it is far from all Danish-language broadcasts that are subtitled. In the Danish Act on Radio and Television Broadcasting from 2000 it is made clear that the public service channels are under an obligation to ensure that disabled persons' access to public service programmes is strengthened. This is to be done by utilising new technologies for, for example, subtitling etc. of Danish-language television programmes.

Films

The aim of the Danish Film Institute under the Ministry of Culture is to obtain a subsidy arrangement for the subtitling of Danish films for the benefit of deaf and hearing impaired persons. So far one film has been subtitled and two more are on their way. The Institute also grants subsidies to cinemas which wish to install an induction loop system.



Appendix 1

No BSF 43

Parliamentary resolution on equalisation of opportunities and equal treatment of persons with disabilities.

Submitted by the Danish Minister for Social Affairs (Else Winther Andersen) on 11 December 1992.

Passed at the second (last) reading on 2 April 1993.

The Danish Parliament recommends all State and municipal authorities as well as private enterprises, whether subsidised or not

- to comply with the principle of equalisation of opportunities and equal treatment of disabled persons and other citizens, and
- in all relevant areas to take into account and create opportunities for appropriate solutions having regard to the needs of disabled persons in connection with the preparation of resolutions.

In many cases the matters that need to be taken into account will require a substantial insight into the circumstances of disabled persons and the effects of given disabilities. Both authorities and individuals will need to be able to draw on special expertise.

Further, it must be ensured that persons with disabilities are in all areas of society treated on equal terms with other citizens.

In the light of this, the Danish Parliament recommends to the Danish Government that a unit for equal treatment and dissemination of information be set up to provide the necessary expert assistance under the auspices of the Danish Disabilities Council under the Danish Ministry of Social Affairs.

The objective of this unit will be both nationally and internationally to collect, initiate and disseminate the necessary information and expertise on the circumstances of disabled persons and the effects of given disabilities. The unit is furthermore to pay attention to cases where persons with disabilities are discriminated against so that the Danish Disabilities Council can take up the problem with the relevant authority.

The Danish Parliament shall receive an annual report on developments in the area.

The Danish Parliament requests the Folketing Ombudsman to watch developments in the field of equal treatment and possibly present any criticism where this can be done within the jurisdiction of the office of Ombudsman.

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What are the fundamental principles of Danish disability policy, and how are they reflected in law and in practice? That is what this publication tries to answer by giving a general introduction to Danish disability policy and a description of the legal framework for exercising disability policy.

