



# Disability Framework for Local Government 2009 - 2014



**the dplg**

Department:  
Provincial and Local Government  
REPUBLIC OF SOUTH AFRICA



**SALGA**  
*South African Local Government Association*

# CONTENTS

TABLE OF CONTENTS	2
FOREWORD BY THE MINISTER	4
EXECUTIVE SUMMARY	6
LIST OF ABBREVIATIONS	8
<b>PART ONE</b>	<b>9</b>
1.1 Introduction	9
1.2 Background information	10
1.3 The South African context	10
1.4 Situation analysis	12
1.5 Rationale	15
1.6 Principles governing the Framework	16
1.7 Scope of the Framework	17
1.8 Overall objective	17
1.9 Outcomes	17
<b>PART TWO</b>	<b>19</b>
<b>LEGISLATIVE POLICY FRAMEWORK</b>	<b>19</b>
2.1 International instruments	19
2.2 Regional initiative	21
2.3 National instruments	21
2.4 Local government instruments	22
2.5 Approach to mainstreaming disability issues in local government	22
<b>PART THREE</b>	<b>25</b>
<b>KEY FOCUS AREAS FOR MAINSTREAMING OF DISABILITY ISSUES AT LOCAL LEVEL</b>	<b>25</b>
3.1 Municipal transformation and organizational development	25
3.2 Basic service delivery	31
3.3 Local economic development	32
3.4 Municipal financial viability	33
3.5 Public participation and good governance	33

**PART FOUR**  
**INSTITUTIONAL FRAMEWORK (ROLES/RESPONSIBILITIES)** 35

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4.1	Role of the dplg	35
4.2	Role of SALGA	36
4.3	Role of National Government Departments	37
4.4	Role of Provincial Departments of Local Government	38
4.5	Role of District and Local Municipalities	38
4.6	Role of the Mayor and Executive Mayor's Offices	40
4.7	Role of the Municipal Managers' Offices	40
4.8	Role of Disability Focal Persons	40
4.9	Role of Municipal Departments	41
4.10	Disability Forums	41
4.11	Role of organizations for people with disabilities	42

**PART FIVE**  
**IMPLEMENTATION PLAN** 43

---

5.1	Table 1: Municipal transformation and organizational development	44
5.2	Table 2: Basic service delivery	47
5.3	Table 3: Local economic development	49
5.4	Table 4: Municipal financial viability	51
5.5	Table 5: Public participation and good governance	52

**PART SIX**  
**MONITORING AND EVALUATION** 53

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6.1	Municipal transformation and organizational development	54
6.2	Basic service delivery	54
6.3	Local economic development	55
6.4	Municipal financial viability	56
6.5	Public participation and good governance	56
6.6	Other assessments	56

CONCLUSION 57

APPENDIX A 58

REFERENCES 59



**Mr. Sicelo Shiceka**

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## Foreword by the Minister

Central to developmental local government is a commitment to work with disadvantaged groups to find sustainable solutions to their social, economic and material challenges, and improve the quality of their lives. This includes people with disabilities. Our commitment is largely derived from two key processes found in the Local Government Municipal Systems Act (MSA) 32 of 2000. These are the Integrated Development Planning (IDP) and Performance Management.

The MSA mandates municipalities to consult and facilitate the participation of local communities in identifying their development needs and priorities when developing Integrated Development Plans (IDPs). The Act compels municipalities to take into account the special needs of people with disabilities and other disadvantaged groups.

The Act further dictates that municipalities establish a performance management system that is in line with the priorities, objectives, indicators and targets contained in their Integrated Development Plans. Using appropriate mechanisms, processes and procedures, Municipalities are expected to involve the local community including people with disabilities in the development, implementation and review of the municipalities' performance.

The shift from pure service delivery to a developmental approach has presented provinces and municipalities with new challenges. Not only are Municipalities expected to respond to the service delivery needs of local communities, but they are also expected to establish, understand and accommodate the needs of people with disabilities, and ensure that they benefit from development initiatives.

In addition to addressing challenges related to employment and recruitment practices, municipalities have to coordinate and facilitate the provision of services to people with disabilities in their communities. This should not be seen as doing a favour to people with disabilities, but as a constitutional right of people with disabilities to also enjoy the benefits brought about by our democracy.

It is therefore critical that the Local Government sector upholds the principle that people with disabilities have the same rights and privileges as all other citizens. The potential of persons with disabilities should be recognized to ensure continued growth and development.

In essence, it is important to note that this Disability Framework is aimed at supporting and enabling local government role players to implement the Integrated National Disability Strategy (INDS) and other government policies on disability in line with local government's core mandate.

The purpose of this framework therefore, is to enable local government and other role players to mainstream disability into the development programmes of Municipalities. For ease of implementation, the Disability Framework outlines the objectives, the roles, key focus areas for mainstreaming, institutional arrangements and monitoring and evaluation.

I urge the local government sector and other stakeholders to use this Framework to introduce and mainstream disability into all our policies, procedures and systems of local government.



**Mr. Sicelo Shiceka**

Minister for Provincial and Local Government

## EXECUTIVE SUMMARY

The Preamble to our Constitution indicates our commitment to the attainment of social justice and the improvement of the quality of life for everyone. The Constitution declares the founding values of our society to be "human dignity, the achievement of equality and the advancement of human rights and freedoms." The Bill of Rights (Chapter 2 of the Constitution) highlights equality of all persons. It specifically mentions the right to equality and non-discrimination against persons on the grounds of disability (Section 9(2-3)). These rights and values provide a solid rationale and basis for Local Government to prioritise the area of disability for action within their core mandate.

Despite legislative imperatives, barriers such as widespread ignorance, fear and stereotypes have resulted in people with disabilities being unfairly discriminated against in society and in employment. The implementation of policies has had a marginal impact on the lives of the majority of people with disabilities in South Africa.

The Disability Framework for Local Government was developed with the aim of supporting and enabling local government to implement the Integrated National Disability Strategy (INDS) and other government policies on disability as an integral part of the local government mandate.

The primary objective of this framework is to support and facilitate the mainstreaming of disability issues into all policies, plans, programmes and activities of local government, thus significantly helping to enhance the quality of life and foster the full participation and empowerment of men, women, youth, the elderly and children with disabilities in all spheres of life.

The framework is made up of six parts:

- **Part one** of the framework looks at the principles, objectives and outcomes of the framework which are aligned to the INDS, the National Disability Policy Framework and the United Nations Convention on the Rights of Persons with Disabilities. It also touches on the rationale for developing the framework, prevalence of disability in South Africa and the status of disability mainstreaming in local government.

- **Part two** focuses on legislative instruments that inform the framework. It makes reference to international, regional, national and local instruments. Instruments such as the UN Convention on the Rights of Persons with Disabilities and the South African Constitution are quoted as the main instruments that guarantee equality and prohibit discrimination on several bases, including disability.
- **Part three** outlines five key performance areas for mainstreaming disability in local government, both internally and externally.

The key performance areas are:

- ◆ Municipal transformation and organizational development
  - ◆ Basic service delivery and infrastructure
  - ◆ Local economic development
  - ◆ Municipal financial viability; and
  - ◆ Public participation and good governance.
- **Part four** gives guidance on what should be done, when and by whom. It clearly highlights some of the measurable objectives, activities, indicators, and timeframes per key performance area of local government. It provides examples of how the Disability Framework can be translated into practice.
  - **Part five** addresses Monitoring and Evaluation and includes checklists linked to implementation tables in the framework. It further presents key activities and targets/indicators that should be assessed in order to determine progress (or lack of it) in the implementation of policies and strategies that are informed by this Disability Framework.

Definitions of key disability concepts and a list of references are also included at the end of the framework.

## Conclusion

The Local Government sphere shall maintain an environment that supports and enables people with disabilities to achieve their maximum potential. This environment will ensure that people with disabilities are not discriminated against and are provided with equal access to opportunities that facilitate their full participation in all aspects of life in a democratic society.

## LIST OF ABBREVIATIONS USED IN THIS DOCUMENT

ADDP	Africa Decade for Disabled People
AsgiSA	Accelerated and Shared Growth Initiative for South Africa
BEE	Black Economic Empowerment
CDW	Community Development Workers
CEE	Commission for Employment Equity
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
DLGs	Department(s) of Local Government (provincial)
dplg	Department of Provincial and Local Government
DPOs	Disabled People's Organizations
DPSA	Department of Public Service and Administration
DPSA	Disabled People South Africa
EEA	Employment Equity Act
EPWP	Expanded Public Works Programme
GCIS	Government Communication and Information System
HOD	Head of Department
HR	Human Resources
HRD	Human Resource Department
HSRC	Human Sciences Research Council
IDASA	Institute for Democracy in Southern Africa
IDP	Integrated Development Plan
IGR	Intergovernmental Relations
ILO	International Labour Organisation
INDS	Integrated National Disability Strategy
LED	Local Economic Development
LG	Local Government
LGES	Local Government Equitable Share
LGS	Local Government Sphere
LMID	Local Municipalities' Integrated Development Plan
MDGs	Millennium Development Goals
MDS	Municipal Disability Strategy
MIIS	Municipal Infrastructure Investment Strategy
MSA	Municipal Systems Act
MTEF	Medium Term Expenditure Framework
NDP	National Disability Policy
NGO	Non Governmental Organisation
NPA	National Plan of Action
OAU	Organisation of African Unity
OSDP	Office on the Status of Disabled Persons
PGDS	Provincial Growth and Development Strategy
SADC	Southern African Development Community
SALGA	South African Local Government Association
SETA	Sector Education and Training Authority
SMDS	Samaita Maita Development Services
SME	Small/Micro Enterprise
SMME	Small/Micro/Medium Enterprise
SOE	State Owned Enterprises

# PART ONE

## 1.1 INTRODUCTION

In South Africa, the period from 1994 to 2004 produced legislation, policies, interventions, and programmes that were formulated with the aim of influencing the environment for addressing equity goals over the medium to long term and also for addressing immediate goals in increasing the number of persons with disabilities with access to government services.

One of the objectives of South Africa's Policy Framework on Disability is to "*ensure that municipalities and local government recognize and accept their vital role in implementing all policies, programmes and projects which address the needs of people with disabilities and their families or caregivers, in line with disability-specific indicators.*" To be able to respond effectively to the requirements of the national policy framework, it is imperative to develop a policy framework that directly speaks to the needs of persons with disabilities within the local government sector.

The baseline study on disability mainstreaming in local government undertaken in 2007 by the **dplg** reveals that most local government policy documents give little or no attention to disability concerns, and in rare instances where disability is mentioned, it is expressed in generic terms and as part of the broad categorization of "designated groups" or "the poor."

The finding corroborates those of the Public Service Commission reports published in 2004 and in 2007 that indicated that there were still challenges facing the Public Service in deepening disability equity. The baseline study underlined the urgency of developing the local government policy framework on disability.

This framework is intended to provide an enabling environment for municipalities, provincial local government departments and other role players in the local government sphere to address disability issues. It seeks, amongst other aims, to provide guidance on the implementation of the National Disability Policy and other policy and legislative instruments that seek to promote the rights and freedoms of people with disabilities within the local government context. It also proposes implementation structures and mechanisms for the coordination of disability issues and monitoring.

The framework further advocates for the mainstreaming of disability into the local government agenda. This means that disability issues should be made an integral part of local government conceptualization of projects, planning and implementation within the parameters of the five Key Performance Areas (KPA) for local government.

In the application of the policy framework, it should always be borne in mind that in some instances special or additional measures/interventions might be necessary to address the needs of categories of people who are most vulnerable. This includes women with disabilities, children with disabilities and people with disabilities living in rural areas.

This framework acknowledges various disability terms such as 'disabled people', 'physically challenged', 'handicapped', differently abled and others, but for purposes of this framework, the terms 'people with disabilities' will be adopted in line with the terminology used in the National Disability Policy and the Integrated National Disability Strategy.

## 1.2 BACKGROUND INFORMATION

Many countries have not yet taken important steps to eliminate or reduce barriers to full participation in society by people with disabilities. Legislation has in many cases not been enacted to guarantee people with disabilities the rights to, and opportunities for, schooling, employment, and access to community facilities, to remove cultural and physical barriers and to proscribe discrimination against people with disabilities.

In the past thirty years, many initiatives, programmes, schemes and plans of action have been developed with the aim of improving the lives of people with disabilities. Among these was the Standard Rules for the Equalization of Opportunities for Persons with Disabilities. Introduced in 1993, the Rules were adopted by all 191 member states of the United Nations in recognition of the fact that people with disabilities had been marginalized and excluded from both the social development and human rights agendas for far too long. It was also in recognition of the fact that the continued marginalization of this group of individuals represents a far greater loss to society than the cost of implementing equalization policies. The purpose of the Rules is to ensure that girls, boys, women and men with disabilities, as members of their societies, may exercise the same rights and obligations as others.<sup>1</sup>

Until the last few years, any discussion of disability has focused either on medical 'cures' or, where cures were not forthcoming, on pity and charitable donations. Both these approaches portray the individual with disability as the 'problem'. These approaches are still widespread today. However, South Africa has reached a milestone through the enactment of the Integrated National Disability Strategy (INDS) and the National Disability Policy (NDP), which are structured in compliance with the social model, which describes the crux of the problem as emanating from the structures within society itself.

The NDP is modelled along the lines of the United Nations Convention on the Rights of Persons with Disabilities (2006). This convention advocates and guarantees the human rights of people with disabilities in the countries that have ratified it. South Africa has ratified the convention and its optional protocol and thus has an obligation to implement it.

## 1.3 THE SOUTH AFRICAN CONTEXT

Under apartheid, the difficulties experienced by people with disabilities were compounded by the fact that they were living in a deeply divided and unequal society. The inequalities and divisions amongst the people arose from a political, economic and social system that was aimed at denying access to basic rights and ensured that the majority of the population, people with disabilities included, remained in conditions of poverty, with limited opportunities to share in the country's wealth.<sup>2</sup> This meant that the life experiences of black and white people with disabilities under apartheid were very different and reflected the general inequalities between the black and white people in South Africa.<sup>3</sup>

<sup>1</sup> South North Center for Dialogue & Development, for the Office of the UN Special Rapporteur on Disabilities: Global Survey on Government Action on the Implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (2006)

<sup>2</sup> *ibid.*

<sup>3</sup> Chalklen and Howell (2003) *The history of disabled people in South Africa and the struggles of the Disability Rights Movement in South Africa (1998-2001)*

The period since the democratic elections in 1994 has been a time of significant change in the history of South Africa. There is probably not a single sector of society where some level of transformation has not taken place. Changes have been implemented on the policy and legislative levels as well as at the level of service delivery and government accountability.

The Preamble to our Constitution and the Bill of Rights record government's commitment to attaining social justice and improving the quality of life for everyone. The Constitution declares the founding values of our society to be "human dignity, the achievement of equality and the advancement of human rights and freedoms".<sup>4</sup> The government of South Africa has developed a number of useful legislation and policies. The legislation, policies, interventions, and programmes were formulated with the aim of addressing equity goals over the medium to long term, while also addressing immediate goals by making it easier for more people with disabilities to access government services.

In order to articulate and coordinate the government constitutional mandate on disability, the White Paper on an Integrated National Disability Strategy (INDS) was developed in November 1997 and the Office on the Status of Disabled Persons (OSDP) was established to monitor its implementation. The INDS is premised on the social model of disability and represents a paradigm shift in the conceptualization of disability from that of the medical or welfare model, which views people with disabilities as ill, different from their peers with no disabilities, unable to be productive and in need of care. The INDS provides government and society as a whole with guidelines that will promote non-discriminatory development planning, programme implementation and service delivery.

A recent development at provincial level has been the establishment of provincial versions of the INDS, termed in some provinces the Integrated Provincial Disability Strategies (IPDS). These have been established to facilitate the implementation of the INDS at provincial level. Provincial legislatures have a responsibility to ensure that these strategies are implemented with adequate resources.

The INDS, IPDS, and similar strategies enable the democratic government to adequately provide redress for the past inequities faced by the disability sector, and at the same time to ensure that the sector remains a conscious and key target group of all new government initiatives, especially those dealing with the socio-economic development of the country.<sup>5</sup> Thus, all spheres of government have a responsibility to explore mechanisms to afford people with disabilities the chance to become active participants in the development process, both as beneficiaries and service providers.

The shift of emphasis from policy making to implementation requires the local government sphere to have the requisite skills and abilities to coordinate, monitor and evaluate implementation. Actual implementation and delivery of services is the fundamental responsibility of local government, as the closest level of government to the people.

In addition, the local government sphere bears responsibility for facilitating and ensuring that the progressive achievements of government on disability issues are incorporated into all municipal and local economic development initiatives.

In order to effectively address the needs of people living with disabilities, and particularly women, youth, the elderly and children with disabilities, and provide development opportunities for them, local government should, among other things, undertake to do the following:

<sup>4</sup> Constitution of the Republic of South Africa

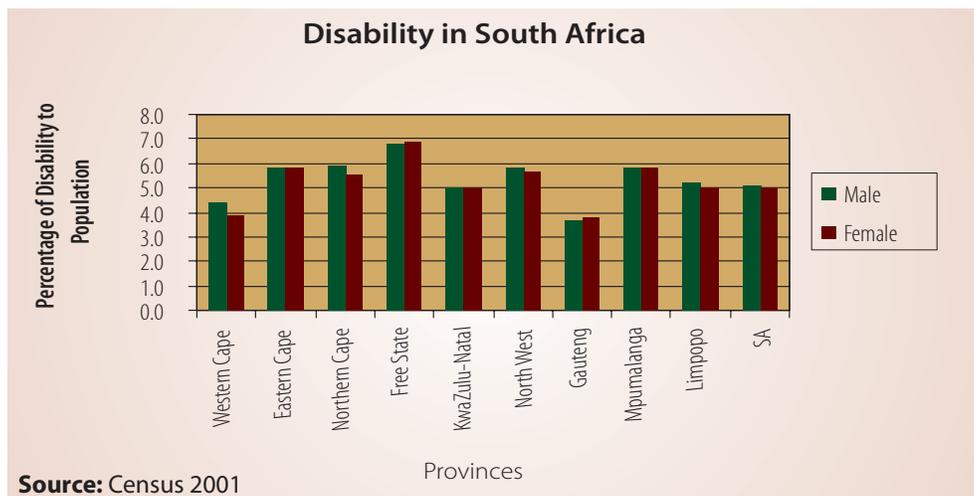
<sup>5</sup> BCM Final Municipal Disability Strategy (MDS) (2007)

- Integrate disability components into budgets, programmes, policies, legislation and/or strategies.
- Implement programmes of benefit to people with disabilities, and particularly women, the elderly children and youth with disabilities.
- Establish disability directorates/units/focal points, with built-in appraisal and reporting systems.

## 1.4 SITUATION ANALYSIS

### 1.4.1 Prevalence of disability in South Africa

The Census 2001 findings reported a total of 2 255 982 people having some kind of disability that prevents them from participating in life activities. According to the report, this number constitutes 5% of the total population of South Africa, with the Free State province having the highest prevalence and Gauteng the least. Below is a graphical illustration of the prevalence by province and gender.



### 1.4.2 Local government current situation

In 2007, the Department of Provincial and Local Government (the **dplg**) conducted a baseline study to determine the actual status of service delivery to people with disabilities and the compliance with disability-relevant legislation in municipalities. In this process actual information on the current status of service delivery to people with disabilities was gathered. The situation analysis findings will also serve as a comparison for future studies to be conducted to determine the impact of programmes implemented to address inadequacies.<sup>6</sup>

In this study, 3 metros, 9 districts and 11 local municipalities were randomly selected across the nine provinces, ensuring representation of rural and urban municipalities. The participants of the study constituted officials from DLGs, municipalities and NGOs representing the interests of people with disabilities. The research methodology used for this study was largely qualitative. It utilized focus group discussions, interviews, document reviews and access scan to collect data.

<sup>6</sup> The dplg Baseline Study: The Mainstreaming of Disability at Local Level (2007)

The following are the problems and recommendations that emanated from the study:

Problems	Recommended Corrective Action
Knowledge on disability is very fragmented.	Awareness raising, sensitization and education on disability are required.
<p>Disability management is not considered as the core business of the municipality.</p> <p>Disability issues within Local Government are addressed as a matter of compliance and not as a matter of inclusivity.</p>	Relevant performance indicators on disability equity and management should be developed as key performance areas of municipal managers and other senior managers and included in their performance contracts.
In local government instruments, on the rare occasions when disability is included, the reference is generic and part of broad categorizations: e.g. "designated groups" or "the poor."	Disability as a distinct category should be made an integral part of local government policies, planning and processes.
Employment target for people with disabilities of 2% is not reached.	<p>Specific strategies for increasing employment of people with disabilities need to be developed to meet compliance requirements of the Employment Equity Act and all other relevant legislation</p> <p>The principles of recruitment on the basis of 'minimum requirements' and 'potential' should be specified.</p> <p>Engagements with disability NGOs are crucial.</p>
There is a lack of participation by persons with disabilities in various community forums and structures created for community participation in local government.	<p>Integration of people with disabilities within all processes of local government is required.</p> <p>Particular efforts should be made to train and skill people with disabilities to meet particular needs of the community in a specific area</p> <p>Municipalities should ensure that available opportunities, particularly from government financed programmes, are equitably distributed and include people with disabilities.</p>
There is a lack of capacity and resources to provide reasonable accommodation to people with disabilities.	The principle of universal access to services should be adopted.
There is ineffective communication about service delivery to and from citizens with disabilities.	We need to establish disability units and forums to promote the human rights of persons with disabilities.

The Social Cluster Committee of Cabinet initiated a review process in February 2005 aimed at determining the status quo with regard to the implementation of disability policies at municipal level. The findings of this review are corroborated by those of the baseline study.

In this review, twenty municipalities were randomly selected, including sixteen district municipalities and four metropolitan cities in all the nine provinces. The key findings of the review were:

- There was very high political will, at district municipality level, to implement the government's policy agenda on disability.
- There was good political will on the part of municipal officials and managers to address the needs of disabled people. This was demonstrated by the inclusion of disability components in 'special programmes', often within the offices of the Executive Mayor, Speaker or other departments in the municipalities.
- However, this willingness was not backed by action and allocation of adequate resources to achieve policy objectives.
- While attempts and initiative processes had been made to implement key legislation such as the Employment Equity Act (EEA), Skills Development Act (SDA) and the Preferential Procurement Policy Framework Act (PPPFA), these efforts were generally still at a very early stage. Despite this seemingly negative scenario, the review team concluded that, with innovation and creativity in the design and mainstreaming of disability programmes, effective implementation strategies and service delivery models could be developed and successfully implemented for the benefit of disabled people.
- Six out of twenty municipalities (30%) had fully functional disability desks or units with specially assigned staff and budgets.
- Some municipalities had commenced, but not completed, formulating their disability policies and/or strategies.
- Some municipalities had mainstreamed disability into their Integrated Development Plans (IDPs) and other strategies.
- Employment Equity Plans included disability targets, which were, however, not met by all district municipalities reviewed.
- Generally, the inclusion and mainstreaming of disability in IDPs was patchy and lacked coherence. Financial, human and other resources allocated for disability work were either inadequate or not there at all.
- Results indicated that in some municipalities, personnel and/or councillors were given the responsibility of addressing disability issues within the context of 'special programmes'. In other municipalities, disabled people's needs were addressed as part of the mayoral budget or committee.

The following issues were highlighted:

- A disability framework/legislation was needed.
- There was policy evaporation, in that policies were not reaching disabled people.
- Disability had to be prioritized in all the programmes.
- Senior management should be committed to addressing disability.
- Accountability of senior managers tended to be lacking.
- Workshops were needed to educate officials on disability rights.
- All schools should promote inclusive education.
- A multi-purpose skills centre for people with disabilities had to be established.
- Learnerships had to be instituted.

- Strategies for the recruitment of people with disabilities were needed.

The district municipalities were given the opportunity to provide additional inputs not covered by the municipal questionnaire as well as recommendations and feedback on any issues related to disabilities and implementation of policy and legislation. Results from this analysis indicated that those municipalities ranked mainstreaming and the disability framework strategies as being most important. Special schools and centres were ranked as the least important.

Both the dplg baseline study (2007) and the OSDP review (2005) suggest that generally, gaps still exist in the delivery of services and implementation of disability policy positions within the local government sphere. This framework therefore becomes crucial as it provides guidance on addressing the gaps.

## 1.5 RATIONALE

The purpose of this Disability Framework is to set out guidelines for Provincial Departments of Local Government, municipalities and other role players in order to:

- Address the needs of different categories of people with disabilities, based on the equity and equality principle
- Take into account the interests and needs of women, men, children, the elderly and youth with disabilities through the provision of accessible and equitable services
- Promote and protect the rights of people with disabilities and in the process empower them to live independent lives
- Curb myths and misperceptions about people with disabilities through education and awareness raising campaigns/programmes
- Implement affirmative action measures to redress disadvantages in employment experienced by people with disabilities, and to ensure their equitable representation in all occupational categories and levels in the workforce
- Foster and create an environment that is free of barriers, in order to maximize access to basic services by people with disabilities
- Eliminate prejudice and stereotypes towards people with disabilities in its practices and policies.
- Provide people with disabilities with development opportunities and appropriate resources for training.

South Africa has some of the most comprehensive legislation and policies protecting and promoting the rights of people with disabilities. Pieces of legislation such as the Employment Equity Act, Social Assistance Act, Skills Development Act and Skills Development Levy Act, and others, have helped to create a new sense of awareness of the needs of people with disabilities. However, research carried out by Samaita Maita Development Services (2005) points out that, with the exception of a few policies such as the Social Assistance Act, the implementation of these policies has had a marginal impact on the lives of the majority of people with disabilities in South Africa. Inadequate budgetary allocations, inexperience of the civil servants charged with the responsibility of implementing these policies, and procedural bottlenecks have been identified as some of the main causes of 'policy evaporation' within the South African context.

People with disabilities are exposed to, or have in the past suffered, the following discriminatory practices:

- Severe educational disadvantages
- Past discriminatory labour legislation
- Numerous social and physical barriers in society, especially in the workplace
- Stereotyping and prejudice
- Ignorance on the part of society as to the meaning of disability, the needs of people with disabilities and how to manage those needs in the workplace and elsewhere

Other key issues and challenges that face people with disabilities in achieving equality, inclusion and empowerment are:

- **Employment:** There is a serious lack of employment opportunities for people with disabilities and a high level of discrimination against them.
- **Transport:** There is lack of accessible public transport for the physically challenged, the visually impaired and hearing-impaired people, which makes it extremely difficult for them to travel to places of employment and health facilities.
- **Housing:** Houses are often not accessible to people with disabilities.
- **Accessibility:** Most public and private buildings are not designed to cater for the needs of people with disabilities.
- **Public schools:** These are often not designed to be accessible for people with disabilities, and children whose parents have some form of a disability are often excluded from education opportunities due to financial constraints.
- **Social security:** There is still a problem in that some people with disabilities are still not able to access disability grants.
- **Assistive devices:** People with disabilities have inadequate access to assistive devices, such as wheel chair, white canes and Braille machines.
- **Advocacy:** Not enough awareness programmes are implemented which could curb misconceptions about people with disabilities and enhance the concept of self-representation.
- **Funding:** There is a lack of adequate funding to support disability-related initiatives.

This Disability Framework provides guidance to the local government sphere on strategies that can be implemented to benefit people with disabilities.

## 1.6 PRINCIPLES GOVERNING THE FRAMEWORK

The general principles underlying this Framework are aligned with the Constitution of South Africa, the UN Convention on the Rights of Persons with Disabilities and the Draft NDP. These underpin the promotion and protection of rights of people with disabilities in all spheres of life. They aim to promote equality through the creation of equal opportunities and the eradication of all forms of discrimination.

The following are the principles that underpin this Disability Framework:

- Respect for the human dignity of people with disabilities
- General access to service delivery, information and the physical environment
- Equality of opportunity for both men and women with disabilities
- Full and effective participation by and inclusion of people with disabilities in society
- Respect for the evolving capacity of children with disabilities and respect for their right to preserve their identity
- The need to contribute to changes in negative attitudes and cultural beliefs about disability in the local government sphere, in communities and in the workplace.

### **1.7 SCOPE OF THE FRAMEWORK**

This Disability Framework was designed for implementation in all municipalities under the leadership of the Provincial Departments of Local Government (DLGs) and the Department of Provincial and Local Government (the dplg). The framework is aligned with a range of development initiatives and programmes of the different line functions in local government.

This framework is applicable to the local government sphere, particularly Provincial Departments of Local Government, municipalities, government departments, traditional leadership and civil society organizations working within local government.

### **1.8 OVERALL OBJECTIVE**

The overall objective of the framework is to ensure that disability issues are mainstreamed into all policies, plans, programmes and activities of local government, thus significantly helping to enhance the quality of life, full participation, and empowerment of men, women, youth, the elderly and children with disabilities in all spheres of life.

### **1.9 OUTCOMES**

The following are the expected outcomes of the implementation of the framework:

- Mainstreaming of disability components into local government policies, plans, programmes and activities
- Social and economic empowerment of people with disabilities (women, men, children, youth and older persons)
- Creating and making available resources to remove barriers and establishing appropriate structures for the institutionalization of disability issues
- Representation/participation and inclusion of people with disabilities in the local government agenda, workforce and relevant decision-making structures



## PART TWO: LEGISLATIVE/POLICY FRAMEWORK

The Disability Framework for Local Government draws its mandate from the following international, regional, national and local instruments which advocate the enjoyment of rights by people with disabilities in an equitable way.

### 2.1 INTERNATIONAL INSTRUMENTS

In the past few years, great strides have been made towards cementing the position of persons with disabilities and integrating disability issues into the fabric of human rights mechanisms, deeply grounding them in the principles of the United Nations Charter, the Universal Declaration of Human Rights and other human rights instruments, such as the World Program of Action concerning People with Disabilities and the Standard Rules on Equalization of Opportunities for People with Disabilities. However, there is still much more to be done to fulfil our commitment to achieving full and effective participation for all persons with disabilities.

There is as yet no wide acceptance of the fact that the principle of equal rights for people with disabilities and the non-disabled implies that the needs of each and every individual are of equal importance, that these needs must be made the basis for the planning of societies, and that all resources must be employed in such a way as to ensure, for every individual, equal opportunity for participation. Disability policies do not yet ensure the access of people with disabilities to all community services.

#### 2.1.1 International Labour Organisation (ILO) Convention 159 and Recommendation 178

The ILO Convention 159 provides guidelines on the formulation, implementation and periodical review of national policies on vocational rehabilitation and employment of disabled persons. The policies are aimed at ensuring that appropriate vocational rehabilitation measures are made available to all categories of people with disabilities, and at promoting employment opportunities for people with disabilities in the open labour market. However, South Africa is not yet a signatory to this convention.

#### 2.1.2 Standard Rules for the Equalization of Opportunities for Persons with Disabilities

Introduced in 1993, these were adopted by all 191 Member States of the United Nations in recognition of the fact that persons with disabilities have been too long marginalized and excluded from both the social development and human rights

agendas. The Rules represent a system of ideas, services, guidelines for procedures and measures which, when applied create a society that is welcoming and inclusive of all people, primarily persons with disabilities.

The purpose of the Rules is to ensure that girls, boys, women and men with disabilities, as members of their societies, may exercise the same rights and obligations as others. The rules provide a strong moral and political commitment on behalf of states to take action for the equalization of opportunities for persons with disabilities. They offer a basis for policy-making and action to persons with disabilities and their organizations.

### 2.1.3 The United Nations Convention on the Rights of Persons with Disabilities

The purpose of the convention is that of promoting, protecting and ensuring the full and equal enjoyment of all human rights by persons with disabilities. It articulates principles that are related to the current line of thinking with regard to disability policies and philosophy in South Africa today.

The convention states that government should:

- Adopt appropriate legislative, administrative and other measures for the implementation of the rights of people with disabilities
- Take appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities
- Undertake to promote and protect the Human Rights of people with disabilities in all policies and programmes
- Ensure and promote the development (or minimum possible adaptation) of universally designed goods, services, equipment and facilities to meet the specific needs of people with disabilities
- Train the line function personnel on the Rights of people with disabilities to better the assistance and services guaranteed by those Rights.

All spheres of government in South Africa must address and implement programmes focusing on children, women, men, youth and elderly people with disabilities according to the contents of this convention.

The convention recognizes that women and girls with disabilities are often at greater risk, both within and outside the home, of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation. It further articulates the importance of accessibility, within the local government sphere, to the physical, social, economic and cultural environment and to health, education, information and communication, in enabling people with disabilities to fully enjoy all human rights and fundamental freedoms.

Disability is a cross-cutting issue, and as such this Framework recognizes the responsibility to uphold the ideals expressed in, for example, the Convention on the Rights of the Child, the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Beijing Declaration and Platform for Action, the SADC Protocol on Gender and Development, and World Programme of Action for Youth.

## 2.2 REGIONAL INITIATIVE

### 2.2.1 The African Decade of Disabled Persons (ADDP) (1999–2009)

This is an initiative of the Organisation of African Unity (now, the African Union) to further the equalization of opportunities for people with disabilities. The goal of the decade is promoting awareness and commitment to full participation, equality and empowerment of persons with disabilities in Africa.

The Organisation of African Unity (OAU) Resolution identifies the role of states as, amongst others:

- Formulating and implementing national policies and programmes to promote the participation of people with disabilities in economic and social development
- Establishing and strengthening a national coordinating committee on disability matters, with emphasis on, among other goals, the adequate and effective representation of disabled persons and their organizations as well as their roles therein
- Provision of assistance, in collaboration with international development agencies and non-governmental organizations, to enhance community-based support services for disabled persons and the extension of services to their families
- Making special efforts to foster positive attitudes towards children and adults with disabilities, and undertaking measures to improve their access to rehabilitation, education, training and employment, cultural and sports activities and the physical environment.

The ADDP provides a unique opportunity for South Africa to contribute to efforts to improve the lives of people with disabilities.

## 2.3 NATIONAL INSTRUMENTS

The findings of the study conducted by Samaita Maita in 2005 on the role and effectiveness of disability legislation in South Africa indicate that South Africa has some of the most comprehensive pieces of legislation and policies protecting and promoting the rights of people with disabilities. The South African Constitution is the main instrument that guarantees equality and prohibits discrimination on several bases, including disability. Flowing from the constitutional mandate, various pieces of legislation and policies have been developed to promote and protect the enjoyment of rights in areas ranging from employment to social security. Some instruments such as the Integrated National Disability Strategy (INDS) and the National Disability Policy focus particularly on disability issues. The following are some of the enabling pieces of legislation and policies this framework is drawing its mandate from:

- Integrated National Disability Strategy (1997)
- Promotion of Equality and Prevention of Unfair Discrimination Act, (Act No. 4 of 2000)
- Employment Equity Act (Act No. 55 of 1998)
- Skills Development Act (Act No. 97 of 1998)
- Building Standards Act (Act No. 103 of 1997)

- Basic Conditions of Employment Act (Act No. 75 of 1997)
- Occupational Health and Safety Act (Act No.85 of 1993)
- The Labour Relations Act ( Act No. 66 of 1995)

## 2.4 LOCAL GOVERNMENT INSTRUMENTS

Local government legislation and policies seek to ensure equitable access to basic services. The policies mandate provincial and local government departments and municipalities to ensure effective and efficient service delivery to all communities within their jurisdiction, including people with disabilities. They are therefore tasked to prepare plans that meet the requirements of different categories of people in their area of operation.

The following are some of the local government provisions that give impetus to concretising a strategy promoting the interests of people with disabilities.

### 2.4.1 The White Paper on Local Government (1998)

The White Paper on Local Government identifies the need for municipalities to ensure that all citizens – regardless of race, gender or sexual orientation – have access to at least a minimum level of services. The paper further states that accessibility is not only about making services available, but also about making services easy and convenient to use. Municipalities are expected to ensure that people with disabilities are able to access municipal services and amenities.

### 2.4.2 Local Government Municipal Systems Act No. 32 of 2000

Mechanisms, processes and procedures for community participation outlined in the Local Government Municipal Systems Act No. 32 of 2000 require that municipalities take into account the special needs of disadvantaged groups, among them people with disabilities. It also indicates that community members have the right to the use and enjoyment of public facilities and the right to have access to basic services that municipalities provide.

## 2.5 APPROACH TO MAINSTREAMING DISABILITY ISSUES IN LOCAL GOVERNMENT

Mainstreaming disability concerns into development is the process of assessing the implications for people with disabilities of any planned action, including legislation, policies and programmes, in all areas and at all levels. It is a strategy for making the concerns and experiences of people with disabilities an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that people with disabilities benefit equally and that inequality is not perpetuated (Disability Knowledge and Research programme 2003 – 2005).

The National Disability Policy proposes that disability related issues should be mainstreamed into all departmental plans, programmes and services. It further states that disability-related issues be included from the outset in planning, budgeting and monitoring of national, provincial and local initiatives, programmes and services in such a way that the full and equal citizenship of persons with disabilities is practically acknowledged.

Local government has a responsibility to ensure the mainstreaming of disability issues as it delivers on its mandate. As the closest level of government to the people, it is appropriately positioned to contribute to the realization of government priorities on service delivery and development. Priorities such as the Millennium Development Goals (MDGs), Vision 2014 and the Accelerated and Shared Growth Initiative for South Africa (AsgiSA) will not be realized until the needs of all vulnerable groups, including people with disabilities, are considered in mainstream society.

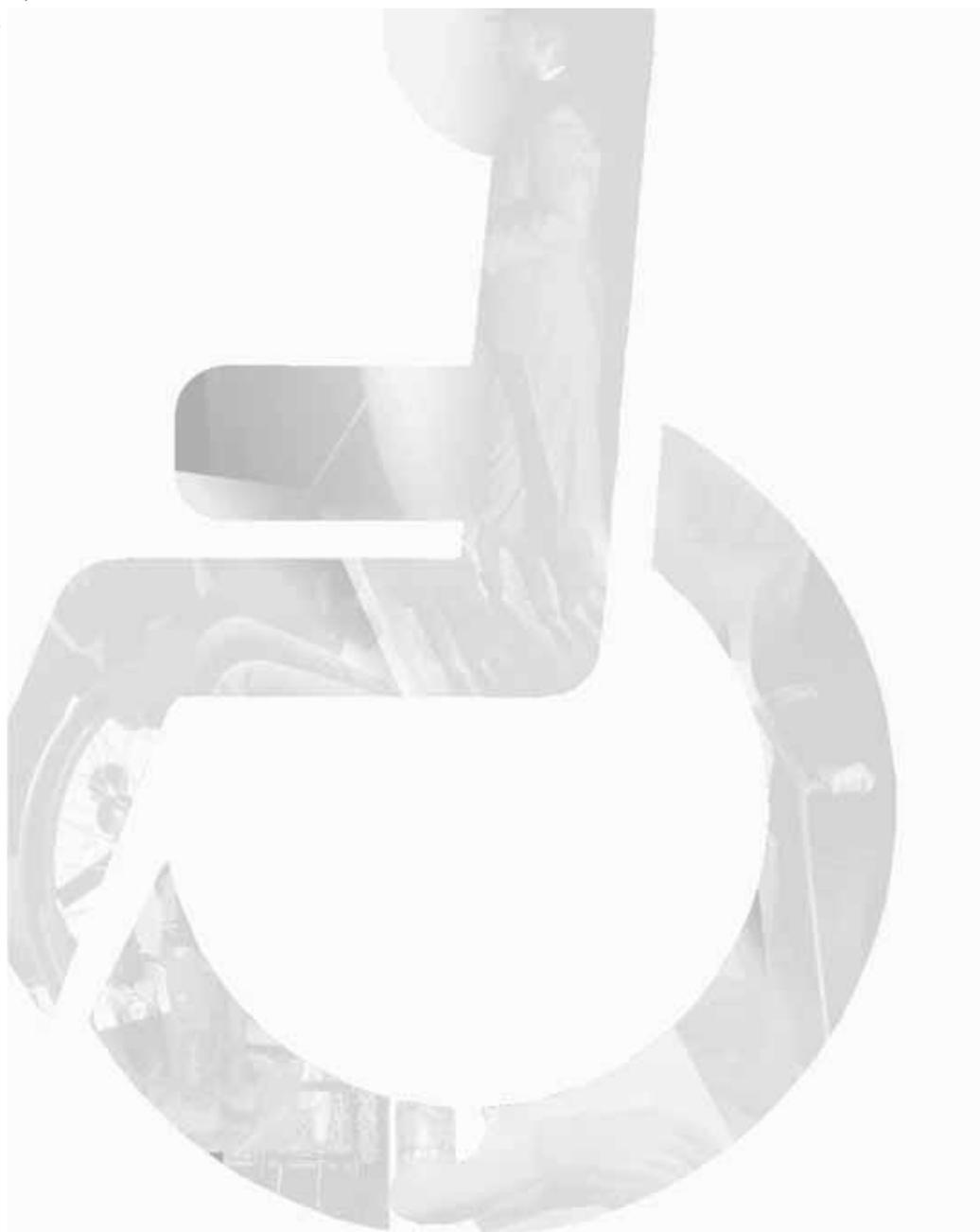
### Government priorities

Millennium Development Goals	Vision 2014	Accelerated and Shared Growth Initiative for South Africa
<ul style="list-style-type: none"> <li>• Eradicate extreme poverty and hunger</li> <li>• Achieve universal primary education</li> <li>• Promote gender equality and empower women</li> <li>• Reduce child mortality</li> <li>• Improve maternal health</li> <li>• Combat HIV and AIDS, malaria and other diseases</li> <li>• Ensure environmental sustainability</li> <li>• Develop a global partnership</li> </ul>	<ul style="list-style-type: none"> <li>• Economic growth</li> <li>• Reduction of unemployment</li> </ul>	<ul style="list-style-type: none"> <li>• Reduce poverty and</li> <li>• Reduce unemployment</li> </ul>

Although priorities such as the MDGs seem to be silent on disability, they could not be realized without the inclusion of people with disabilities, who constitute 5% of the population of our country.

The approach in the context of this framework is internal and external mainstreaming. Internal mainstreaming focuses on integrating disability components into workplace policies, programmes, practices and processes of provinces and municipalities. This complements the implementation of the Employment Equity Act, Skills Development Act and related employment legislation. This internal focus stands to benefit unemployed members with disabilities who are looking for employment, and also officials with disabilities already employed by Provincial Departments of Local Government and municipalities.

External mainstreaming, on the other hand, focuses on ensuring that disability components are made an integral part of municipal IDPs by ensuring that disability issues are considered at all levels of municipal projects and service delivery initiatives, starting from the conceptual phase to implementation, and to monitoring, evaluation and reporting. The direct beneficiaries of external mainstreaming will be community members or the general public.



## PART THREE: KEY FOCUS AREAS FOR MAINSTREAMING OF DISABILITY ISSUES AT LOCAL LEVEL

Consistent with the national policy proposal that disability issues be mainstreamed, this framework proposes that the starting point for both internal and external mainstreaming be focused on local government key performance areas set out in the Five Year Local Government Strategic Agenda. These are:

- Municipal transformation and organizational development
- Basic service delivery and infrastructure
- Local economic development
- Municipal financial viability; and
- Public participation and good governance.

The following section provides proposals on broader interventions that have to be made in order to fully mainstream disability issues into local government processes.

### 3.1 MUNICIPAL TRANSFORMATION AND ORGANIZATIONAL DEVELOPMENT

(Internal mainstreaming focus on municipality as employer)

The Public Service Report on Disability Equity published in January 2008 indicates that disability equity in the Public Service was regressing instead of improving. According to the report, as at October 2007, the public service had only achieved 0.02% representativity of persons with disabilities from April 2005. This, according to the report, raises a concern regarding the achievement of the 2% target set by Cabinet to be reached by 2009. In order to reach the target, the report estimates that a further 19 823 persons with disabilities will have to be appointed. This gloomy picture was further confirmed by the 2007 Employment Equity Report issued in August 2008. The report indicates that people with disabilities are grossly underrepresented both in the public and private sectors, especially in management positions. Due to limited research on local government equity, it is not possible at this stage to provide a numeric local government picture. However, the Disability Baseline Study carried out by the dplg in 2007 reveals that persons with disabilities are generally employed in entry level positions and that municipalities who participated in the study are not meeting the set employment equity targets. The study further points out that staff in municipalities have limited capacity to deal with disability management issues. This undoubtedly underlines the significance of local government taking rigorous action to promote disability equity and transformation. This Key Performance Area provides a platform for addressing internal transformation aspects of disability mainstreaming.

A crucial aspect in ensuring sustained representation of people with disabilities in the work force is the removal of barriers such as widespread ignorance, fear and stereotypes that are often cited as underlying causes for people with disabilities being unfairly discriminated against in society and in employment.<sup>7</sup> The local government sphere (LGS) should maintain an environment that supports people with disabilities and enables them to fulfil their maximum potential. This environment must ensure that people with disabilities are not discriminated against and are provided with equal access to opportunities. Proposed actions to employ and reasonably accommodate people with disabilities must be implemented in order to comply with labour laws and other public service transformation policies.

Some of the key areas that should be considered as part of internal transformation are as follows:

DISABILITY INSTRUMENTS	THE KEY ASPECTS TO CONSIDER IN RECRUITMENT PRACTICES ARE:
<ul style="list-style-type: none"> <li><i>The Job Access Strategy advocates for the employability of more people with disabilities into jobs and the creation of opportunity in the workplace.</i></li> <li><i>The Disability Policy Framework proposes the promotion of employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment.</i></li> </ul>	<ul style="list-style-type: none"> <li>Members of selection panels have an understanding of issues relating to equality and diversity in recruitment and selection.</li> <li>Members of selection panels should attend refresher training at regular intervals to eliminate stereotyping and subjective prejudice against people with disabilities.</li> <li>Organizations that represent the interests of people with disabilities should be utilized to recruit people with disabilities.</li> <li>The principles of recruitment on the basis of 'minimum requirements' and 'potential' should be specified. The provision of Individual Development Plans supporting accelerated skills development should be specified as an integral component of the recruitment process.</li> </ul>

On the other hand, Human Resource Departments (HRDs) should ensure that:

- Job descriptions, person specifications and recruitment advertisements are drafted so that they do not unjustifiably dissuade disabled applicants
- Reasonable adjustments to job descriptions and person specifications are considered to accommodate the needs of disabled persons
- In order to give people with disabilities a fair chance to compete for jobs, the local government entities may send job advertisements to national organizations that represent the interests of people with disabilities (Such bodies will then distribute the advertisement to their members and/or affiliate organizations. A database of job seekers with disabilities should be developed and maintained.)
- Application processes and the medium of communication are accessible to people with disabilities
- Advertisements and staff sourcing methodology are accessible to people with disabilities
- Language and processes are non-discriminatory and supportive of equalization of opportunities for all
- Candidates are encouraged to state in advance any special arrangements they may require in order to attend interviews, which will facilitate the process of reasonably accommodating candidates for an effective interview.

<sup>7</sup> Public Service Commission Assessment on Disability Equity in the Public Service

When recruiting, the HRD should:

- Identify the inherent requirements and essential functions of the vacant position (the inherent requirements of the job are the purpose for which the job exists; the essential functions and duties of the job is what is necessary to get the job done)
- Describe clearly the necessary skills and capabilities for the job
- Set reasonable criteria for selection, preferably in writing, for job applicants for vacant positions
- See to it that application forms focus on identifying an applicant's ability to perform the essential functions of the job.

The following are some further examples of reasonable accommodation that may apply when interviewing applicants with various types of disabilities:<sup>8</sup>

Type of disability	Possible reasonable accommodation/inclusiveness requirements
Physical disability	<ul style="list-style-type: none"> <li>• Buildings that are more than one storey high should have a lift.</li> <li>• Buildings that have stairs should have ramps to accommodate the needs of people with mobility impairments. Accessible toilet facilities should be close to the interview venue.</li> <li>• In the case of older buildings where there are no lifts, interviews should be on the ground floor.</li> </ul>
Hearing impairment	The interview panellists should address the deaf interviewee and not the interpreter, including eye contact.
Total loss of sight	The interview panellists should not engage in non-verbal gestures or whispers.
Partially sighted	The interviewer should enquire as to the degree of lighting needed by the interviewee during the interview.
Intellectual disability	<ul style="list-style-type: none"> <li>• Interviews could be conducted on a one-to-one basis, as opposed to a panel of interviewers.</li> <li>• Interview questions should be kept short and simple.</li> <li>• Interviewers should exercise patience.</li> </ul>

### 3.1.2 Selection

- DLGs and municipalities should apply the same criteria to ascertain the ability of people with disabilities as are applied to other applicants, although it may be necessary to adapt the criteria in order to accommodate applicants who have disabilities.
- The purpose of the selection process should be to assess whether or not an applicant meets the requirements for the post.

<sup>8</sup> Technical Assistance Guidelines on the Employment of Persons with Disabilities

- DLGs and municipalities should not request information about actual or perceived disability from a previous employer or third party.
- The employer should review the selection criteria on a regular basis to ensure that inappropriate barriers to people with disabilities are removed.
- Selection interviews should be sensitive, objective and not biased against people with disabilities. Interviewers must avoid making negative assumptions about people with disabilities.
- If an applicant has disclosed a disability or has a self-evident disability, the employer should focus on the applicant's qualifications for the work rather than any actual or presumed disability, but may inquire and assess whether the applicant would, apart from the disability, be suitably qualified.
- Interviewers should ask all applicants to indicate how they would accomplish the inherent requirements of the job and perform its essential functions, and if any accommodation would be required in view of the disability.
- DLGs and municipalities should take action to raise the awareness of all employers and employees about issues of disability and ensure that key personnel are fully informed and know about their responsibility to make sure unfair discrimination does not occur.

### 3.1.3 Representation

The White Paper on the Transformation of the Public Service (1995) proposed 2% representation of people with disabilities in the workforce. The proposal was reinforced by the White Paper on the Transformation of the Public Service recommendation of the minimum national target of 2% representation of people with disabilities in the workplace. It suggested the 2% target as a baseline on which spheres of government should aim to improve. Consistent with the proposals, DLGs and municipalities should ensure that staff positions, including middle and senior management, are allocated to qualified people with disabilities by December 2009 to comply with legislation. The following measures should be considered:

- At least 2% of staff positions, including middle and senior management, allocated to people with disabilities, with adequate provision for reasonable accommodation, all-round accessibility and skill enhancement opportunities, by March 2010. The representation should reflect gender equity and should also reflect representation across all employment categories.
- Special measures, not precluding the application of affirmative action, to be introduced to promote the representativity of people with disabilities in highly technical and specialised employment categories (e.g. engineering) of the municipal staff complement.
- Councillors and members of local government structures must monitor and play an oversight role on disability components in mainstream legislation by December 2009.
- Active measures to be taken by political parties to ensure the representation of people with disabilities. SALGA should play a central role in the mobilisation and advocacy for the representation of disabled councillors with capacity to provide training in the monitoring of disability indicators to local government councillors.
- In line with the Cabinet's target of 50% for women in management positions, local government must ensure inclusion of women with disabilities within this target.

### 3.1.4 Capacity-building

Capacity-building/training and development programmes should be implemented within the parameters of the National Capacity Building Framework for Local Government and include the following:

- The training of personnel involved in HR in managing disability throughout the employment cycle. This will build their confidence in dealing with issues of disability, while they will be complying with legal requirements and maintaining best human resource practice.
- Strategies for local government employers to meet the 4% target set in the National Skills Development Strategy (NSDS). In order to meet this target, they should consider recruiting disabled interns, and providing bursaries and other training opportunities.
- Workers who become disabled during employment should be, where reasonably possible, re-integrated into the workforce. If necessary, employers should explore the possibility of offering alternative work, reduced work or flexible work placement, so that such workers are not compelled or encouraged to terminate their employment.
- Consultation with employees with disabilities in order to advance their skills and experience.
- Consideration of training venues, whether on site or off site, that are in locations that are accessible and with sign language interpreters, if needed.
- Availability of training materials in Braille, large print, audiocassette or disk, if needed.
- Consideration for mentoring or job coaching as a possible training accommodation for employees with disabilities to enhance their effectiveness in the workplace.

### 3.1.5 Disability awareness

Awareness and skills training on disability issues should be conducted in all municipalities, with the objective of establishing disability-confident and disability-competent municipalities. The local government sphere should implement the following recommendations:

- Provide training to managers, staff and councillors on disability issues.
- Sensitize staff at local government level with a specific focus on service delivery to people with disabilities.
- Develop simple tailor-made guidelines on how to mainstream disability and implement change to ensure equal access.
- Provide training/enrolment for the Vocational Equity and Disability Qualification.
- Improve communication, ensure the Izimbizo Programme includes disability and address disability concerns and deepen social mobilization.
- Implement regular question-and-answer sessions between people with disabilities and designated staff from the municipality.
- Communicate in a format that is accessible to persons with sensory needs.
- Encourage and facilitate participation of people with disabilities in local government structures.
- Provide support mechanisms to ensure accessible transport to and from consultation venues.
- Encourage the forming of partnerships with disabled people's organizations to ensure understanding of disability.
- Implement workshops for municipal consultation and decision-making processes with persons from vulnerable groups.

### 3.1.6 Reasonable accommodation/inclusiveness

Reasonable accommodation is a Human Right for all persons with disabilities and a requirement for the essential function of a job. It refers to the necessary and appropriate modification and adjustments of the work environment to remove a disproportionate or undue burden on persons with disabilities and to ensure the enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms (Convention on the Rights of Persons with Disabilities, 2007). 'Reasonable accommodation' applies to applicants and employees with disabilities and may be required during the recruitment and selection processes, in the work environment, in the way work is usually done, evaluated and rewarded and in the benefits and privileges of employment. This means that municipalities as employers should not discriminate against people with disabilities who apply for jobs. They should take all reasonable steps to ensure that a supportive work environment is created to enable people with disabilities to perform their duties and to realize their potential, and they should ensure that people with disabilities receive all benefits due to them.

The aim of reasonable accommodation is to reduce the impact of the impairment on the person's capacity to fulfil the essential functions of a job. The particular accommodation will depend on the individual, the impairment and its effect on the person, as well as on the job and the work environment. DLGs and municipalities should arrange for the development and provision of facilities, including devices, equipment, programmes and training to assist people with disabilities to increase their level of independence and efficiency in the performance of their duties. To this end, the following criteria will serve as a guideline when assisting aids are to be procured for employees with disabilities:

- The impairment should be substantially limiting, with overt symptoms.
- The absence of reasonable accommodation would make the employee either totally or partially unable to perform the inherent requirements (essential functions) of the job.
- The principles of reasonable accommodation as provided for in the Employment Equity Act should be applied.
- Facilities used by employees should be readily accessible for use by individuals with disabilities.
- Buildings should be barrier free and;
  - ◆ have an accessible entrance into the facility
  - ◆ have access to rest rooms fitted with rails for physically impaired individuals
  - ◆ provide any other necessary measures, e.g. Braille in lifts, warning lights for deaf people in case of emergency, etc.

When providing reasonable accommodation, DLGs and municipalities should consult employees with disabilities. Technical experts may be sourced to establish appropriate mechanisms to accommodate the employee. Below are some examples of reasonable accommodation measures per form of disability:

#### Hearing impairment:

- Sign language interpreter (or staff training on sign language)
- Teletypewriter (including on the switchboard )
- Visual props on display or written communication

Visual impairment

- Braille machine to produce Braille documents
- "Talking" voice and visual augmentation device
- Large-screen computer display

Mobility impairment

- Accessible ramps
- Accessible office furniture
- Suitable designated parking

Intellectual and Psychological Disability

- Allowing adequate time for completion of tasks
- Job coaching and mentoring.

All buildings should comply with the SABS approved National Building Regulations. Further, the HR and the interviewing panel should be orientated and sensitized around disability issues and etiquette.

### 3.2 BASIC SERVICE DELIVERY AND INFRASTRUCTURE PROVISIONING

The Municipal Systems Act No 32 of 2000 mandates municipalities to deliver basic services to local communities within their jurisdiction to ensure acceptable and reasonable quality of life which, if not provided, would endanger public health, safety and the environment. Demand for a disability-inclusive approach is growing steadily, posing a challenge to local government to act in order to achieve government priorities such as MDGs, Vision 2014 and the Accelerated and Shared Growth Initiative for South Africa (AsgiSA).

The findings of the 2001 census indicate that 53% of households headed by people with disabilities have access to basic services such as housing, water and electricity. However, many (37%) of the houses occupied by people with disabilities are traditional dwellings or huts. Although the findings show average provision of basic services to people with disabilities, evaluation of the accessibility of the services was not determined. According to the report released by the South African Human Rights Commission and the OSDP in 2004, there are barriers which prevent people with disabilities from accessing built environments in our society as freely and safely as other citizens do.

This key performance area is positioned to enable local government to address basic service delivery needs of people with disabilities. Emphasis should be focused on ensuring universal accessibility of basic services such as water, sanitation, electricity and housing. Proximity of water collection points, and the dimensions of houses provided and their implications for people with disabilities should be considered.

Local government has the necessary tools, such as the Municipal Infrastructure Grant and Integrated Rural Sustainable Development Programme, to ensure the mainstreaming of disability in service delivery and development. Efforts have to be made to include disability mainstreaming from the conceptual stage of projects; budgeting, planning and up to the implementation and evaluation stages.

For example, in the financial year 2008/09 the MIG Grant had a budget of R433 million for the acceleration of the developmental programme in rural and urban nodes. Consideration should be given to how the grant could benefit people with disabilities.

Below are examples of aspects when planning infrastructure development:

<b>Mobility impairment:</b>	Provision of enough space to manoeuvre a wheelchair in houses Widening and clear marking of disability parking
<b>Visual impairment:</b>	Dropped curbs to footpaths as cues Bright handrails on stairs and ramps Trimming of hedges and trees to prevent their encroaching on footpaths Marking buttons in lifts with raised numbers and Braille Installing voice synthesizers in lifts to indicate the floor and when the door is opening and closing
<b>Hearing impairment:</b>	Provision of emergency call buttons in lifts with an acknowledgement light adjoining them. Provision of flashing light for fire evacuation signal and alarm system Provision of good lighting for lip reading

Local government bodies should comply with the Occupational Health and Safety Regulations and National Building Regulations when they plan and implement services.

### 3.3 LOCAL ECONOMIC DEVELOPMENT (LED)

People with disabilities struggle to get employment because of, among other factors, inadequate skills, and at times they are hindered by the attitudes of employers and their reluctance to provide reasonable accommodation for their disability. In the face of this challenge, people with disabilities frequently opt to pursue self-employment as a way of reducing poverty and unemployment.

Specialized workshops, networking opportunities, individual support and guidance for aspiring business owners and also those with existing businesses should be facilitated in order to empower the disabled. Such sessions can promote sharing of best practices and discussions on business issues, and can also serve as a forum to encourage mutual support between up-and-coming and more established entrepreneurs.

Procurement policies should be facilitated to accommodate people with disabilities. Preferential procurement methods could afford entrepreneurs with disabilities the opportunity to render services. In addition, the criteria for awarding tenders to companies who are rendering services to municipalities should include a clause on employment of a percentage of people with disabilities.

A database of disabled entrepreneurs should be developed for easy access and speedy delivery. There should also be a facilitation of Small, Micro and Medium Enterprises (SMMEs) to be mentored by bigger companies.

### 3.4 MUNICIPAL FINANCIAL VIABILITY

The financial viability of a municipality refers to its stability, its ability to generate revenue and the strength of its financial resources to deliver on its mandate. The responsibility for ensuring the financial balance of the municipality lies in the hands of the municipality itself and the community it serves.

Communities that have a large proportion of residents gainfully employed are often in a better position to contribute to the development of local economies. Therefore, investing in developing the capacity of every member of the community, including those with disabilities, is an investment in the economic development of that particular community and consequently in the financial viability of the respective municipality.

This key performance area positions DLGs and municipalities to evaluate their financial capacity to service their communities.

The mainstreaming of disability issues in provincial and municipal development is a step towards achieving financial viability of municipalities. Consideration should also be given to factors such as poverty, unemployment and HIV/AIDS that may pose a challenge to the financial viability of municipalities. These factors result in many families falling into the “indigent category” and the municipality bearing the primary responsibility for their basic needs. To that end, municipal revenues and grants are used to address the needs of indigents.

Empowering people with disabilities reduces the number of families on the Indigent Register, and promotes the independence and financial freedom of the community. As a result, people with disabilities who benefit would be in a position to pay their taxes and rates, which would afford the municipality opportunities to attract private investors and further enhance the municipality's financial viability.

### 3.5 PUBLIC PARTICIPATION AND GOOD GOVERNANCE

Participation means being actively engaged in community life and achieving a sense of belonging to the community. However, the right to participate in society is not enjoyed by all. On a daily basis, people with disabilities are faced with barriers which effectively exclude them from participating as equal citizens.

Ward committees are examples of structures that represent communities and submit community recommendations to the council. Thus, a fair representation of all categories of people in ward committees is necessary to ensure inclusion of specific recommendations of all categories in council decisions and implementation. The good governance study conducted in the Enkangala District Municipality (Mpumalanga) found, however, that people with disabilities were not well represented in ward committees.

The key performance area Public Participation and Good Governance provides local government with an opportunity to involve people with disabilities in the municipal agenda in line with the disability motto “Nothing about us without us”, which refers to the fundamental principle of participation that recognises the potential of people with disabilities to make their own decisions and choices. The motto has been used by Disabled People’s Organizations (DPOs) for many years as part of the global movement to achieve the full participation and equalization of opportunities for, by and with people with disabilities.

The motto has been affirmed by the UN Convention on the Rights of Persons with Disabilities, which advocates participation and representation of people with disabilities in all engagements and at all levels.

Local government has the responsibility for ensuring participation of people with disabilities in local government forums, committees and IDP sessions to facilitate greater inclusion and for the realization of a society based on equal rights. Ensuring accessibility to buildings where community meetings are held and the sharing of information in an accessible manner, including in Braille and sign language, will be a means towards creating a barrier-free society.

## PART FOUR: INSTITUTIONAL FRAMEWORK (ROLES/RESPONSIBILITIES)

The **dplg** has identified and adopted five strategic objectives for the period 2007 to 2012 which guide the development of strategies and the setting of performance indicators and milestones. Its strategic objectives are to:

- Build and enhance the governance system in order to enable sustainable development and service delivery.
- Oversee the implementation of the intergovernmental programme of support to the Institution of Traditional Leadership to perform its constitutional mandate.
- Build and strengthen the accountability and capability of provinces and municipalities to implement their constitutional mandate.
- Monitor, evaluate and communicate the impact of government programmes in municipal areas in order to enhance performance, accountability and public confidence.
- Strengthen the **dplg's** organizational performance and capability to deliver on its mandate.

Planned interventions and high-level activities on disability outlined in this framework and the tables below are in line with the key performance areas and strategic objectives of the **dplg**. The roles of the **dplg** and other structures in implementing the Disability Framework are outlined below.

### 4.1 ROLE OF THE DPLG

The main roles of the **dplg** at national level include:

- Coordination of policy development and implementation
- Ensuring effective monitoring and reporting
- Facilitating the commitment of resources

Within these main roles, the **dplg** has a responsibility to:

- Promote multi-sectoral collaboration on policies and legislation relevant to local government and provincial affairs for the protection of the rights of people with disabilities, consistent with existing national, regional and global mandates

- Strengthen inter-organizational coordination and operational linkages at all levels
- Promote inter-country technical cooperation in the local government sphere in support of building national and local capabilities and capacities on disability-related concerns within the spirit of the Africa Decade of Persons with Disabilities and other international policy instruments
- Disseminate information widely at all levels and in appropriate formats, through partners and disability networks and the media

The **dplg** should:

- Advise on ongoing policies and programmes which affect the lives of people with disabilities.
- Facilitate, through this Disability Framework, the translation of international and national policy instruments related to local government into action and appropriate formats for widespread dissemination and use at all levels within the local government sphere.
- Promote and assist multi-sectoral collaboration at the local government level.
- Operate, in conjunction with SALGA, a skills development strategy to upgrade the competence of local government staff/councillors, particularly on management skills relating to disability issues.
- Facilitate policy and programme development, and implementation of these policies and programmes.
- Promote resource mobilization for dealing with disability issues.
- Facilitate the formulation of national policies and programmes related to local government concerning the full participation and equality of people with disabilities, as well as promoting, monitoring and evaluating the implementation of these.

## 4.2 ROLE OF SALGA

In line with its constitutionally defined mandate, SALGA plays its monitoring, oversight and capacity-building roles in order to facilitate the implementation of the Disability Framework. It should:<sup>9</sup>

- Represent, advocate and protect the interests of disabled persons within the local government sphere.
- Ensure that provincial local government associations, as provincial representatives and consultative bodies on local government, facilitate and lead the process of implementing the Disability Framework.
- Promote full participation of people with disabilities in local government.
- Ensure, as the national employers' organization for municipal member employers, that disability is mainstreamed in the workplace in line with current legislation and the targets set in this Disability Framework.
- Facilitate the development of the capacity of local government officials and councillors to enable them to implement the Disability Framework.
- Facilitate the adoption, implementation and appraisal of the monitoring and evaluation framework for this Disability Framework.
- Facilitate the sharing of knowledge on disability mainstreaming and good practice in the management of disability programmes.
- Work closely with the **dplg**, provincial departments, municipalities and civil society organizations in the implementation and evaluation of this Framework.

<sup>9</sup>Information adapted from SALGA's website

### 4.3 ROLE OF NATIONAL GOVERNMENT DEPARTMENTS

According to the White Paper on Local Government, the Constitution obliges all spheres of government to cooperate with one another by developing good working relationships that are strengthened by mutual trust, information sharing, consultation and coordination. The Intergovernmental Relations Framework Act, 2005 (IGRF Act) also provides for the institutional framework for the three spheres of government to ensure coherent government, effective provision of services, monitoring the implementation of policy and legislation, and realisation of national priorities. This instrument calls for all spheres of government to work together for the effective provision of services to people with disabilities. The following table outlines the roles and responsibilities of national departments in relation to disability. The roles include defining the strategic direction, strengthening the capacity of municipalities, and the monitoring and evaluation of disability considerations in general.

National Departments	Roles and Responsibilities
Office on the Status of Disabled Persons in the Presidency	Coordinates disability policy – through policy development, policy implementation, policy monitoring and evaluation; and mainstreaming of policy and related issues by ensuring that departments that have to deliver on specific mandates do deliver effectively.
Health	Ensures inclusion of disability in the National Health Plan for Universal Access to Primary Health Care
Environmental Affairs and Tourism	Responsible for protecting the environment and facilitating the development of barrier free design of the municipal environment.
Public Works	Effective implementation and administration of existing and new barrier free legislation and monitoring the implementation thereof. Facilitates compliance with National Building Regulations.
Transport	Develops norms and standards for public transport and promotes accessibility for people with disabilities.
Labour	Monitors implementation of labour laws to ensure protection of disabled job seekers and workers against unfair discrimination, and promotes an inclusive work environment that accommodates diversity.
Social Development	Facilitates accessibility of social security services to people with disabilities and ensures their inclusion in community development initiatives.
Water Affairs and Forestry	Develops sanitation standards and supports provinces and municipalities in providing sanitation services; monitors outcomes; builds capacity; undertakes pilot projects in low cost sanitation and makes sure that sanitation is implemented in a coordinated manner. It also has to ensure accessibility of potable water to people with disabilities.
Sports, Arts and Culture	Drives national guidelines for the development of sport for people with disabilities in South Africa and promotes their participation.
Housing	Develops norms and standards for housing development to ensure universal accessibility of houses.
Trade and Industry	Facilitates the economic empowerment of people with disabilities.

#### 4.4 ROLE OF PROVINCIAL DEPARTMENTS OF LOCAL GOVERNMENT

These roles include:

- **Ensuring that disability is mainstreamed** in their core business and within the workforce. This will be achieved by formulating and mainstreaming disability indicators, activities and budgets in their strategic plans and working with municipalities and civil society organizations in the disability sector at all levels of planning and implementation.
- **Establishing disability as a priority issue.** Provincial government should ensure that municipal planning and budgeting processes give priority to the basic needs of people with disabilities and promote their social and economic development.
- **An intergovernmental role.** This involves establishing disability forums and inter-governmental processes that enhance joint planning, cooperation and coordination.
- **Training and capacity-building** on issues related to disability management and the implementation of the Disability Framework.
- **Including disability in the terms of reference,** and/or the criteria for the awarding of tenders.
- **Creating disability focal points** within the departments in a position of authority, to be located in the HOD's office.
- **Supporting the development** of women with disabilities to achieve the broader goal of gender equality.
- **Encouraging, supporting** and working with provincial and local organizations of people with disabilities, family members, and/or advocates.
- **Establishing ongoing communication** with organizations of people with disabilities and ensuring their participation in the development of local government policies and strategies.
- **Including the information on disability in all reports (e.g. Annual and Section 47 Reports).**

In addition to the coordinating function, provincial governments should build municipal capacity in a number of ways, such as facilitating or funding aspects of the Disability Framework, facilitating access by municipalities to technical assistance and mentorship on issues relating to disability management, arranging exchange programmes pertaining to disability work, and facilitating shared learning on disability issues amongst municipalities.

#### 4.5 ROLE OF MUNICIPALITIES

Key institutional mechanisms and processes should include:

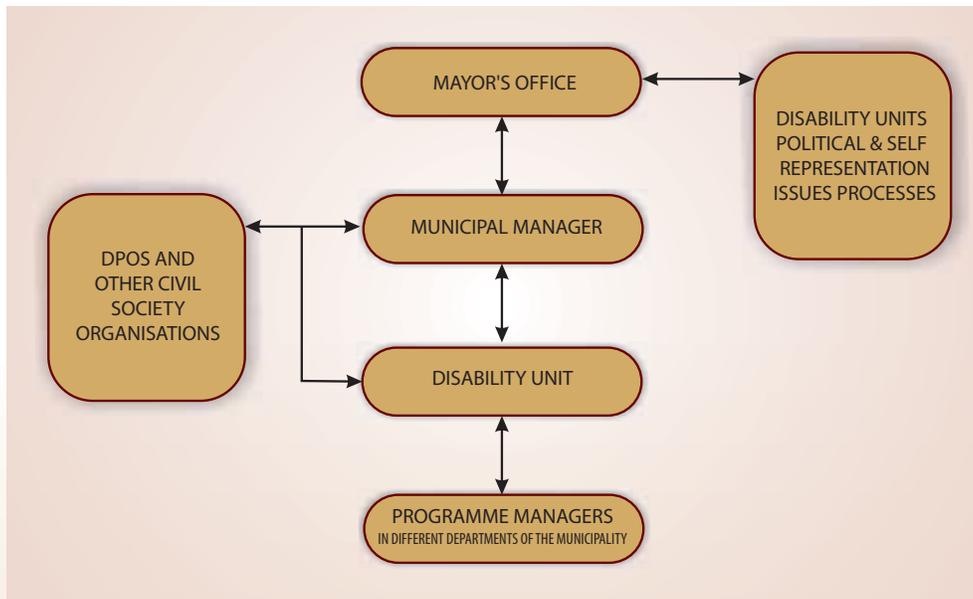
- Establishing Disability Units in the municipal manager's office.
- Utilizing mayoral or executive council offices (getting buy-in from highest political authority) to support disability interventions.
- Establishing/strengthening of Equity Committees to mainstream disability in the work environment.
- Facilitating and forming Disability Forums and ensuring their functionality.
- Encouraging the participation of people with disabilities in municipal processes (e.g. Izimbizo, IDP reviews and LED forums).
- Consulting with disabled people's organizations.

- Raising awareness and promoting disability issues and rights among all municipal staff.
- Ensuring that people with disabilities have access to all municipal information and services

### Suggested structure within the local government sphere

The structure below intends to give guidance for ensuring that disability issues are raised and taken seriously by the local government sphere and that the local policies and strategies that emanate from this Disability Framework are implemented. The structure gives an indication of:

- The role of DPOs in informing political and programming processes within the Offices of the Mayor and the Municipal Manager
- Assigning one member of the Mayoral Committee (MMC) the responsibility of driving, overseeing and reporting on disability mainstreaming and service delivery
- The political role of the Office of the Mayor in dealing with issues related to participation by and self-representation of people with disabilities
- The need for a Disability Unit reporting to the Office of the Municipal Manager to deal with disability programming processes. The unit should be headed by an official holding a position of authority to afford the incumbent the opportunity to sit in and make inputs in meetings of decision-making structures. Disability programming and implementation processes must be handled by managers in different departments of the municipality



#### 4.6 ROLE OF THE MAYOR AND EXECUTIVE MAYOR'S OFFICES

The role of mayors is to:

- Politically champion disability issues in line with the Mayor's Handbook stipulations.
- Ensure that programmes and projects are coordinated and implemented, and oversee the promotion and advancement of the rights of people with disabilities.
- Provide oversight and respond to advocacy campaigns by civil society organizations.

#### 4.7 ROLE OF THE MUNICIPAL MANAGERS' OFFICES

The role of the municipal managers' offices is to:

- Prioritize disability issues and integrate them in IDPs.
- Implement agreed performance management targets related to disability.
- Ensure a twin-track approach to mainstreaming disability components in all the departments/directorates of the municipality.
- Coordinate and mainstream disability policies in strategies and structures.
- Monitor and evaluate programmes implemented by departments and directorates for disability responsiveness or sensitivity.
- Network and liaise with disability forums.
- Develop progress reports on disability issues in the local level sphere.
- Ensure that all reports (e.g. the Section 46 Reports) provide information about employment of people with disabilities within municipalities, service delivery to members of the community with disabilities and overall mainstreaming of disability within the municipality.

#### 4.8 ROLES OF DISABILITY FOCAL PERSONS

The National Disability Policy suggests the following roles and responsibilities of the disability focal person:

- Liaise with the Provincial and Local Government Department and Office on the Status of Disabled Persons in the Premier's Office on disability issues.
- Lead the process of developing sector-specific indicators in the municipality.
- Conduct sector-specific analysis on disability disparities to ensure a comprehensive sector plan.
- Provide guidance for disability analysis and facilitate mainstreaming of disability into the IDP.
- Develop and facilitate the implementation of the Municipal Disability Action Plan.
- Implement and evaluate cross-cutting programmes such as poverty alleviation, job creation, HIV and AIDS and rural strategy and ensure responsiveness to disability.

- Ensure the implementation of the Disability Framework for Local Government.
- Collaborate with other components within the municipality to ensure the mainstreaming of disability throughout the municipality.

#### 4.9 ROLE OF MUNICIPAL DEPARTMENTS

In order to effectively address the needs of and provide development opportunities for people with disabilities, municipal directorates should, among other things, undertake to:

- Set performance measures in relation to disability for directorate personnel and monitor and evaluate performance.
- Integrate disability components into budgets, programmes, policies, legislation and strategies.
- Implement programmes of benefit to people with disabilities in conjunction with civil society organizations of and for people with disabilities.
- Establish disability directorates/units/focal points with built-in appraisal systems.
- Prepare and submit reports to oversight committees and to management structures.
- Include disability information in all reports.

#### 4.10 DISABILITY FORUMS

Local Government is a sphere of government that consists of three levels of government which are autonomous. The implementation of this framework will be at all the three levels and it will require a coordinating forum to steer its implementation. The forum will be at the national level, ensuring the implementation and monitoring the progress thereof. The forum will comprise disability coordinators from the **dplg**, Provincial Departments of Local Government and the South African Local Government Association. Its role should be to:

- Develop mechanisms to monitor the progress and impact of disability.
- Ensure participation by people with disabilities in decision-making forums and other structures.
- Establish links with mayors' offices, municipal managers and the Human Rights Commission to monitor human rights violations.
- Visit NGOs and CBOs to establish and promote optimal utilization of resources and give assistance where possible.
- Develop progress reports on disability service provisioning and programming with recommendations every six months and submit them to councils.
- Identify needs and opportunities for lobbying.

#### 4.11 ROLE OF ORGANIZATIONS FOR PEOPLE WITH DISABILITIES

Monitoring and evaluation of the implementation of this framework is a key to effectively mainstreaming disability at local government. Participatory monitoring with organizations representing the interests of people with disabilities is crucial to ensure that proper developmental priority needs of people with disabilities are addressed. The role of organizations for people with disabilities should be to:

- Identify needs and priorities of people with disabilities in workplaces and communities and communicate them.
- Participate in the planning, implementation and evaluation of services and measures concerning the lives of people with disabilities.
- Contribute to public awareness and advocacy for change.
- As instruments of self-help, provide and promote opportunities for the development of skills in various fields, mutual support among members and information sharing.
- Perform their advisory role in many different ways, such as having permanent representation on ward and other committees, municipal and local government structures and boards of government-funded agencies, serving on public commissions, and providing expert knowledge on different projects.
- Play an ongoing advisory role in order to develop and deepen the exchange of views and information between the state and these organizations.
- Make sure that they are permanently represented on the provincial and local government coordinating committees or similar bodies.

The role of local organizations of people with disabilities should be developed and strengthened to ensure that they influence matters at the community level.

## PART FIVE: IMPLEMENTATION PLAN

Implementation plan in the context of this framework refers to the means through which roles and responsibilities are allocated to local government (political and administrative leaders, officials) and other local government role players to facilitate the mainstreaming of disability in local government through the Disability Framework for Local Government. This Implementation Plan forms part of the Disability Framework for Local Government. The plan seeks to provide information on measures to be taken to facilitate disability mainstreaming in local government. The plan focuses on critical actions to be undertaken in order to successfully attain the objectives of this framework

The implementation plan of this framework is located within the focus areas described in Part 3 of this framework and the role of the department in formulating policies that address the needs of previously disadvantaged population groups. The plan is based on the need to mainstream disability components into all policies, plans, programmes and activities in the local government sector.

The next section highlights some of the measurable objectives, activities, indicators, and the timeframes per key performance area of local government. The indicators are meant to provide examples of translating the Disability Framework into practice and should be used when integrating disability components into IDPs. Provinces and municipalities should customize timeframes in line with the municipal capacity to implement this framework and the current status of disability mainstreaming in a particular municipality.

Progress on the implementation of this plan should be monitored, evaluated and reported on quarterly by municipalities to Provincial Local Government Departments who will submit provincial reports to the **dplg** to feed in to the national /country report.

The implementation of this framework will be considered successful should indicator be achieved as follows:

- 20% achievement of an indicator by the first quarter of target date.
- 50% achievement of an indicator by the second quarter of target date.
- 70% achievement of an indicator by the third quarter of target date.
- 100% achievement of an indicator by the last quarter of target date.

Qualitative (descriptive) indicators of progress are also encouraged in instances where quantitative (numerical) indicators are inadequate or inappropriate.

## 5.1 MUNICIPAL TRANSFORMATION AND ORGANIZATIONAL DEVELOPMENT

NUMBER	MEASURABLE OBJECTIVES	ACTIVITIES	OUTPUTS AND INDICATORS	TIME FRAME	RESPONSIBILITY
1	Promoting representation of people with disabilities in the Local Government workplace	<ol style="list-style-type: none"> <li>1. Implement Employment Equity Act and Job Access Strategy</li> <li>2. Develop a database for recruitment</li> <li>3. Distribute advertisement to disability sector</li> <li>4. Provide reasonable accommodation where necessary</li> <li>5. Ensure that both intellectual and physical accessibility are provided for.</li> <li>6. Enforce building regulations on accessibility.</li> <li>7. Provide on- the-job training opportunities.</li> <li>8. Conduct internal disability awareness raising campaigns and training for the local government sphere staff</li> </ol>	<ol style="list-style-type: none"> <li>1. Employment Equity Plan</li> <li>2. Employment Equity forum</li> <li>3. Employment Equity Report</li> <li>4. A total of 2% representation of people with disabilities into the local government workforce. This should include middle and senior management levels</li> </ol>	March 2010	Human Resources Department (plays lead role) and all municipal directorate (Using the Disability Framework as a guide)
2	Mainstreaming Disability issues in local government	<ol style="list-style-type: none"> <li>1. Conduct in-depth analysis of planning processes and operations, identifying gaps in mainstreaming of disability components in DLGs and municipalities</li> <li>2. Develop disability policy in DLGs and municipalities</li> <li>3. Integrate disability issues into IDPs</li> <li>4. Define and include disability targets and indicators for mainstreaming purposes</li> <li>5. Allocate budgets and other resources to disability components</li> <li>6. Mobilize forums and DPOs for participation in IDP processes</li> <li>7. Monitor and evaluate implementation of disability components in the IDP</li> <li>8. Facilitate inclusion of people with disabilities in IDP forums</li> </ol>	<ol style="list-style-type: none"> <li>1. IDPs reflect disability indicators and are budgeted for.</li> <li>2. Disability policies in DLGs and municipalities</li> <li>3. Budgets reflect line items for disability programming</li> </ol>	<p>2010</p> <p>2011</p> <p>2011</p>	<p>Municipal Managers ( or their delegates) in respect of municipalities</p> <p>IDP Managers</p> <p>Heads of Provincial DLGs in respect of provinces</p>

## 5.1 MUNICIPAL TRANSFORMATION AND ORGANIZATIONAL DEVELOPMENT

(continued)

NUMBER	MEASURABLE OBJECTIVES	ACTIVITIES	OUTPUTS AND INDICATORS	TIME FRAME	RESPONSIBILITY
3	Promoting awareness on disability issues	<ol style="list-style-type: none"> <li>Undertake awareness-raising campaign/ programmes on disability and disability rights</li> <li>Train leaders and officials on disability mainstreaming</li> </ol>	<ol style="list-style-type: none"> <li>Municipalities with access and resources to procure technical expertise for disability work</li> <li>Internal capacity to manage disability work in municipalities and DLGs enhanced</li> <li>Relevant disability-friendly materials and communication tools developed and utilized</li> </ol>	<p>2010</p> <p>2012</p> <p>2010</p>	<p>the <b>dplg</b></p> <p>SALGA</p> <p>DPOs</p> <p>Provincial DLGs and Municipalities</p>
4	Developing capacity building programmes for people with disabilities	<ol style="list-style-type: none"> <li>Empower and capacitate people with disabilities to participate in key municipal processes and activities</li> <li>Implement comprehensive awareness-raising programmes aimed at educating disabled persons themselves about how to make submissions to select committees and utilize policies/legislation of benefit to them</li> <li>Conduct awareness-raising work around disability policies and legislation, particularly in relation to implementation and enforcement strategies</li> <li>Implement events to create awareness and commemorate special Disability Days</li> <li>Appropriately adapt and disseminate materials, including newsletters, pamphlets and research results on disability framework/legislative provisions, in accessible formats</li> <li>Mobilize financial and other resources for the implementation of this framework, including the monitoring and evaluation strategy and capacity-building plans</li> </ol>	<ol style="list-style-type: none"> <li>Skill development audits undertaken</li> <li>Skill development plans developed</li> <li>A number of submissions to the council with disability-specific issues</li> <li>Empowered people with disabilities participating in wards, councils and special programmes units</li> <li>A number of awareness sessions on disability legislations organized for people with disabilities</li> <li>Accessible information (in Braille and audio transcript)</li> <li>Disability policies and strategies with allocated resources for implementation</li> </ol>	<p>2012</p> <p>2013</p> <p>2014</p> <p>2009</p> <p>2014</p>	<p>Provincial DLGs and municipalities</p>

## 5.1 MUNICIPAL TRANSFORMATION AND ORGANIZATIONAL DEVELOPMENT

(continued)

NUMBER	MEASURABLE OBJECTIVES	ACTIVITIES	OUTPUTS AND INDICATORS	TIME FRAME	RESPONSIBILITY
5	Ensuring and providing for physical and intellectual accessibility within the local government sphere for councillors with disabilities, local government employees and the visiting public	<ol style="list-style-type: none"> <li>Undertake access scan of provincial departments and municipality buildings</li> <li>Capacitate leadership and officials to enable them to provide reasonable accommodation for people with disabilities</li> <li>Facilitate adjustments to buildings for universal access to provincial and municipal facilities in line with the Building Regulation Standards</li> <li>Ensure availability of materials in accessible formats. e.g. Braille, audio transcript and sign language interpretation in case of hearing impairment</li> </ol>	<ol style="list-style-type: none"> <li>Evaluation report on provincial and municipal compliance with building regulation standards for people with disabilities</li> <li>Facilities that are accessible to persons with various disabilities in DLGs and municipalities</li> <li>Access to Sign and Tactile interpretation services</li> <li>Access to information in Braille, tapes and other accessible formats</li> </ol>	<p>2010</p> <p>2013</p> <p>2013</p> <p>2014</p>	<p>Disability Coordinator</p> <p>Management in Provincial DLGs and municipalities</p>
6	Monitoring local government compliance with disability instruments	<ol style="list-style-type: none"> <li>Conduct a situation analysis on disability policy utilization in local government sphere</li> <li>Facilitate production and distribution of sector reports on performance and extent of disability mainstreaming and programming</li> <li>Plan targets for the next phase of the MTEF</li> </ol>	<ol style="list-style-type: none"> <li>Reports on the extent to which disability is mainstreamed in the local government sphere</li> </ol>	2011	<p>SALGA</p> <p>DPOs</p> <p>All Stakeholders</p> <p>the <b>dplg</b></p>

## 5.2 BASIC SERVICE DELIVERY

NUMBER	MEASURABLE OBJECTIVES	ACTIVITIES	OUTPUTS AND INDICATORS	TIME FRAME	RESPONSIBILITY
1	Ensuring that people with disabilities have accessible water points, electricity and sanitation facilities	<ol style="list-style-type: none"> <li>1. Qualifying people with Disabilities on Indigent policy</li> <li>2. Produce disability-friendly information on Indigent Policy</li> <li>3. Develop database of indigent members</li> <li>4. Implement Indigent policy</li> <li>5. Educate and raise awareness of municipal services to people with disabilities</li> <li>6. Monitor and report services accessed by people with disabilities</li> <li>7. Set targets for provision of basic services in municipal planning tools and processes</li> </ol>	<ol style="list-style-type: none"> <li>1. Increase in number of people with disabilities accessing basic services</li> </ol> <p>Provision of accessible, affordable, and sustainable basic services to people with disabilities</p>	2014	Provincial Local Government, Municipalities
2	Ensuring that sanitation services are accessible	<ol style="list-style-type: none"> <li>1. Research and develop appropriate sanitation system for people with disabilities</li> <li>2. Explore alternatives to the existing sanitation system for disabled people</li> </ol>	<ol style="list-style-type: none"> <li>1. Accessible sanitation system for people with disabilities</li> <li>2. Provision of acceptable, affordable and sustainable sanitation system</li> </ol>	2014	the <b>dplg</b> SALGA Municipalities
3	People with disabilities included in MIIS within a universal design framework; recognizing people with disabilities as users, stakeholders and contractors/suppliers.	<ol style="list-style-type: none"> <li>1. Revise the Municipal Infrastructure Investment Policy and Strategy to include universal design principles and the needs of disabled people.</li> </ol>	<ol style="list-style-type: none"> <li>1. Mainstreamed MIIS and Disability Framework</li> </ol>	2014	the <b>dplg</b> SALGA Municipalities
4	Mainstreaming disability issues into sector plans and in PGDSs, IDPs and NSDP.	<ol style="list-style-type: none"> <li>1. Review sector plans to facilitate attainment of disability objectives</li> <li>2. Facilitate inclusion of disability targets in IDPs</li> </ol>	<ol style="list-style-type: none"> <li>1. Sector Plans, PGDSs, IDPs and NSDP conferring benefits on disabled people</li> <li>2. IDPs with specific disability targets</li> </ol>	2010	the <b>dplg</b> Department of Labour Provincial DPLGs

5.2 BASIC SERVICE DELIVERY

(continued)

NUMBER	MEASURABLE OBJECTIVES	ACTIVITIES	OUTPUTS AND INDICATORS	TIME FRAME	RESPONSIBILITY
5	Planning of resource for implementation of municipal disability strategies	<ol style="list-style-type: none"> <li>1. Develop disability policy and plans</li> <li>2. Allocate resources</li> <li>3. Integrate capacity building of the officials for implementation of the policy and achieve inter-sectoral collaboration for the benefit of disabled people</li> <li>4. Include disability issues in the programmes for line function departments</li> </ol>	<ol style="list-style-type: none"> <li>1. Implementation plan with disaggregated budget for disability activities</li> <li>2. Number of projects dedicated to people with disabilities</li> </ol>	<p>2010</p> <p>2011</p>	the <b>dplg</b> SALGA Municipalities
6	Providing sustainable, accessible and affordable community services to people with disabilities in municipalities	<ol style="list-style-type: none"> <li>1. Facilitate planning and resource mobilization for community services to individuals and groups of people with disabilities</li> <li>2. Promote access to recreation and sports for people with disabilities</li> <li>3. Monitor and evaluate participation and programmes of benefit to people with disabilities</li> <li>4. Improve the capacity and access to funding, human resources and expertise for disability groups taking part in sports, arts, cultural and other activities</li> </ol>	<ol style="list-style-type: none"> <li>1. People with disabilities have access to and benefit from all community services</li> <li>2. People with disabilities actively participating in sports, arts, cultural activities within a barrier-free environment</li> <li>3. Amateur and professional arts and cultural groups of people with disabilities formed, capacitated, promoted and funded through inter-departmental cooperation</li> <li>4. People with disabilities fully knowledgeable and with full access to amenities within all local government entities</li> </ol>	<p>2010</p> <p>2013</p> <p>2014</p> <p>2014</p>	Municipalities and DLGs

### 5.3 LOCAL ECONOMIC DEVELOPMENT

NUMBER	MEASURABLE OBJECTIVES	ACTIVITIES	OUTPUTS AND INDICATORS	TIME FRAME	RESPONSIBILITY
1	Promoting the implementation of economic initiatives, practices and policies that benefit people with disabilities in local municipalities	<ol style="list-style-type: none"> <li>1. Facilitate allocation of 5% of LED programme/tenders to people with disabilities</li> <li>2. Facilitate implementation of procurement criteria</li> <li>3. Identify suitable business opportunities and negotiate, plan and implement business linkages</li> <li>4. See that people with disabilities are included in contractor development programmes and awarded tenders in line with the Preferential Procurement Act</li> <li>5. Facilitate the conclusion of procurement and supply contracts for the benefit of a percentage of people with disabilities</li> <li>6. Facilitate training of project holders</li> <li>7. Link people with disabilities to SMME schemes and other LED opportunities</li> <li>8. Implement training and capacity development strategies for groups of people with disabilities</li> </ol>	<ol style="list-style-type: none"> <li>1. A specific percentage of tenders allocated to people with disabilities</li> <li>2. SMMEs able to unlock value through new investments in projects each year for the full duration of the strategic framework</li> <li>3. Well-organised and viable economic initiatives of benefit to people with disabilities able to generate income on a sustainable basis</li> <li>4. Enhanced job creation capacity</li> <li>5. Economic empowerment ventures or procurement contracts including people with disabilities as active partners</li> </ol>	<p>2009</p> <p>2010</p> <p>2011</p> <p>2012</p> <p>2014</p>	LED Manager
	Planning projects for people with disabilities and integrating them into LED and PGDS	<ol style="list-style-type: none"> <li>1. Implement and complete all planning and resource mobilization work for LED projects of people with disabilities</li> </ol>	<ol style="list-style-type: none"> <li>1. People with disabilities participating in LED projects</li> <li>2. LED projects of people with disabilities implemented by capacitated project holders</li> </ol>	2010	the <b>dplg</b> SALGA Province Municipality

### 5.3 LOCAL ECONOMIC DEVELOPMENT

(continued)

NUMBER	MEASURABLE OBJECTIVES	ACTIVITIES	OUTPUTS AND INDICATORS	TIME FRAME	RESPONSIBILITY
2	Ensuring capacity and skills transfer to people with disabilities	<ol style="list-style-type: none"> <li>1. Develop and implement comprehensive capacity development programme for contractors with disabilities</li> <li>2. Include people with disabilities in national support strategies by SOEs</li> </ol>	<ol style="list-style-type: none"> <li>1. SOE support strategy includes people with disabilities.</li> <li>2. Capacity development strategy for people with disabilities.</li> </ol>	<p>2010</p> <p>2011</p>	Municipality
3	Mainstreaming disability programme components in the National Framework for LED.	1. Initiate LED sessions aimed at integrating disability components in rural and urban development strategies and projects.	1. Mainstreamed disability components	2009	the <b>dplg</b> SALGA Province Municipality
4	Developing and implementing a monitoring and evaluation framework for LED projects of people with disabilities.	1. Inform and implement monitoring and evaluation framework with the participation of DPOs.	1. Progress tracked through an effective Monitoring and Evaluation framework	2009	the <b>dplg</b> SALGA Province Municipality

## 5.4 MUNICIPAL VIABILITY AND FINANCIAL MANAGEMENT

NUMBER	OBJECTIVES PLANNED DISABILITY WORK	ACTIVITIES	OUTPUTS AND INDICATORS	TIME FRAME	RESPONSIBILITY
1	Local Government Equitable Share (LGES) and other grants as well as own municipal generated funds benefit identifiable groups of people with disabilities at municipal level.	1. Plan and implement projects that are owned and managed by people with disabilities with support from the LGES and other grants.	1. Grant-funded projects with capacity to create employment for people that are disabled.	2010	the <b>dplg</b> SALGA Province Municipality
2	Ensure that budgetary allocations to disability work are utilized efficiently and effectively	1. Study all aspects and components of policies and strategies that emanate from the Disability Framework to determine budgets needs. 2. Allocate budgets to agreed priorities. 3. Monitor through financial reports and audits. 4. Evaluate effectiveness and efficiency in utilization of budgets.	1. This Disability Framework and resultant policies/strategies at local levels with adequate budgets for agreed priority activities 2. Financial resources allocated to the implementation of the Disability Framework, related policies/ strategies by the provincial and local government for mainstreamed disability components. 3. Disability budgetary allocations adequate to implement planned disability/mainstreamed work. 4. Efficient, effective and appropriate use of funding allocated for disability work.	2010  2011  2012  2014	Municipal Manager
3	Mobilize resources for disability components in this Disability Framework and resultant strategies	1. Ensure that disability components are budgeted for in the relevant strategies 2. Conduct research to identify possible sources of funding 3. Allocate funding and other resources to mainstream disability work	1. Funded disability strategies	2011	the <b>dplg</b> SALGA Province Municipality

## 5.5 PUBLIC PARTICIPATION AND GOOD GOVERNANCE

NUMBER	OBJECTIVES PLANNED DISABILITY WORK	ACTIVITIES	OUTPUTS AND INDICATORS	TIME FRAME	RESPONSIBILITY
1	Promoting participation and representation of people with disabilities in municipal affairs	<ol style="list-style-type: none"> <li>1. Identify and encourage participation and representation of NGOs (serving interests of people with disabilities) in municipal agenda</li> <li>2. Notice of consultations directed to NGOs representing interests of people with disabilities</li> <li>3. Reasonable accommodation of special needs of people with disabilities</li> </ol>	<ol style="list-style-type: none"> <li>1. Database of NGOs serving interest of people with disabilities</li> <li>2. Number of people with disabilities serving in municipal structures e.g. ward committee members with disabilities</li> <li>3. Assistive devices and accessible consultation venues and material</li> </ol>	<p>2009</p> <p>2010</p> <p>2009</p>	<p>Municipal Managers</p> <p>IDP Managers</p> <p>Heads of Provincial DLGs and municipalities</p> <p>Public participation Units</p>
2	Ensuring transparency and accountability for disability inclusion	<ol style="list-style-type: none"> <li>1. Disability community-based ward consultations and planning.</li> <li>2. Disability community participatory budgeting initiatives</li> <li>3. Progress reporting on the implementation of disability community plans</li> </ol>	<ol style="list-style-type: none"> <li>1. A plan outlining disability inclusion</li> <li>2. Disaggregated budget report on disability expenditures</li> </ol>	2010	<p>Municipal Managers</p> <p>IDP Managers</p> <p>Heads of Provincial DLGs and municipalities</p>

## PART SIX: MONITORING AND EVALUATION

The **dplg** and SALGA will be responsible for monitoring and evaluation of the implementation of the framework. Checklists linked to the implementation tables of this Framework have been developed, presenting key areas and targets that should be assessed in order to determine progress (or lack of it) in the implementation of policies, strategies and plans that are informed by this Disability Framework. The indicators to be measured are outlined under each key performance area of local government.

For effective monitoring and evaluation of the implementation of the framework, the factors in the table below should be considered.

NUMBER	KEY FACTORS	ACTIVITIES	MEANS OF VERIFICATION	TIME FRAME	RESPONSIBILITY
1	Monitoring of implementation of Disability Framework recommendations	Development of indicators for monitoring and evaluation of the implementation of recommendations in this framework  Utilize existing monitoring system to mainstream disability components with M & E processes.	Measurable indicators.  Progress reports on the implementation of the Disability Framework.  Improved accountability and feedback on the implementation of the Disability Framework.	2010	the <b>dplg</b> SALGA Province Municipality
2	Ensuring that budgetary allocations for disability work are utilized efficiently and effectively	Facilitate disaggregated approach of reporting budget expenditures	Disability disaggregated budget reports	Annually	the <b>dplg</b> SALGA Province Municipality

NUMBER	KEY FACTORS	ACTIVITIES	MEANS OF VERIFICATION	TIME FRAME	RESPONSIBILITY
3	Evaluation of the implementation of Disability Framework recommendations	Implement an annual evaluation of the Disability Framework covering all provinces, based on a credible sample.	Progress made in the implementation of the Disability Framework, ascertained with recommendations for future phases of the Framework.	Annually	the <b>dplg</b> SALGA Province Municipality
4	Participation in Monitoring and Evaluation	Ensure that stakeholders participate in the monitoring and evaluation process.	Monitoring and evaluation reports	Annually	Disability Sector Provincial Forums Other Stakeholders

## 6.1 MUNICIPAL TRANSFORMATION AND ORGANIZATIONAL DEVELOPMENT

Monitoring and evaluation should assess the following indicators:

- Available staff positions, including middle and senior management, allocated to qualified people with disabilities.
- At least 2% of staff positions, including middle and senior management, allocated to people with disabilities, with adequate provision for reasonable accommodation, all-round accessibility and skill enhancement opportunities.
- Councillors and members of local government structures able to monitor and play an oversight role on disability components in mainstream legislation.
- Committees to enforce the provisions of existing disability policies and mainstreamed legislation and ensure inclusion of disability in new laws.
- SALGA's capacity to facilitate the provision of training in the monitoring of disability indicators to local government councillors.
- Members of committees related to disability and the local government sphere, particularly portfolio and select committees, able to play an effective oversight role and call local government role players to account on the implementation of disability framework.

## 6.2 BASIC SERVICE DELIVERY

Monitoring and evaluation should assess the following indicators:

- Prevalence of disabilities in the province and municipality.
- Service delivery models that enable people with disabilities to access service delivery be developed, piloted and replicated.

- A percentage of families with people with disabilities in need of water, electricity and sanitation identified, mobilized and supported each year.
- Accessible service delivery models mainstreaming disability components in local government departmental sector plans.
- Availability of resources to implement disability policies and strategies.
- Local government sphere: all public buildings and other facilities accessible to persons with different form of disabilities.
- Improved access to Sign and Tactile interpretation services
- Improved access to information in Braille, tapes and other accessible formats.
- Measures to support all disabled councillors.
- All local government spheres' strategic plans with clear disability-related objectives, outputs, and activities.
- Disability policies/strategies adopted by local government entities, such as IDP, including disability as a cross-cutting issue in all development and sector planning/operations.
- Policies, strategies and processes in the field of local municipality planning, housing, architecture, transport, planning, operations and traffic engineering and others including disability work.
- Adapted transport for people with disabilities being made more available for utilization by people with disabilities.
- Spatial, housing, land and transport investment plans and programmes including the needs of disabled people.
- People with disabilities actively participating in sports, arts, cultural activities within a barrier-free environment.
- Mainstreamed policies and strategies providing benefit to urban/rural people with disabilities.
- Budgetary and human resources allocated to disability work.

### 6.3 LOCAL ECONOMIC DEVELOPMENT

Monitoring and evaluation should assess the following indicators:

- A certain percentage of entrepreneurs with disabilities per year capacitated, provided with project capital, and facilitated to enter and remain in business.
- A percentage of businesses with a combined membership with people with disabilities transformed into viable business-oriented organizations, able to:
  - ◆ Manage profitable businesses
  - ◆ Advocate for the economic rights of their members
  - ◆ Effectively utilize group resources in order to achieve financial viability and employment for all members of the group
  - ◆ Integrate fully all categories of disability represented in each group
  - ◆ Mobilize and involve women and youth with disabilities in project activities
- A percentage of people with disabilities per year participating in LED and PGDS projects and running viable economic ventures in each municipality.
- LED and PGDS integrating disability components in rural and urban development strategies and projects.
- Government policies on economic empowerment implemented for the benefit of people with disabilities.
- A percentage of medium-scale economic empowerment ventures or procurement contracts including people with disabilities as active partners.

- A percentage of people with disabilities able to unlock value through new investments in well-organized and viable economic initiatives that generate income on a sustainable basis.

#### 6.4 MUNICIPAL FINANCIAL VIABILITY AND MANAGEMENT

Monitoring and evaluation should assess the following indicators:

- Financial resources allocated to the implementation of the Disability Framework by the provincial and local government for mainstreamed disability components.
- Grant and own municipally generated funded projects having the capacity to create employment for people with disabilities supported by the LGES and other grants.
- Efficient, effective and appropriate use of funding allocated for disability work evident and able to be accounted for.

#### 6.5 GOOD GOVERNANCE AND PUBLIC PARTICIPATION

Monitoring and evaluation should further assess the following indicators:

- Empowered people with disabilities participating in wards, councils and special programmes/units.
- Disability units and focal points established in municipal managers' offices and linked to municipal programmes.
- Disability units and focal points having adequate capacity to address people with disabilities.

#### 6.6 OTHER ASSESSMENTS

Check that:

- Disability issues are mainstreamed in policies and service delivery.
- DPOs were utilized and consulted during planning, implementation, monitoring and evaluation.
- A plan was drawn up to cater for people with disabilities in the event of disaster.
- The implementation of such policies as Job Access and Code of Good Conduct took into account the different needs of people with disabilities.
- Local government entities worked with different government departments in mainstreaming disability.

## CONCLUSION

The **dplg** and the local government sphere have demonstrated commitment to making the hope of “a better life for all” possible for men, women, children and youth with disabilities. A great deal of progress has been made by some municipalities and provincial departments. This Disability Framework will hopefully contribute towards escalating efforts already initiated.

The disability movement has coined the slogan: Nothing about us without us. The participation of people with disabilities in all the processes linked to the Disability Strategy is crucial if success is to be realized.

**The UN Convention on the Rights of Persons with Disabilities**, already ratified by South Africa, articulates principles that are related to the current line of thinking within this Disability Framework with regard to disability policies, philosophy and principles. The Disability Framework demonstrates our commitment to ensuring that the constitutional ideal of equality becomes a reality for disabled women, men, children, the elderly and youth through the implementation of the proposed measures.

## APPENDIX A

### DEFINITIONS

#### Accessibility

According to the Convention on the Rights of Persons with Disabilities (2007), accessibility refers to equitable access for persons with disabilities to all services, products and facilities on an equal basis with others. This includes access to the built environment, transportation, information, including information and communication technologies, live assistance and all other systems and facilities offered to the public.

#### Braille

Braille system is defined as a method that is widely used by blind people to read and write (Wikipedia, the free encyclopedia).

#### Disability

In 2005, the South African Cabinet adopted the following definition of disability for our country: "Disability is the loss or elimination of opportunities to take part in the life of the community equitably with others that is encountered by persons having physical, sensory, psychological, developmental, learning, neurological or other impairments, which may be permanent, temporary or episodic in nature, thereby causing activity limitations and participation restriction with mainstream society".<sup>10</sup> These barriers may be due to economic, physical, social, attitudinal and/or cultural factors. This definition should be read in conjunction with the UN Convention on the Rights of Persons with disabilities (2007), which recognises that disability is an evolving concept which results from the interaction between persons with impairments and attitudinal and environmental barriers. It recognises persons with disabilities as those persons who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.

#### Mainstreaming

Mainstreaming refers to the process of assessing the implications for people with disabilities of any planned action, including legislation, policies and programmes, in all areas and at all levels. It is a strategy for making the concerns and experiences of people with disabilities an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that people with disabilities benefit equally and that inequality is not perpetuated (Disability Knowledge and Research programme 2003 – 2005).

#### Reasonable accommodation

Reasonable accommodation refers to necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms (Convention on the Rights of Persons with Disabilities, 2007).

#### Universal design

Universal design means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed. "Universal design" means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. "Universal design" shall not exclude assistive devices for particular groups of persons with disabilities where this is needed (National Disability Policy).

<sup>10</sup> National Disability Policy

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