**ANED 2016-17 -Task Social Pillar (focus topics)**

**Country report Sweden**

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# Skills in transition to the labour market

## Main policy reforms or measures in education and training

*What are the main legal and policy frameworks providing for equality of learning opportunity for young people in your country, and have they changed since ANED reported on these issues in 2010? For example:*

* *What significant reforms or policy measures have been introduced in vocational education and training and how are young disabled persons affected by them?*
* *Are young disabled people in vocational skills programs covered by disability discrimination legislation beyond compulsory school age?*

All students, in both mainstream and special schools, who are in need of special support have the right to special support in order to achieve the minimum knowledge requirements in the national curricula. The Education Act (2010:800, 9§)[[1]](#footnote-2) stipulates that the student will be given prompt support in the form of additional adjustments in the ordinary education. The headmaster is responsible for the plan. All education should as far as possible correspond to the national curricula, but with the emphasis on meeting individual learning needs. The law applies to vocational training as well. In a few circumstances, this special support is offered in special settings.

There are special schools available for pupils with visual impairment combined with additional disabilities, deafness or hearing impairment combined with learning disabilities or severe speech and language disorders.

Schools can receive additional funding for students with special needs, if the student have a diagnosed disability. The policy goal is to give these students special support within their regular classroom environment. Statistics[[2]](#footnote-3) from the national Agency for Education show a decrease in the percentage of students with individual action plans from 14 percent in 2012/2013 to 6 per cent in 2015/2016. The decrease is probably due to the change in the law which came into force in 2014, which meant that many students no longer considered to be in need of individual action plans and specific support because the support measures are to be set out in the form of additional adjustments in the context of the regular curriculum.

Several studies point to a lack of accommodation as a possible reason for the low level of education of persons with disabilities. Lack of reasonable accommodation is, since January 2015, a form of discrimination in the Discrimination Act (2008: 567).[[3]](#footnote-4) Discrimination Act (2008:567)[[4]](#footnote-5) aims to combat discrimination and in other ways promote equal rights and opportunities regardless of sex, gender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. Lack of reasonable accommodation in education and vocational training counts as discrimination and fall under discrimination law. The law also includes a lack of support in education, which means that the school is responsible to implement reasonable measures to be fully accessible to all, including students with disabilities. In September 2015 the Discrimination Ombudsman (DO) reported that 40 of the 201 notifications received about lack of accessibility concerned schools. Most of the complaints concerned the lack of special support.[[5]](#footnote-6)

Vocational education and training (VET) in upper secondary schools[[6]](#footnote-7)

Upper secondary school is not compulsory in Sweden but there is a national policy goal for all students to complete upper secondary schools. The upper secondary school system is divided into 18 programs; 12 VET programs and 6 programs which prepare students for tertiary education. In the special upper secondary school there are 9 national VET-programs. All national programs in the special upper secondary school should include work placement-based learning (APL) for at least 22 weeks. For a student in the special upper secondary school, each week in a workplace shall correspond to 25 hours of guaranteed teaching time.[[7]](#footnote-8)

Traditionally the VET programs have had low completion rate in Sweden and in 2011 the GY11 reform introduced an apprenticeship track in the upper secondary schools VET programs to increase the link between VET programs and the labour market. As an apprentice the student do most of his/her workplace-based learning in a workplace. The apprenticeship pathway makes use of the same education plans as the school-based vocational training and results in same vocational qualification as the school placed vocational programs. Apprenticeship training in special upper secondary school means that the student carries out at least half of the education at one or more workplaces. Within the national programs of the special upper secondary school, apprenticeship training can start the first, second, third or the fourth academic year.

According to Ordinance (2011: 947)[[8]](#footnote-9) on state subsidies for secondary apprenticeship grants can be applied for by a school who organizes apprenticeship training in upper secondary school and special upper secondary school. It shall be used for the costs of developing apprenticeship training, compensation to employers who take apprentices and as compensation for trained supervisors.

Students with learning disabilities may attend Special upper secondary schools for individual with learning disabilities, if they are assessed unable to meet the learning goals in mainstream education (Arvidsson, 2015).[[9]](#footnote-10) Special upper secondary school consists of vocational national programs and individual programs for students who are in need of a customized education. In the autumn of 2016, 343,900 students were enrolled in upper secondary schools and 5920 students in special upper secondary school.[[10]](#footnote-11) When the students graduate from special upper secondary school they are not entitled to continue to university but may continue into municipal adult education or to Folk High Schools. The number of students in special upper secondary education has decreased by 25 percent between the academic years 2010/2011 and 2014/2015. Evidence suggests that more and more students choose one of the five introductory programs of the upper secondary school instead of a special upper secondary school programs after completion of compulsory school.[[11]](#footnote-12) There are five different kinds of introductory programs: (1) preparatory programs for students who want to attend a university preparatory program, (2) program-specific individual choice for students who want to attend a VET program, (3) language introduction program (for immigrants), (4) occupational introduction and (5) individual option. The introductory programs should be tailored to individual needs and according to the Education Act (2010:800, 9§)[[12]](#footnote-13) all students with support needs have the right to special support in order to achieve the minimum knowledge requirements. An individual action plan of support provision shall be drawn up by the teachers, in consultation with the learner themselves, their parents and specialist support teachers. The increase in students enrolled in introductory programs has occurred since the introduction of the new reform of the upper secondary school in 2013 (GY13).

The programs offered in Special upper secondary school are primary vocational but the schools face challenges when it comes to link education in special upper secondary school to working life.[[13]](#footnote-14) An opportunity for students to make connections with the world of work is through workplace-based learning (APL). Principals in special upper secondary schools point to the difficulty to find the number of internships required for upper secondary pupils with learning disabilities to get the APL place they are entitled to. The increasing number of students with large support needs can make it more difficult to find APL places that are relevant to the education. Other challenges with APL are difficulties to provide the right support for supervisors in the workplace and to design APL so that all of the students are able to master it.

Vocational education and training (VET) in adult education

Adult education consists of two school types: municipal adult education and special education for adults. Adults with developmental disabilities or acquired brain injury may apply for special education for adults (särvux). The goal of special education for adults is to give individuals the opportunity to develop their knowledge and skills in order to strengthen their position in the working and social life and to promote their personal development. In special education for adults, there has been a reduction of 12 percent between academic years 2010/2011 and 2014/2015/.[[14]](#footnote-15)

## Relevance of the National Youth Guarantee Implementation Plan and assessment report (for EU Member States)

*Are the policy measures described above all covered by the reforms outlined in the national Youth Guarantee Implementation Plan, or the Commission assessment of it? (EU Member States only)*

* *Are the needs of young disabled persons addressed in those documents, what is missing?*

Youths who lacks a school-leaving certificate from compulsory or upper secondary school are given opportunities to take part in municipal adult education or for studies at a folk high school. Youth who have reached the age of 20 are entitled to take part in the guarantee on a part-time basis, to allow them time to participate in municipal adult education courses or study Swedish for Immigrants. Statistics from the Youth Employment Delegation of youths who lacks school leaving certificate tell us about ethnicity, parent´s education levels and sex but there is a lack of statistics concerning disability.[[15]](#footnote-16)

However, the Government points to the fact that “given the high volumes in the Youth initiative program, not all young people have been able to obtain the measures that best meet their individual needs. For example, competition for workplace activities is hard when individuals from other vulnerable groups (newly arrived, disabled, long-term unemployed, etc.) are also in need of this measure”.[[16]](#footnote-17)

Persons with disabilities are not specifically addressed in the part concerning education in the Youth initiative policy. Disabled only mentioned in the above cited part in several documents[[17]](#footnote-18) about the Youth initiative policy.

## Availability and effectiveness of apprenticeship schemes

*Specifically, and in more detail, what is the current availability of apprenticeship schemes in your country and how beneficial are they for young disabled people? For example:*

* *What training schemes are available, how are they funded, and who is eligible for them?*
* *Are young disability people a target group for recruitment and what provisions exist to ensure that apprentices get reasonable adjustment, accessibility and appropriate support during their training?*
* *What evidence is there of take-up, or positive job outcomes, among young disabled people on such schemes?*

Apprenticeships in upper secondary school

Upper secondary school can provide apprenticeship education as part of their regular education program. Youth under 20 years of age are legally entitled to upper secondary education. According to Ordinance (2011: 947)[[18]](#footnote-19) on state subsidies for upper secondary apprenticeship grants can be applied for by a body who organizes upper secondary apprenticeship education in upper secondary school and special upper secondary school. It will be used for the costs of developing apprenticeship training, compensation to employers who take apprentices and as compensation for trained supervisors. There are no specific financial support or measures for young disabled in apprenticeship schemes. The apprentice has the right to special support if he or she needs special support, according to the Education Act (2010:800, 9§).[[19]](#footnote-20)

Apprenticeships for adults

There are no national schemes for apprenticeship specifically for adults with disabilities, but all apprenticeship schemes are open to persons with disabilities.

There are options of apprenticeship schemes in adult education. The educational requirements for apprenticeship education is the same as the corresponding education provided in other schools or in upper secondary schools. Municipalities are responsible for the adult education and can apply for government grants to finance the apprenticeship education for adults. Anyone who has completed Swedish primary school or the equivalent are eligible to apply for apprenticeships. On some courses the branches may require some prior knowledge in the field. Students in need of special support have the right to provision of special support which rest on an individual action plan of provision of support. (Education Act 2010:800, 9§).[[20]](#footnote-21) In a review[[21]](#footnote-22) of municipal adult education at the basic level it is concluded that only 40 percent of municipalities provide access to special education support in basic adult education.

Another possibility for adult apprenticeship is Higher Vocational Education (Yrkeshögskolan, HVE). HVE is a post-secondary form of education that combines theoretical and practical studies in close cooperation with employers and industry. The HVE provides customized training programs in close cooperation with working life, and the vast majority of courses combine theory with practice out on one or more workstations. It's called Learning in work (LIA). Programmes are offered in specific fields where there is an explicit demand for competence. In 2017 HVE have more than 100s courses in 15 different areas. In 2015, the proportion of students with disabilities who studied at HVE was 20 percent.[[22]](#footnote-23) The demands on support for adult students with disabilities are different in the different forms of education. In 2014 the requirements for support in HVE was strengthened and the education providers are now responsible for students who need special educational support have access to that kind of support. (Ordinance (2009: 130) about HVE).[[23]](#footnote-24) Students who are in education at the HVE are entitled to receive special educational support if s/he needs it to achieve the education goals. The education provider (headmaster) is responsible for ensuring that students receive the support s/he needs. If the need for special educational support is due to a disability, the school may receive a financial contribution from the Agency for Higher Vocational Education. The financial contribution should cover the extra support, which can be given in school settings and/or at the work place. The student must submit a documentation confirming the disability and the need for extra support. According to the Discrimination Act the school must take reasonable measures to adapt their facilities for the student´s need of adaptations.

There are seven programs in HVE (in 2017) where students can get extra support in their studies. On these courses a pedagogic support is already in place when the student begins the course. For those programs that offer enhanced support, the classes are smaller than normal, with a maximum of 25 students per class. In addition, the premises where the education is accessible to people with disabilities of any kind. Students may also be offered individual curriculum, additional teacher support and customized tests.

To ensure that education in the HVE is on a tertiary level the requirement for admission is high school diploma or equivalent (general admission). In addition to basic eligibility it may also be required special knowledge. A survey by the National Agency for Higher Vocational Education[[24]](#footnote-25) shows an increase in requirement for specific prerequisites for eligibility. A common requirement is the work experience which excludes young people who come directly from upper secondary school. It may especially exclude young persons with disabilities as they have had less access to work experience both in their educations[[25]](#footnote-26) and after school as persons with disabilities are unemployed at higher levels than the rest of the population. The memorandum Strengthening HVE - a boost for knowledge (Ds 2015: 41)[[26]](#footnote-27) therefore proposed that other entry requirements, like for example professional experience, then the requirement of basic eligibility or equivalent knowledge may only be set up if there are special reasons. The proposal came into force April 15, 2016, by amending the Regulation on the HVE.

## Example of good practice to achieve Youth Guarantee objectives

*Can you identify an example of promising policy/practice in your country that might help other countries to achieve the goals of the Youth Guarantee for young disabled persons?*

* *i.e. a policy or practice that might ensure more young disabled people receive a good-quality offer of employment, a continued education, or an apprenticeship or a traineeship.*

Several of most promising practices in Sweden are practices that built on the method Supported employment. In these practices a person with disabilities are given individual support by an employment specialist when entering the labour market and in maintaining a job. There are several good examples which has often started as projects, often funded by the European Social Funds. One of these projects is the project Job in sight – Apprenticeship. Project Organizer is the Activa foundation.[[27]](#footnote-28) The project shall develop a training model for apprenticeship for adults with mild intellectual disabilities aiming to become part of the ordinary education for the target group. The project started in 2016 and will last until 2019. In the project, at least 20 women and 20 men with mild mental retardation will be offered apprenticeship at a workplace of their choice. The apprentices will get support at the workplace from supervisors, who get supervision training, and employment specialists working in line with the method Supported employment. The project will also initiate and maintain a partnership with at least 40 employers, who will try the apprenticeship model and participate in the development of apprenticeship training. The project will also develop a form of collaboration between the municipal adult educations, the municipal adult activities for persons with disabilities, the PES and the Social Insurance Agency, in order to facilitate the establishment of apprenticeship.

# Access to the open labour market

## Relevant active labour market schemes

*What are the main policies or schemes that exist to support people with disabilities in employment and what policy changes have occurred in recent years? This question relates to pillar theme 4. For example:*

* *What measures exist to support people with disabilities to take up employment?*
* *Who is responsible for helping them and what help is available?*
* *Are these mainstream or disability specific schemes?*

The Public Employment Services (PES) is responsible for the active labour labour market schemes (Ordinance 2000:634)[[28]](#footnote-29) and the labour market policies concerning people with disabilities (Ordinance 2000:630).[[29]](#footnote-30) Within the PES job seekers with disabilities are offered a range of vocational rehabilitation measures and employment support. They can receive support in mainstream schemes and/or in schemes especially targeting people with disabilities.

Mainstream schemes

There are a range of mainstream schemes available at the PES under ordinance 2000:634, primarily in form of different kinds of pre-employment programmes, internships and labour market education. Persons with disabilities can take part in these schemes, and may receive extra support in the measures given within the schemes. Some of the schemes are even more available for persons with disabilities, like the labour market education people with disabilities can be assigned to the scheme before they reach age 25, which is the age limit for other job seekers. In some schemes, such as the labour market education in shortage occupations persons with disabilities participate at the same level as the proportion of persons with disabilities among registered unemployed.[[30]](#footnote-31) In other schemes, for example the Youth Job Guarantee[[31]](#footnote-32) (Ordinance 2007:813), statistics from the PES show that young persons with disabilities are underrepresented in the year of 2016.[[32]](#footnote-33)

Labour market policies concerning people with disabilities

The schemes in the labour market policies concerning persons with disabilities are covered by the Ordinance 2000:630.[[33]](#footnote-34) They are presented below.

Special support to start up a business

Persons with disabilities who want to start their own business can apply for special support at the start of business.

Wage subsidies

PES offers various types of wage subsidised employment for people with disabilities. In these forms of employment PES offers additional supervision as well as the opportunity to try out work aids.

Support to work aids

PES provides financial support to an employer or other person who has the costs of purchasing, renting or repairing work aids or other devices that a disabled person needs to perform his / her work tasks.

Sheltered employment at Samhall

Samhall is a state-owned nation-wide company whose core mission is to create work for people with different disabilities. Work at Samhall can be offered to job seekers who have a great need for support and supervision in work.

Special introductory and follow-up support – SIUS

For those who need individualised support to reach and maintain a job in the mainstream labour market, PES can provide support in the form of a SIUS consultant. SIUS stands for Special introduction and follow-up support and it is a program within the PES which annually supports approximately 10 000 persons with disabilities.

Personal assistance at work

If the employee with disabilities needs to get additional support from someone in the workplace, PES can compensate the employer for a personal assistant who provides that kind of support in the workplace.

If needed, PES can also provide psychosocial adjustment support, often in form of a dialogue between PES and the employee if needed.

Special support for persons with vision or hearing disabilities

People with vision or hearing loss can be supported by a deaf specialist, vision specialist, audiologist or other professionals in the field. People who use sign language can receive sign language interpreter (or writing interpreter, or an interpreter in tactile sign language) at meetings and activities at PES. For employees who must attend a course or education at work, employers can apply for funding for interpreter costs. Self-employed persons with disabilities can also get this kind of support.

There are also a range of schemes are especially targeting young job seekers with disabilities under Ordinance 2000:628,[[34]](#footnote-35) in which they can receive guidance, specialist support or customisation of the workplace at the transition from school to work. The Employment Service also collaborates with the Social Insurance Agency to increase the possibilities for employment for those who receive activity compensation under the Social Insurance Code (Ordinance 2010: 1710).[[35]](#footnote-36)

## Support for flexible working arrangements

*What measures exist to permit or support flexible working arrangements for persons with disabilities? This question relates to pillar theme 2. For example measures that support:*

* *Working at non-standard times or non-standard hours, working from home etc.*
* *Please identify any examples of promising practice*

There are no specific measures within the PES that support flexible working arrangements concerning, for example, working at non-standard times or non-standard hours or working from home, for persons with disabilities. However, individual agreements between employer and employee can be made within the frame of wage subsidized employments. Wage subsidized employments are governed by mainstream employment laws. The 2nd chapter. Section 1 of the Work Environment Act (1977: 1160)[[36]](#footnote-37) states that working conditions must be adapted to people's different conditions in physical and mental terms. The Act also states, in chapter 3, §3 that the employer shall, by adapting the working conditions or taking other appropriate measures, take account of the worker's special conditions for the work. When planning and organizing work, consideration must be given to the fact that people's ability to perform tasks is different. However, when it comes to working time the Swedish Working Hours Act (1982:673)[[37]](#footnote-38) concerns only the maximum one may work per day, per week and per year, not flexible work arrangements.

There has been a growing use of Supported employment-methods in Sweden where persons with disabilities get support in customizing an employment situation where they can get procure and maintain a job in the open labour market. The customized employments are often agreements between the employer and the employed with flexible work arrangements.[[38]](#footnote-39)

## Support for workplace adaptions

*What support is available for workplace adaptions for workers with disabilities? This question relates to pillar theme 9. For example:*

* *What are the eligibility conditions? What level of funding is provided and who receives it?*
* *What is the employer’s responsibility or liability? Does this depend on the size of the business?*

Work aids for persons with disability are regulated in the Ordinance (2000: 630) on special measures for persons with disabilities with reduced work ability[[39]](#footnote-40) and in the chapter.[30. 5 § in the social insurance code (2010:110)](https://lagen.nu/2010:110#K30P5)[[40]](#footnote-41) Support at the workplace in terms of assistive devices or physical adaptation can be provided up to a certain amount of money[[41]](#footnote-42) Personal assistance is accessible for those with certain functional impairments who need assistance to eat, communicate, and dress, to manage personal hygiene, and to go out of the home, and for enabling the person to live an independent life. This support is to manage with personal needs and to live a life of full participation in society. The right to personal assistance is regulated in the Act concerning Support and Service for Persons with Certain Functional Impairments of 1993.[[42]](#footnote-43) Technical aids are provided through the county governments or through the municipalities, for those with impairments. The cost for technical aids varies between counties; some counties provide all equipment free of charge and others take minimal fees. The Health and Medical Service Act of 1982[[43]](#footnote-44) regulates the provision of equipment. The Public Employment Services can provide physical adaptations and assistive devices in recruitment, placement, employment training, or in start of own business. The social insurance agency can provide grants for work aids to employees returning to work after a longer period of sick leave or preventively. Both employees and employers can be granted work aids.[[44]](#footnote-45) The employer applies for grants concerning work aids or adaptations in the property, i.e. that a machine or building needs to be rebuilt. If work aid is individual in nature the employee applies for the grant. Soft adaptations (e.g. reduced work load, slower pace) are not covered specifically but the wage subsidy should cover such costs.

Regulations on occupational adaptation and rehabilitation (AFS 1994:1)[[45]](#footnote-46) describes how working conditions must be adapted to the worker's specific conditions for work. According to the work environment Act (1977:1160),[[46]](#footnote-47) the employer shall ensure that there is an appropriate organization and routines for work adaptation and rehabilitation.

The work environment authority statutes (AFS 1994:1)[[47]](#footnote-48) describes in section 2 that the employer shall organize and conduct operations of work adaptation and rehabilitation for workers. According to Chapter 2. Article 1, first paragraph, of the work environment Act, the working conditions shall be 'adapted with respect to people's physical and psychological conditions'. According to Chapter 3. Paragraph 3 of the second paragraph, the employer ' by adapting working conditions or take any other appropriate measure taking into account the worker's specific conditions for work '. In so doing, the employer shall in particular take into account if the individual worker has any disabilities or other limitation of working ability. The aim of the personal work adaptation is to take such action in the work environment that the employee can remain in or return to their ordinary work.

Measures that can be taken is the provision of technical aids and special equipment or changes in the physical work environment. Changes may also need to be made in the work organization, the division of labour, tasks, working hours, working methods, as well as the psychological and social conditions. Other measures may include special information efforts, job training or work trials. Change of position or individual support may also be relevant.

Grants for working aids and adaptation of the workplace can be applied for both in rehabilitative and preventive purpose. Persons can get grants to work aids through the Social insurance agency[[48]](#footnote-49) if they (1) have a disability that makes it difficult to cope with the work, (2) participate in rehabilitation, and (3) need help to be able to return to work. Both persons who have been employed for at least 12 months, self-employed workers and employers can get grants. Eligible are those who has an illness or disability that makes them need work aids, has worked for the employer for more than 12 months, are under the age of 67 years and are insured in Sweden. The grant is normally not more than SEK 50,000 (app. 5110 euros). If there are special reasons a higher amount may be granted. The specific reasons are investigated by the Social insurance agency.

The PES[[49]](#footnote-50) is responsible for work aids that persons with disabilities need to be able to get a new job, start their own business, and participate in active labour market measures or in internships arranged by an education provider. The PES is also responsible for work aids that persons with disabilities need during the 12 first months of employment. In wage subsidized employments is the PES responsible even after 12 months of employment. Grants can be given to aids up to the amount of SEK 100 000/year (app. 10 220 euros). If the aids are computer-based or if there are specific reasons a higher amount can be granted. The employer can also get grants up to the amount of SEK 100 000/year (app. 10 220 euros) for providing work aids. If the employee is in a wage subsidized employment the grant can be given as long as the wage subsidized employment continues.

Employers can get grants for specific adaptations of the workplace when an employee needs support to re-enter into work after a long-term sick leave or when an employee with disabilities need support to maintain his or her employment.[[50]](#footnote-51) The grant can be used to buy or to hire a work aid, do an expert evaluation in order to find the appropriate aids for the employee or to repair an aid. The employer is responsible for the work environment and cannot get grants to aids or adaptations that are general accessibility standards in the workplace. The grant is up to SEK 50 000 (app. 5110 euros). If there are specific reasons the employer can be granted a higher amount, if for example the aid is necessary for the employee to be able to continue in his or her work.

## Evidence on non-standard wages

*How are wages set for workers with disabilities outside the open labour market? This question relates to pillar theme 8. For example:*

* *What provisions regulate the wages of people with disabilities employed in sheltered workshops or forms of adapted employment (alternative / segregated / supported …)?*
* *Are there groups of workers who do not receive the minimum wage?*

Approximately 100 000 persons with disabilities are employed with wage subsidies.[[51]](#footnote-52) The use of wage subsidies is common in customized or supported employments. According to section 25 of the Ordinance (2005:1203)[[52]](#footnote-53) wage subsidies provides financial assistance to employers who have persons with disabilities and reduced work ability employed. The subsidy is a grant to the employer's wage cost for the employee. The wage subsidy is provided with a certain amount per working day. In the case of part-time work, the subsidy is reduced in relation to working time. The amount is determined with respect to the degree of loss of working capacity of the employee and to what portion of the employer's payroll that is eligible. The subsidy may not exceed the level needed to compensate for the reduction in working capacity.[[53]](#footnote-54) Wage subsidies can be provided up to four years. The subsidy may be extended beyond the fourth year of employment only if it is warranted, taking into account the worker's ability to work. Such extension should be reviewed regularly. Subsidized employment is covered by the Act (1982:80)[[54]](#footnote-55) on employment protection and shall not be less than the minimum wage in that area of work. Minimum wages are collective agreements between the employer unions and the trade unions.

Other forms of wage subsidies are the development employment and security employment. A development employment is customized work in a public or private employer for 12 months, aimed at that a person with a disability and reduced work ability get an opportunity to develop his or her work ability. Development employment may be extended at the twelve months, if there are special reasons. Financial support for the development employment is to be submitted to the employer in the same way as wage subsidies. The employees in a development employment are exempt from the Act (1982:80)[[55]](#footnote-56) of employment protection to reduce the risks for employers to employ people with unclear working ability.

A Security employment is a sheltered employment with an employer other than Samhall, for a person with a disability and reduced work ability whose needs cannot be met through other measures. Financial support is provided to the employer in the same way as wage subsidies. The PES should, at least every fourth year, examine that the size of the wage subsidies does not exceed the level needed to compensate the employee's reduction of work or the employer's specific costs. Security employments are covered by the Employment protection act (1982:80).[[56]](#footnote-57)

## Employment conditions in sheltered workshops

*What conditions of employment exist for workers in sheltered workshops and how are these regulated? This question relates to pillar theme 7. For example:*

* *Describe the system of sheltered workshops generally: do sheltered workshops exist? Who is eligible to be employed in such workshops? Please indicate if there are different kinds of workshops and eligibility conditions.*
* *Does standard labour law apply to those employed in sheltered workshops? If not, what justification is given for differences in treatment? Including:*
* *Protection from dismissal*
* *Right to join a trade union and take industrial action*
* *Health and Safety legislation*
* *Right to be consulted and receive information from the employer*
* *Protection from discrimination*

According to § 32 of Ordinance 2007: 924[[57]](#footnote-58) sheltered employment is defined as employment for people with disabilities whose work ability is so reduced that they cannot get another job and whose needs cannot be met through other measures. Sheltered employment is available in two forms; at Samhall, or as a sheltered employment in the public sector (named Public sheltered employment).[[58]](#footnote-59)

Sheltered employment at Samhall begins when Samhall, after an assignment from the PES, employs a person with disabilities. Samhall is Sweden's largest employer of people with disabilities and in 2016 was about 20 000 people with disabilities employed at Samhall.[[59]](#footnote-60) Samhall is state-owned and has been commissioned to create jobs for people with disabilities. The PES are in charge of all employments at Samhall and decide who will get an employment at Samhall. The target group is people with disabilities with reduced work ability. There are no other eligibility requirements, but the person must be able to benefit from development in work for employment to be meaningful. Of the total number of persons registered in the PES´s specific measures for persons with disabilities about 20 percent are employed at Samhall.

Sheltered employment at a public employer begin when a public employer, after assignment from the PES, employs a person with a disability who has disabilities of social-medical art that reduces his or her work ability and is eligible for assistance under the Act (1993: 387)[[60]](#footnote-61) concerning support and service for certain disabled or who, or due to prolonged and severe mental illness previously had no contact with the labour market or has been away from the labour market for a long time.

The assignment to public sheltered employment cannot be made if the work is conducted in competitive business or sector. Financial support is provided to the employer in the same way as wage subsidies are.

The PES shall provide support for transition from sheltered work (at Samhall or public) to work in competitive jobs. The employees in a sheltered employment are exempt from the Act (1982:80)[[61]](#footnote-62) of employment protection. Rationale for the exemption is that sheltered work is seen as a labour market program, rather than an ordinary employment situation.[[62]](#footnote-63)

Daily activities are a sheltered workshop concerning persons with disabilities who are of working age and who are not gainfully employed. Eligible are people who have intellectual disabilities, autism or who have acquired a brain injury in adulthood and are covered by Act on support and service for certain disabled (LSS). In Sweden, more than 30 000 people in daily activities.[[63]](#footnote-64) People in the daily activities are not employed, but are offered a daily allowance in some municipalities. Remuneration varies but is generally low (e.g. around 5 euros / day) compared with paid work.

According to § 7 of the Act (2000: 625)[[64]](#footnote-65) on labour market programs, employees in subsidized employments or sheltered employment shall be treated as a worker for the purposes of these rules in the Working Environment Act (1977: 1160):[[65]](#footnote-66)

* Chapter 2. 1-9 §§ of the working environment,
* Chapter 3. 1-4 and 6-13 §§ of general obligations
* Chapter 4. 1-4 and 8-10 §§ of authorizations,
* Chapter 5. 1 and 3 §§ of minors
* Chapter 7. on supervision,
* Chapter 8. on sanctions, and
* Chapter 9. on appeal.

The Working environment act contains health and safety regulations and regulations about information.

Persons who work in subsidized employment or in sheltered employment have the right to join a trade union and take industrial action.[[66]](#footnote-67) They also have the right to protection from discrimination according to the Discrimination Act (2008:567)[[67]](#footnote-68) Protection from dismissal for workers with disabilities exists in both labour law and discrimination law. The Employment Protection Act (1982: 80)[[68]](#footnote-69) contains rules that limit an employer's possibility to dismiss his employees. In order for a dismissal to be compatible with the law, the law requires that the dismissal is on objective reason. According to the law, a dismissal may either be motivated for reasons relating to the employee personally (dismissal of personal reasons) or for reasons related to the activity (dismissal due to lack of work). If a worker is dismissed because of a disability, the dismissal may be motivated for personal reasons. The existence of a disability does not in itself mean that there is a reasonable reason for dismissal of the employee. The employer is obliged to rehabilitate the employee, carry out adaptation measures and investigate the possibility of relocation. As mentioned in the text above the employees in a sheltered employment are exempt from the Act (1982:80)[[69]](#footnote-70) of employment protection.

# Benefit caps and transitions

## Recent law and policy reforms

*How has the legal and policy framework changed for disability benefits for people of working age since the onset of the economic crisis. Have there been changes in the eligibility criteria (making them more difficult to claim or easier to claim)? This question relates to pillar theme 16.*

In connection with the current pension system introduced in 2003 disability pension was made part of the health insurance system and disability/sickness benefits in the earlier system was replaced by sickness and activity compensation.[[70]](#footnote-71)

Activity compensation is granted to young persons with disabilities who have a long-term reduced ability to work. Work capacity must be reduced by at least a quarter due to illness or disability which are expected to last for at least one year. Activity compensation cannot before granted the beginning of July, the year in which the insured reaches 19 years. It can be granted for up to three years at a time, but only until the insured reaches 30 years of age.

Sickness compensation can be granted from the age of 30. To be entitled to sickness benefits the workability of the insured must be permanently reduced by at least a quarter due to illness or disability. Sickness compensation can be granted until the insured turns 65 years of age. Since 2008, stricter rules apply for being granted sickness compensation. The insured's work capacity must be permanently reduced in all work of the labour market and rehabilitation possibilities should be exhausted. The purpose was to streamline the sick leave process and increase the possibilities for returning to work by establishing fixed times for the review of workforce, along with stricter rules for granting sickness compensation.[[71]](#footnote-72) The stricter rules have meant that fewer people, aged 30-65 years, have been granted the compensation.[[72]](#footnote-73)

Four different levels of sickness and activity compensation may be granted with respect to the reduction in work ability of the insured. The four degrees are full, three-quarter, half and a quarter benefit. Those who for any reason leave the sickness or activity compensation may, as a rule, apply for sickness benefits only after a three-month waiting period for the part related to the sickness or activity compensation.

Sickness benefit is given to those whose work ability is reduced by at least a quarter due to illness. It is the Social Insurance Agency, which assesses whether the applicant´s workability is reduced and deciding if he or she is entitled to sickness benefit. This assessment is based on fixed time limits, known as the rehabilitation chain, where the insured's work capacity is assessed based on various criteria. The rehabilitation chain can only be applied in all parts for employees. For unemployed the assessment of workability will be in relation to all kind of ordinary work taking place at the labour market.

Before January 1, 2016, the number of days that an insured normally could get sickness benefit were limited to 914. Since the time limit was introduced at the turn of the year 2009/10 until its abolition at the turn of 2015/16, there have been about 100,000 times when a person had to leave the sickness benefit because of the time limit in the sickness benefit or because their decision of sickness or activity compensation reached its limit.[[73]](#footnote-74) Many of those who were forced out of activity or sickness compensation return to the social insurance and received sickness benefit instead. The proportion has increased from around 55% in the year-end 2009/10 to almost 80% in 2014.Limitations in the number of sick leave days that can be paid has led to a deteriorating economic situation for many insured and the percentage of people who received income support from the local authorities have almost doubled after they no longer have the right to compensation from social insurance. The average annual income (wages and government transfers) decreased the year that people could no longer receive compensation from social insurance. For a small percentage of people the earned income increased, probably because they have gone to work after no longer had a right to compensation.

Since January 1, 2016 is the time limit in the social insurance is abolished as well as the waiting period of three months between sickness or activity compensation and sickness benefit, which was previously the main rule. The purpose of the abolition was that the time limit meant a deviation from the principle that persons suffering from a disease and who, as a result of this, cannot work should have financial protection. The stricter rules led to consequences; persons who did not recover their work ability lost their sickness benefits while being too ill to be able to participate in any meaningful work-oriented effort.[[74]](#footnote-75) As the abolition of the time limits took place quite recently there has been no long-term investigations of its influence yet. According to the rules there are no time limits for sickness benefit but after 365 days, insured are entitled to sickness benefit only if he or she cannot do any work in the regular labour market.[[75]](#footnote-76)

## Key changes in eligibility criteria for disability benefits

*What major policy reforms or developments have occurred in relation to out-of-work disability benefits, implemented or now proposed? This question relates to pillar theme 14*

* *Is there evidence of the number of people affected by these changes or the extent of their impact?*

The government announced in the Budget proposition of 2016 that it intends to review the opportunities for person in long-term activity or sickness compensation to work or study under a period of time while receiving sickness benefits (prop. 2015/16: 1 UO 10).[[76]](#footnote-77) The government also identified seven areas in need of development and where action needs to be taken during the mandate period to increase the health of the community, breaking the negative trend of (mental) ill-health and stabilize absenteeism. One area for improvement is the opportunities for young people with disabilities or illness to come into work. A working group has drafted a proposal that provides better opportunities for young people with disabilities or illness to come into work. The main proposals are:

1. Full sickness compensation is to be granted from the age of 19. The conditions for being granted full sickness benefit for those who are between 19-29 years will be the same as those that currently apply to be granted full sickness. Such sickness compensation granted to those who are under 30 years shall be calculated in the same way as the activity compensation and shall also be coordinated with other benefits in the same way as the activity compensation is coordinated. The proposal increases the security of the group of young people who have such severe disabilities that it is unlikely that they will ever be able to work.
2. Insured who have had activity compensation for at least a year and announces to the Social Insurance agency that he or she are going to study can, after application, retain activity support during a period of six months and at the same time make a study trial.
3. Insured who have had sickness compensation for at least a year and have the right to do a work trial with “resting sickness compensation” (sickness compensation is not paid during the period but is still granted) shall have the opportunity to receive an amount equivalent to 25 per cent of the sickness compensation during a period of 24 months instead of 12 months (which is the case today).

## Conditionality of out-of-work benefits

*To what extent is eligibility for out-of-work benefits conditional on active participation in job search or work-related activities? This question relates to pillar theme 14*

* *e.g. obligation of to apply for jobs, try out work, attend rehabilitation or training programs, accept less suitable job offers, etc.)?*
* *Is there any reasonable accommodation or support for disabled job seekers in these obligatory activities?*

In connection with a decision to grant an insured activity compensation, the Social insurance agency shall investigate whether the insured can participate in activities that are likely to have a beneficial impact on his or her medical condition or physical or mental performance during the period compensation shall be provided.[[77]](#footnote-78) If the insured person is deemed to be able to participate in activities the Social insurance agency shall, together with the insured, plan activities that are appropriate. The Swedish social insurance agency shall ensure that the planned activities will be conducted and facilitate for the insured to participate in these activities. The insured person must actively participate in his or her own rehabilitation. If the insured fails to comply the compensation may be taken away for some time. It is the Social Insurance Agency's task to take a stand on the right to financial compensation in connection with sickness or activity compensation and in time with rehabilitation activities.

Unemployment insurance is regulated in the Act on Unemployment Insurance[[78]](#footnote-79) (1997: 238) and the Ordinance on Unemployment Insurance[[79]](#footnote-80) (1997: 835). The unemployment insurance consists of two parts. One part is a voluntary income-related insurance (compensation ceiling 910 SEK / day). Compensation from this insurance is paid to persons who are members of an unemployment insurance fund. The second, basic insurance (compensation ceiling 365 SEK / day), is paid to persons who are not members of an unemployment fund or who have not been members long enough to be entitled to income-related compensation. Compensation from unemployment insurance is about 80 percent of your previous average income, during the first 200 days of unemployment. To receive income-related benefits, one must have been a member of an unemployment fund for at least twelve months (membership condition). One must also have satisfied work requirements during the period of membership. Other requirements for unemployment insurance is that one must be able to perform and take a job at least three hours each day and at least 17 hours per week, as well as one must be registered at the Employment Service, should have the intention to work and there should be nothing to prevent it. The unemployed jobseeker should also apply for jobs to “prove” that he or she have the intention the work. The job seeking of the unemployed is monitored by officials at the PES.

The unemployed person shall monthly inform the employment office which jobs he or she has applied for and what activities have been carried out to break the unemployment.[[80]](#footnote-81) It is important that the unemployed actively search for work considered appropriate for her or him by the officials at the PES. According to section 44 of the Act on unemployment insurance (1997: 238),[[81]](#footnote-82) work must be considered appropriate if, in the context of the availability of employment, due account has been taken of the applicant's conditions for work and other personal circumstances. However, disability is not mentioned there is no regulations in the Act on unemployment insurance and there are no regulations in the Act of any reasonable adjustment for a disabled person who is looking for work.

Activities in vocational rehabilitation may be adapted to suit the individual's needs. The PES offers work aids, financial and/or personal support. If the job seeker has need of aids, PES support with aids in new employment, internship, labour market training activities or when starting up your own business. Support can also be given in form of adaptations of the physical work environment. The job seeker has the right to sign language interpreter, if needed, when he or she take part in a measure which the employment service organizes. If the job seeker has a need to try his or her work ability an activity-based investigation can be conducted by the PES. In this investigation, the goal is to get a clearer picture of what job and work environment that suits the job-seekers, in order to continue planning for work. If the job seeker has a reduced work ability the PES, together with the applicant and his employer, can customize the work situation. If the job seeker need extra support to find an employer he or she can get special introductory and follow-up support, a measure built on the method Supported employment.

The employer may be compensated financially with a wage subsidy from the PES. If the job applicants on the basis of disability needs help of someone with certain tasks in the workplace, the employment service compensate employers who ensure that a personal assistant provides support in the workplace. The job seeker can also have a psychosocial adjustment support which means that the employment service's specialists talk to the manager about the job site requirements with the objective of developing a good psycho-social support and job climate for the applicant.

Young people with disabilities can get support in the transition from school to working life, for example through counselling, specialist support or adaptation of the work place.

Those who participate in an employment measure are generally entitled to activity support or development allowance from the Social insurance agency.

## Flexibility of financial support during transition into work

*Is there any financial system of allowance to support transitions from benefits into work for unemployed disabled persons? This question relates to pillar theme 14 and 16:*

* *e.g. financial support to try out work for a trial period without losing benefit entitlements?*
* *to subsidise wages, to avoid ‘benefit traps’ or to ‘make work pay’? How does this work?*

Those who receive sickness compensation or activity compensation have the opportunity to work or study for a period of up to 24 months without entitlement to compensation is considered, so called resting sickness- or activity compensation. Compensation shall only be declared resting when the work or studies are of such a nature and size that it requires that the insured person making use of a work ability for which he or she was deemed to lack when the decision about compensation was made. During the resting period the insured has the entitlement to compensation, but the compensation is not paid out. A decision on a resting period may only be made if the insured person has received compensation for at least 12 months immediately prior to the resting period. When the insured is not working or studying any longer, he or she is entitled to sickness compensation or activity compensation, without trial and in accordance with the original decision.

Since January 1, 2013, insured with activity compensation have the opportunity to resting activity compensation for up to 24 months regardless of how much time is left of the original decision. If the insured is still working or studying at the end of the period with activity compensation the compensation shall be extended corresponding to the remaining duration of the decision. To start a new 24-month period of resting compensation the insured must have had his compensation for at least 12 months since the earlier period with resting compensation ended. The reason for the change was that the government saw that further measures were needed to increase the financial incentives and the safety of the young people who receive activity compensation, to dare them to try out work.[[82]](#footnote-83)

Those who have had sickness compensation or activity compensation for at least one year can retain their compensation for up to three months while he or she is trying to work, On January 1, 2009 the opportunity to get activity-or sickness compensation paid during the three months was replaced by an economic stimulus. An insured person wishing to work with resting compensation can receive a monthly amount, equivalent to 25 percent of the part of the compensation that is resting. Originally the monthly amount could be paid as long as the compensation was resting, but at most 12 months during a single resting period of 24 months (prop; 2007/08:124).[[83]](#footnote-84) The provision was changed in January, 2013 so that the monthly amount may be paid to the insured persons with resting activity compensation during a period of 24 months against the previous 12 months.

When an insured person is in studies, sickness or activity compensation can be resting. Unlike paid employment, where parts of the compensation may be resting, in studies the whole sickness or activity compensation are always resting, regardless of the range of the studies. The individual is therefore not entitled to resting compensation for part-time studies. Nor have an insured who is studying with resting sickness or activity compensation right to the monthly amount of 25 per cent of the resting compensation.

There are relatively few young people working and studying with resting activity compensation.[[84]](#footnote-85) There is a steady increase in the number of young people who is working with resting activity compensation, but the increase is from a low level and it is still only a small percentage that makes use of this opportunity.

The Swedish National Audit Office has audited if the system of activity compensation is effectively in giving opportunities to activity to young people with long term reduced work ability.[[85]](#footnote-86) The overall conclusion of the Swedish National Audit Office is that the purpose of activity compensation is not reached, and that the compensation does not live up to the goal of an active approach to young people with reduced working ability. The Swedish National Audit Office believes that there is a lack of financial incentives for young to leave activity compensation for studies. The audit indicated that many in the group have problems that hinders studies on a full-time basis. If these young persons would choose to study on a part-time basis they lost the right to compensation. The risk is that people of that reason refrains from studies, which, according to the national audit office, creates a lock-in effect in system with activity compensation.

The employer can be compensated financially with a wage subsidy from the PES. There are different forms of employment with wage subsidies; Development employment, Security employment and Protected public-sector employment. Development employment is a temporary employment (up to 1 year) aiming at developing the employee´s work ability. The employee shall receive supervision and the opportunity to try out the aids and training if required. The Employment Protection Act (1982:80)[[86]](#footnote-87) does not apply to anyone who has a contract of Development employment. Security employment is a kind of sheltered work where wage subsidies can be granted for longer periods of time (up to four years at a time). It could be equalized with sheltered work but in the open labour market. Protected public-sector employment means sheltered work at public sector employers where the activity or sector is not exposed to competition. The employer will be given financial compensation from the State. Employment is limited to one year but may be extended. Employment Protection Act does not apply to those who have protected work for public employers.

## Example of good practice (avoiding ‘benefit traps’ or ‘making work pay’)

*Can you identify an example of promising practice in your country that might help other countries to ease the transition from benefits to work for persons with disabilities, and to avoid benefit traps?*

The resting sickness compensation or activity compensation is one stimulus that might ease the transition from benefits to work for persons with disabilities. However, anecdotic stories from insured persons tell that a lot of persons are still afraid that a job trial will deteriorate their chances to retain the compensation as they are being accessed to have work ability and by that they have no right to claim compensation even if the job trial fails or they are not offered an employment at the work place.

# Accessible housing

## Relevant law and policy

*Is there any definition of ‘accessible housing’ in national law or policy?*

* *If so, what is that? It is not necessary to provide us with detailed technical information about the accessibility standards.*
* *Are there any rules / requirements regarding the accessibility of newly built houses?*
* *Are there any rules / requirements regarding newly refurbished houses?*
* *Do these rules / requirements apply to the private sector, to social housing, or both?*

The accessibility of the built environment is governed by several laws and regulations such as the Planning and Building Act (PBL) (2010: 900)[[87]](#footnote-88) and the Planning and Construction Order (2011: 338).[[88]](#footnote-89) The accessibility of the built environment is also part of other legislation such as the Working Environment Act (1977:1160).[[89]](#footnote-90) Public housing (such as residential and social housing) are regulated by these laws. Since January 1, 2015 the lack of availability is a form of discrimination in the Discrimination Act,[[90]](#footnote-91) which include lack of physical accessibility. Discrimination law apply to goods, services or public housing. Regulations on accessibility applies both to existing public housing and to new buildings.

The Building Regulations, set by the National Board of Housing, Building and Planning, (regulations and guidelines, BFS 2011 6 3 112)[[91]](#footnote-92) is based on the following definition of accessible housing: "When the terms "accessible" and "useful" or "availability" and "usability" is used in this section it refers to "access and usability for people with reduced mobility or ability to orientation". (BFS 2013: 14).[[92]](#footnote-93) Examples of reduced mobility are impaired function in the arms, hands, torso and legs and poor balance. People with reduced mobility may need to use a wheelchair, cane or walker. Examples of reduced capability to orientation is impaired vision, impaired hearing or impaired cognitive capability (mental retardation, brain injury).

The overall requirements for accessibility and usability for people with reduced capability to mobility or to orientation is written in the Planning and Building Act (2010: 900), PBL, Chapter 8, as well as the Planning and Construction Order (2011: 338),[[93]](#footnote-94) PDB, chapter 3. The Planning and Building Act contains both design requirements and technical requirements regarding accessibility.

The National Board of Housing, Building and Planning have regulations on building, BBR, that are valid to both building and changing a building.[[94]](#footnote-95) The Building Regulations, BBR, contains regulations about the application of law. The regulations[[95]](#footnote-96) apply both when building a new or modifying an existing building, including the change of use of the building. The rules and regulations about accessibility apply to all kind of housing with a few exemptions. Holiday homes with no more than two houses are exempt. Workplaces are also exempted if it is unwarranted to make the premises available and useful in view of the nature of the business.

The land intended for building should be accessible and usable if it is not unreasonable in view of the terrain and other conditions. The same regulations about accessibility also applies to streets, squares, beaches and more.

Independent living, housing with special services and accessible housing[[96]](#footnote-97)

“In Sweden there are several laws regulating the support that disabled persons can receive from society as different means of assistance for independent living. The Social Service Act of 2001(SoL)[[97]](#footnote-98) is the baseline legislation for social services for all people in society, both with and without disabilities. Assistance under the SoL legislation must provide reasonable living conditions. The local authority conducts an individual review of the applicant’s needs. These might include, for example, help with cleaning and washing, shopping, cooking or other personal care. The need for support or services is covered by the Act concerning Support and Service for Persons with Certain Functional Impairments of 1993.[[98]](#footnote-99) This Act provides specially serviced housing for children and young people who need to live outside the parental home, specially serviced housing for adults or other specially adapted housing for adults. The Act concerning Support and Service for Persons with Certain Functional Impairments of 1993 does not regulate in detail how accommodation for adults should be organized. Housing can be designed in different ways, but the three main forms can be distinguished: group home, service home and other specially adapted housing.”[[99]](#footnote-100)

## Housing in multiple occupation (communal areas)

*In multi-occupied housing (e.g. apartment buildings) is there an obligation to make accessible the communal part of buildings (e.g. entrances and other communal areas)?*

* *Who does this obligation fall on? How is it triggered? Is there funding to support such adaptions?*

Easily remedied obstacles should be addressed, according to the National Board of Housing, Building and Planning regulations and general guidelines on compensation of easily eliminated obstacles to and in premises to which the public has access and in public places (BFS 2013: 9 - HIN 3).[[100]](#footnote-101) Legislation on easily remedied obstacles is regulated in the Plan and building act, which has been in place since 2001. In the preamble to the legislation, the Government stated that the objective would be that all easily remedied obstacles could be remedied later in 2010.

However, by the monitoring of disability policy the Swedish Agency for Participation state that the rectification of easily eliminated obstacles has not lived up to the intentions of the legislation.[[101]](#footnote-102) For example, a survey from 2010[[102]](#footnote-103) shows that only 55 percent of easily eliminated obstacles are removed and that there are large variations among the municipalities in the work and that the rectification process varies between different types of buildings. One explanation for this is that the enforcement of the law is not working. The municipal building committees are responsible of the oversight of the rules around easily overcome obstacles. The Swedish Agency for Participation’s monitoring of municipalities[[103]](#footnote-104) indicates that 18 percent of the municipalities do not carry out supervision of the physical accessibility neither in the municipal departments, the municipal corporations nor at private businesses.

The municipalities are responsible for physical planning in the municipality. The Swedish agency for participation's municipal monitoring shows that 91 percent of municipalities have procedures for how physical access should be considered in the planning and construction process.[[104]](#footnote-105) It is common for physical accessibility to be taken into account regarding building permits while it is less common in the building plans. An examination[[105]](#footnote-106) of municipal master plans from 2012 shows that the quality of how accessibility are taken into consideration in the plans varies between municipalities, in many cases accessibility is not clearly defined and there is lack of concreteness and goals around accessibility. At the same time the examination shows that the municipalities which have developed newer comprehensive plans tend to work more purposefully and strategically with accessibility issues. In practice, this variation of quality means that there will be a variation of accessibility in communal areas, in existing as well as new housing.

The developer is responsible for meeting the rules regarding accessibility in new construction or renovation. The municipal building committee may require that a certified expert should check that accessibility requirements are met when the developer's self-regulation is not sufficient. The requirement for accessible building is legal and there is no funding to support the accessibility of new construction or renovation.

Accessible housing[[106]](#footnote-107)

“Housing adaptation grant[[107]](#footnote-108) is a municipal grant that is intended for people with disabilities. It aims to support the adjustments in the applicant’s housing necessary to function in daily life. For example, to remove thresholds or arrange a ramp at the entrance. The grant covers virtually all types of disabilities, such as mobility impairments, visual impairments, developmental disabilities or allergies. The disability must be permanent or at least long-term. An occupational therapist, a medical doctor or any other expert must certify that adaptation is necessary. Normally an application for housing adaptation grant is done before any action has been performed but the law does not prohibit grants can be applied retrospectively. There are certain conditions that must be met in an application for the grant: One is that there must be a clear link between disability and the adaptations applied for and that the measures can be assessed as necessary with regard to the disability. Grants are made only for adaptations in the applicant´s primary residence, i.e. the residence which is intended for permanent accommodation. The grant is given to what is called the fixed function of a home, i.e. something that one does not usually take with them when they move, such as height-adjustable kitchen units. Housing adaptation grant shall correspond to a reasonable cost of eligible actions. There are no financial limits in the Law on housing adaptions grants (1992:1574).[[108]](#footnote-109) In assessing reasonable cost, the municipality must take into account that the adjustment should be designed so that the property can be used by other household members or by a person who regularly assists the applicant in his or her residence. Such considerations sometimes mean that there can be no question of not choosing the cheapest solution. The Housing adaptation grant are available for Swedish citizens, living in Sweden. It is not means-tested”.

## Example of promising practice in making accessible housing available

*Can you identify one or more examples of promising practice in your country that might help other countries to increase the accessibility of housing stock to persons with disabilities?*

The municipalities’ responsibility for how physical access should be considered in the planning and construction process[[109]](#footnote-110) put demand on accessibility in housing and makes accessibility more visible on the agenda. This may increase accessibility in different kinds of housing and by that increase the accessibility to housing stock in general to persons with disabilities.

The Discrimination Act,[[110]](#footnote-111) which include lack of physical accessibility, put further demands on accessibility. Lack of accessibility is defined as "when a person with a disability are disadvantaged in an activity because reasonable accessibility measures are not taken for that person to be in a comparable situation to people without this disability”. Those responsible for the business is required to implement reasonable measures for the business to be accessible to people with disabilities. Anyone who fails to implement reasonable accessibility measures could be guilty of discrimination. Failure can be both that the person responsible for a business is not doing anything at all and that the actions carried out are not adequate. The actions are adequate if they lead to a person with a disability comes in a comparable situation to a person without such disability. The law requires that those responsible conduct reasonable accessibility measures. The starting point for what is a reasonable measure, is defined in the laws or regulations applicable to its business, such as the Planning and Building Act. The accessibility requirements contained in the Planning and Building Act should be taken as a starting point for what can be seen as discrimination. Prohibition of discrimination in the form of lack of availability should not apply if measures that go beyond the accessibility requirements set according to Planning and Building Act are required. The discrimination put demand on accessible in communal areas, which include communal areas in housing. This may promote accessibility and put it on the agenda.

However, the prohibition of discrimination does not apply to the provision of housing (which means that the provider of a residence to the public shall not be subject to the prohibition), nor to private individuals. According to the Bill 2013/14: 198,[[111]](#footnote-112) the Government considers it unreasonable that individuals, who want to sell or rent their homes, would be subject to lack of accessibility if a disabled person is unable to view, rent or buy the house on the same terms as a person without disability. This means that the housing stock may not be accessible to persons with disabilities as it could be problematic for persons with disabilities to get access to private housing as there are no demands on accessibility, for example on providing accessible information.

1. <http://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/skollag-2010800_sfs-2010-800>. [↑](#footnote-ref-2)
2. National Agency for Education (2016) PM Special support in primary schools 2015/16. [↑](#footnote-ref-3)
3. <http://www.notisum.se/rnp/sls/lag/20080567.HTM>. [↑](#footnote-ref-4)
4. <http://www.notisum.se/rnp/sls/lag/20080567.HTM>. [↑](#footnote-ref-5)
5. Skolinspektionen (2014) Skolenkäten 2014. [↑](#footnote-ref-6)
6. Information can be found at <https://www.skolverket.se/>. [↑](#footnote-ref-7)
7. <https://www.skolverket.se/skolformer/gymnasieutbildning/gymnasiesarskola/apl-larling-1.195716>. [↑](#footnote-ref-8)
8. <http://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/forordning-2011947-om-statsbidrag-for_sfs-2011-947>. [↑](#footnote-ref-9)
9. Arvidsson, J (2015) Sysselsättning och social rättvisa – en nationell registerstudie om 12 269 unga vuxna med intellektuell funktionsnedsättning. [Activities and social equality – a national register study of adults with intellectual disabilities]. Doctoral dissertation. Högskolan I Halmstad. [↑](#footnote-ref-10)
10. <https://www.skolverket.se/statistik-och-utvardering/statistik-i-tabeller/gymnasiesarskola/elever>. [↑](#footnote-ref-11)
11. National Agency for Education (2016) Special upper secondary school. Monitoring and analysis of the 2013 reform. [↑](#footnote-ref-12)
12. <http://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/skollag-2010800_sfs-2010-800>. [↑](#footnote-ref-13)
13. National Agency for Education (2016) Special upper secondary school. Monitoring and analysis of the 2013 reform. [↑](#footnote-ref-14)
14. [www.skolverket.se](http://www.skolverket.se). [↑](#footnote-ref-15)
15. <https://www.dua.se/fakta-och-statistik/fullfoljd-gymnasieutbildning>. [↑](#footnote-ref-16)
16. Page 14, in Youth employment policies in Sweden – the Swedish response to the Council recommendation on establishing a Youth Guarantee. [↑](#footnote-ref-17)
17. E.g. European Commission Youth guarantee country by country. Sweden, March 2016; European Commission The Youth Employment Initiative SWEDEN <http://ec.europa.eu/social/keyDocuments.jsp?advSearchKey=YEIcountryfiches&mode=advancedSubmit&langId=en&policyArea=&type=0&country=12&year=0>. [↑](#footnote-ref-18)
18. <http://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/forordning-2011947-om-statsbidrag-for_sfs-2011-947>. [↑](#footnote-ref-19)
19. <http://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/skollag-2010800_sfs-2010-800>. [↑](#footnote-ref-20)
20. <http://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/skollag-2010800_sfs-2010-800>. [↑](#footnote-ref-21)
21. SOU (2013) Municipal adult education at the basic level - a review for greater personalization and flexibility. [↑](#footnote-ref-22)
22. (National Agency for Higher Vocational Education (2015) A strategy for implementing the national disability policy 2011-2016 - reporting 2015). [↑](#footnote-ref-23)
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