

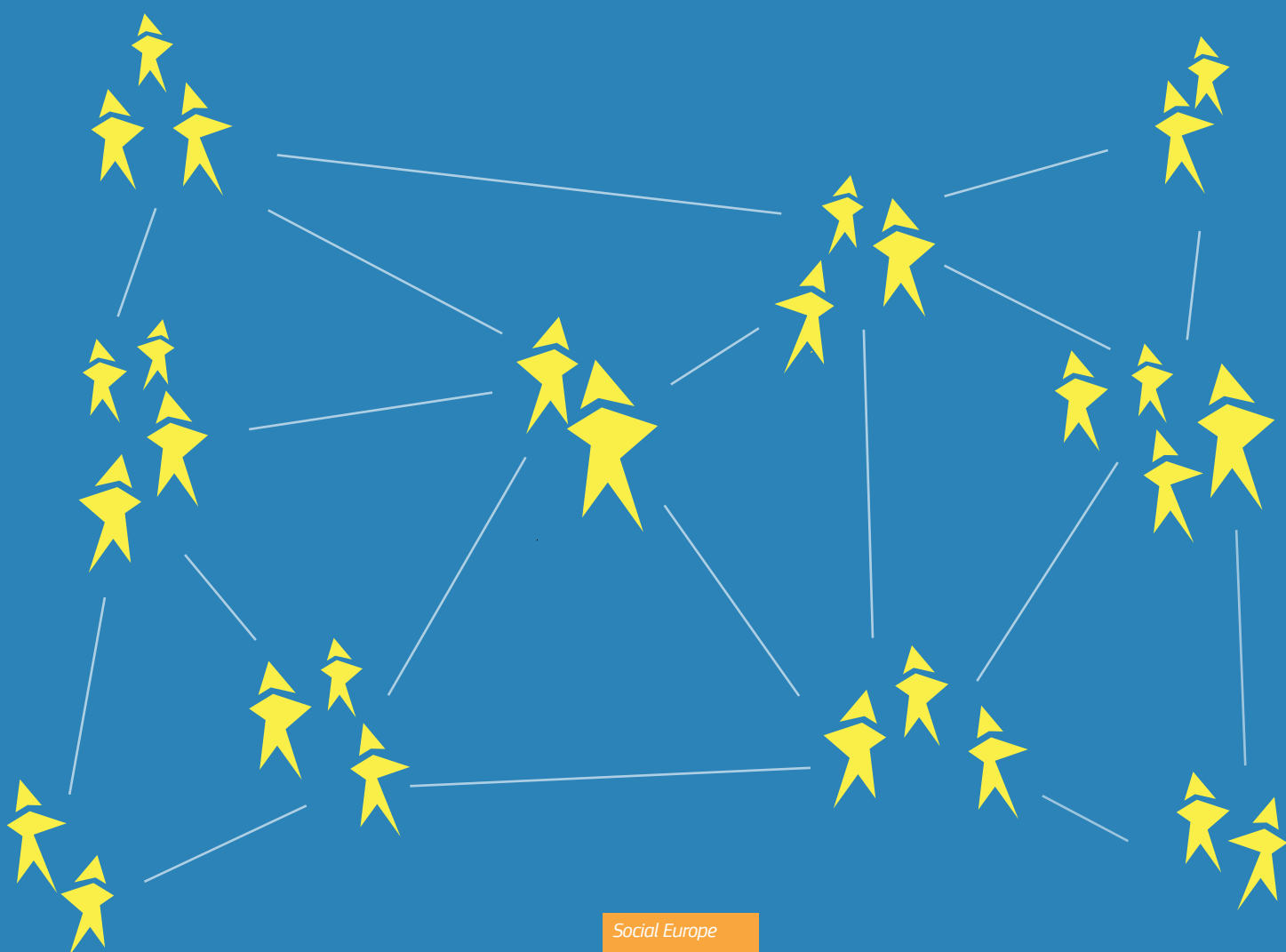


EUROPEAN SOCIAL POLICY NETWORK (ESPN)

Social protection for people with disabilities

Denmark

Jon Kvist



Social Europe

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The European Social Policy Network (ESPN) was established in July 2014 on the initiative of the European Commission to provide high-quality and timely independent information, advice, analysis and expertise on social policy issues in the European Union and neighbouring countries.

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Summary

This report analyses some important cash and in-kind social protection provisions available to adults with disabilities (i.e. people aged 18 or above). There are other important provisions available to them in other areas not covered in this report. In line with Article 1 of the UN Convention on the Rights of Persons with Disabilities (CRPD), "people with disabilities" should be understood as "*those 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*".

Denmark adopted the CRPD in 2009, and its social protection for people with disabilities is by international standards definitely strong; but this is not to say that nothing can be improved.

The disability-specific income support includes the *førtidspension* (a universal, non-contributory disability pension) for people aged between 40 and the pensionable age, *løntilskud til nyuddannede med et handicap* (a wage subsidy to graduates with a disability), and the *seniorpension* (senior pension) offering earlier retirement for people with a long work record and reduced work capacity for health reasons. In addition, there is *støtte til nødvendige merudgifter* (income support covering disability-related extra costs, including healthcare costs), and *hjælp til boligændringer* (a special scheme covering help for home adaptations).

Only one of the general social protection schemes is more difficult to access for people with disabilities. The *folkepension* (the universal, non-contributory national old-age pension) does not treat people with disabilities differently from those without them; however, the work history requirement under the unemployment insurance scheme (*arbejdsløshedsforsikring*) makes it more difficult to access for people with disabilities. Finally, there are no disability-specific problems in accessing the three guaranteed minimum income schemes and other social assistance benefits.

Finally, there is a wide span of assistive technology and personal assistance. Some is designed to compensate for the functional impairment caused by disability. Some is designed to enable the individual to take education, jobs or have an active and social life. Assistive devices can be borrowed from the municipalities or bought with a subsidy. People with considerably reduced functional capacity may be eligible for *borgerstyret personlig assistance* (citizen-administered personal assistance). Similarly, people facing barriers to work may get personal assistance such as practical help, interpretation, or personal support. Because the municipalities have the main role in assessments, decisions and delivery, there are geographical differences in who gets what, in both in-kind and cash benefits.

Good practice in social protection that may inspire other countries includes the universal, non-contributory social pensions (disability pension and national old-age pension), which prevent a sharp division between people with strong and weak labour market records (people with disabilities are over-represented in the latter group). Their benefits are adequate.

However, as supplementary social protection related to labour market participation becomes more widespread, it also becomes essential to increase the labour market attachment of people with disabilities. To serve this purpose, Denmark has many measures directed at individuals with disabilities themselves – but surprisingly little directed at companies and employers. Hence, it is recommended that Denmark study countries with richer traditions of corporate social responsibility as well as tapping into the new trend of working with companies' environmental and social governance.

In addition, a shortening is recommended of the process for assessing whether people are eligible for a disability pension, a flex job or further rehabilitation. Although the universal, non-contributory disability pension provides relatively generous social protection, the access process itself may be too strict and lengthy due to complex tests of work capacity. Finally, the extensive use of training to assess remaining work capacity may be better directed at offering people a flex job.

1 Access to disability-specific income support

The Danish model of social protection for people with disabilities lies within the framework of the UN Convention on the Rights of Persons with Disabilities and the four principles in its recent disability policy – the principles of compensation, equal treatment, sectoral responsibility, and solidarity.

The first principle means that many policies compensate for the barriers that prevent people with a disability from participating fully in life. Compensation can be a wheelchair, prostheses, or home help.

The second principle states that everybody should have equal possibilities to realise their dreams and potentials. Because we are born with different possibilities, equal treatment can only be achieved by treating people differently.

The third principle, of sectoral responsibility, means that all public authorities have a responsibility for making their provision accessible for people with disabilities, and to integrate the concerns of people with disabilities into policy development in the respective areas.

The fourth and final principle, of solidarity, means that most social measures – including in the area of disabilities – are financed through general taxation and made freely available to citizens in need of help.

People with disabilities may access income support that is disability-specific or universal in nature. Disability-specific income support is when people who do not have a disability are excluded from the benefit. Non-disability-specific income support – known as the general social protection schemes – is when people with disabilities may get the benefit along with people without disabilities. This section maps access to disability-specific income support, and the next section does this for general protection schemes.

Income-support may be provided directly in the form of cash benefits or indirectly in the form of tax benefits (exemptions and allowances that differ from normal practice). Income support can also be provided to replace or supplement other income. Wage subsidies may be paid out either to the employee or to the employer. This section sets out the disability-specific income support provided as cash benefits. It maps and assesses access to cash benefits and wage subsidies, but not tax benefits.

There are two areas of social protection where people with disabilities often face extra expenses when compared with people without disabilities. Hence, two important elements of costs for people with disabilities are their healthcare and housing expenses, which covers both their general housing costs such as rent and ad hoc expenses, most notably home adaptations.

1.1 Disability-specific benefits/pensions available to working-age people

There is one main benefit, the *førtidspension* (disability pension), which provides income support for working-age people who are partially or totally unable to work due to disability. In addition, there are certain schemes aimed at education or employment, most notably *løntilskud til nyuddannede med handicap* (wage subsidy to recent graduates with a disability), *revalidering* (rehabilitation), and subsidised jobs (i.e. flex jobs – *fleksjob*¹ – and jobs for disability pensioners with a wage subsidy). Finally, it is possible to get financial compensation in connection with work accidents and occupational diseases from both a public scheme (*Arbejdsmarkedets Erhvervssikring*) and private insurance schemes,

¹ A flex job is a subsidised job on special conditions, typically in terms of markedly reduced working hours – for example, two to four hours per week initially, increasing if the person's condition improves.

including supplementary occupational pension schemes (*arbejdsmarkedspensioner*). In this section the focus is on disability-specific income support, and thus includes a description of the eligibility conditions, disability framework and benefit entitlements of the disability pension and the wage-subsidy schemes to recent graduates with a disability. Some of the general schemes are set out in Section 2.

Unlike in most other countries, the disability pension in Denmark is not contribution-based, but rather financed through general taxation. The disability pension is, together with the national old-age pension (see Section 2.1), called a social pension. Contribution-based disability pensions are not in pillar one (statutory pensions) of the Danish pension system, but rather in pillars two (occupational pensions) and three (individual pensions).

1.1.1 Førtidspension (Disability pension)

In general, it is not possible to apply for a disability pension; instead the municipality awards the benefit based on an extensive assessment and numerous attempts at rehabilitation, which often take many years to go through.

a) Eligibility conditions

Disability-related qualifying criteria: The ability to work is permanently reduced to a level where the person cannot work in an ordinary job or a flex job (a wage-subsidised job on special conditions, mostly reduced weekly working hours).

Age: Disability pension can normally only be granted to people over 40. People can get a disability pension if they are under 40 in special circumstances, where it is evident the person will never be able to work.

Nationality and/or residency: To be eligible for a disability pension, the person must as a starting point be Danish resident, live permanently in Denmark, and have three years of residence between age 15 and pensionable age².

Waiting period: None; the payment is payable from the first day of the month following the decision, or from the first day of the sixth month following the application.

Contributory history: None (i.e. no minimum contributory record is required).

Level of financial resources: The amount is not means-tested and does not vary with extent of incapacity to work. However, the amount is income-tested, taking into account income from work or other benefits for both the recipient and spouse/co-habiting partner.

Other: None.

Gaps and/or obstacles: In theory, it is possible to apply directly for a disability pension, but this is the exception to the rule and will most likely result in a rejection due to lack of supporting evidence.

b) Disability assessment framework

Type of assessment: Extensive assessment that draws on different types of disability assessment frameworks, including medically based assessment, functional capacity assessment and assessment of care or support needs.

Functional capacity will normally be assessed via medical assessments, but may be supplemented by questions about sleep, health challenges, and stress management. The medical diagnosis will never stand alone.

Responsible authorities: The municipality of residence.

² These conditions apply to EU and non-EU nationals as well as to people with refugee status.

Method: The municipality will first try to help a person with a disability who cannot work into employment, by providing different provisions and tools to equip them for work and perhaps an internship in a company to acquire new skills and contacts.

For cases where a disability pension or supported employment becomes a likely outcome, the municipality must establish a rehabilitation team. This team consists of representatives of different sectors of the administration (i.e. the employment, social and health sections of the municipality – and in the case of young people, the education section too). At a rehabilitation meeting, where the citizen participates together with their caseworker and all the representatives, various issues will be discussed.

After the meeting, the rehabilitation team will write up a description of the case and make a recommendation on whether to start a resource course (*ressourceforløb*) or a flex job or to grant a disability pension. The resource course consists of rehabilitation and activation offers and assessments.

The first step is typically to start a resource course where the rehabilitation team is responsible for co-ordinating and delivering offers and assessments that are part of it. It is also likely that the person is later sent for a medical or psychiatric assessment and treatment if there are no recent assessments to draw on. The person may thus be asked to participate in a resource course that takes up to five years (and which may be prolonged or repeated). The resource course aims to find out whether the person should remain in the ordinary labour market, be approved for a flex job, or be awarded a disability pension or a sickness benefit. The award of a disability pension is in this way one of several possible outcomes of the rehabilitation process.

At the next rehabilitation meeting it is again discussed whether to continue with a new resource course, flex job or disability pension. Even if the person is not in work or capable of taking on a flex job, the municipality may judge that there is a chance of rehabilitation.

Supporting evidence: Medical doctors, psychologists, employers, and other actors provide examinations and assessments that are the supporting evidence at the rehabilitation meetings.

Assessor: Doctors, psychologists, employers and other actors.

Decision-maker: The municipality. Even if a medical assessment determines that the person qualifies for a disability pension, the municipality may judge otherwise.

Critical analysis: As described here, it is for almost everybody a lengthy process of being awarded a disability pension with a lot of procedural rules that must be followed, and which some municipalities may even over-implement. The process makes citizens subject to many assessments, and also traineeships that are not meant as a way of providing employment, but rather to assess the work capacity of the citizen. There is thus a debate on whether eligibility has become too strict, whether the system subjects people to unnecessary, demotivating and stigmatising treatment, and whether, in particular, training offers and other forms of involving employers may be better used to achieve other goals than to assess remaining work capacity (see Section 4.1).

c) Benefit entitlements

Level of the benefit: The taxable monthly amount is higher for single people (€2,600) than for married and co-habiting recipients (€2,210).

Duration of the benefit: The disability pension is paid until pensionable age for the old-age pension.

Interactions with other income or other related benefits: Part of the benefit is tapered with other income, including earnings of the partner (the means test will be abolished in January 2023; see Section 4.2).

Challenges: No evidence (reports, papers...) was identified on adequacy challenges related to this benefit.

1.1.2 *Løntilskud til nyuddannede med handicap (Wage subsidy to graduates with disabilities)*

The wage subsidy to graduates with disabilities is known as the “ice breaker scheme” because it is designed to give people with reduced functional capacity their first occupational experience and a network of contacts in the field that their new education qualifies them for.

a) Eligibility conditions

Disability-related qualifying criteria: The scheme covers people who, due to a disability, are not able to get and keep employment without the compensation.

Age: None (i.e. there are no age requirements for accessing this benefit).

Nationality and/or residency: None (i.e. there are no nationality or residency requirements for accessing this benefit³).

Waiting period: None (i.e. it is granted from the moment the disability is certified).

Contributory history: None. But the education must be of at least 18 months' duration and make the person entitled to be a member of an unemployment insurance fund.

Level of financial resources: Eligibility for the benefit is not dependent on an income test or a means test.

Other: There is no requirement for a particular income prior to entering the scheme. It is possible to access the ice breaker scheme directly from education or a job. However, the employment with the wage subsidy must start within two years of graduation.

Gaps and/or obstacles: No evidence (reports, papers...) was identified on gaps/obstacles related to this benefit.

b) Disability assessment framework

Type of assessment: The disability is assessed through a functional capacity framework.

Responsible authorities: Local jobcentre.

Method: Assessing the extent to which the disability has resulted in reduced functional capacity that makes it difficult to get and maintain a job.

Supporting evidence: The jobcentre may ask for assessments by doctors or other actors.

Assessor: It is the municipal jobcentre that decides whether it is difficult for a person with disabilities to get employment in the ordinary labour market.

Decision-maker: The local jobcentre.

Critical analysis: Not documented.

c) Benefit entitlements

Level of the benefit: The person in the scheme gets their work paid according to the tariff agreements in the sector of the labour market concerned. This takes the form of a normal wage. Hence, there is no relationship between the assessment of the severity and type of the disability and the level of the benefit.

Duration of the benefit: The ice breaker scheme can last up to a year.

Interactions with other income or other related benefits: The employer gets a subsidy from the municipality to pay the wage; the size of the subsidy is to be negotiated with the municipal jobcentre. There is no interaction with other benefits for people with disabilities.

³ These conditions apply to EU and non-EU nationals as well as to people with refugee status.

Challenges: No evidence (reports, papers...) was identified on adequacy challenges related to this benefit.

1.2 Disability-specific old-age pension schemes

In old age, people with disabilities transition into the old-age pension scheme in the same way as everybody else (see Section 2.1.1). This is the case for people with disabilities in employment (e.g. in an ordinary job or in a flex job). This is also the case for people with disabilities in receipt of social protection (e.g. the disability pension). However, there is one disability-specific old-age pension scheme – the *seniorpension* (senior pension) – that allows for an earlier exit from the labour market than the national old-age pension.

1.2.1 *Seniorpension* (senior pension)

The senior pension is targeted at people with a reduced work capacity due to ill-health, and who have been working for a long period.

a) Eligibility conditions

Disability-related qualifying criteria: To be eligible for the senior pension, the capacity to work must be less than 15 hours of work per week in the latest job.

Age: The senior pension is for people with less than six years to the pensionable age.

Nationality and/or residency: As a main rule, the person must be a Danish citizen, residing in Denmark and have lived in Denmark for at least three years after reaching age 15. Refugees and citizens from the EU, European Economic Area (EEA) / European Free Trade Association (EFTA) countries (Iceland, Liechtenstein, and Norway), Switzerland, and the United Kingdom may qualify under certain conditions.

Waiting period: None. The benefit is paid from the first day of the month following the decision or the first day of the month of the sixth month following the application. However, there are exceptions for people who have lived more than 10 years in Denmark, refugees, and citizens from the EU and the three EEA/EFTA countries.

Contributory history: None. However, there is a requirement to have had a long association with the labour market, equal to 25 years of full-time work. Employment in a flex job counts towards entitlement, which de facto favours people with disabilities.

Level of financial resources: The tax-financed taxable senior pension is means-tested against other income, including the income of the partner. Thus, the benefit is tapered against income above a certain annual amount (€11,110 for single people and €17,634 for married/co-habiting people). The means test does not include pension savings. However, if the person receives a pension from such savings this income is included in the means test.

Other: There is no reassessment of the benefit, and the pension cannot be withdrawn.

Gaps and/or obstacles: No evidence (reports, papers...) was identified on gaps/obstacles related to this benefit.

b) Disability assessment framework

Type of assessment: The decision to award a senior pension is based on the functional capacity framework.

Responsible authorities: The municipality is responsible for collecting the material necessary to inform a decision.

Method: The assessment is based on the existing situation, with no view to future work capacity and no use of either rehabilitation measures or resource courses.

Supporting evidence: Medical documentation and information on the job functions in the latest job.

Assessor: The reduced work capacity must be assessed by a medical doctor.

Decision-maker: It is the senior pension unit at PaymentDenmark (*UdbetalingDanmark*) that makes the decision on granting the pension.

Critical analysis: Not documented.

c) Benefit entitlements

Level of the benefit: The normal monthly benefits equal those of the disability pension and are higher for single people (€2,600) than for married and co-habiting people (€2,210).

Duration of the benefit: The senior pension is paid until the pensionable age.

Interactions with other income or other related benefits: Means-tested – see point a) above. The means test will be abolished in January 2023 – see Section 4.2.

Challenges: No evidence (reports, papers...) was identified on adequacy challenges related to this benefit.

1.3 Income support aimed at covering disability-related healthcare and housing expenses

Denmark has several income-support schemes aimed at covering “disability-related expenses” in the fields of healthcare and housing. For those of working age (between 18 and pensionable age), the two most important schemes are probably the *Støtte til nødvendige merudgifter* (extra costs benefit) and the *Hjælp til boligændringer* (support for home adaptations).

1.3.1 Healthcare

Denmark has a universal, tax-financed public healthcare system with comprehensive coverage. Equal access to healthcare is one of the primary objectives of the system. Most healthcare services are therefore themselves free or heavily subsidised. However, there may be other costs related to healthcare that are caused by reduced functional capacity, and they are covered by the extra costs benefit.

1.3.1.1 *Støtte til nødvendige merudgifter* (Extra costs benefit)

a) Brief description

People can get extra costs benefit to cover extra expenses related to their permanent disability if they are between 18 and the pensionable age and in receipt of the disability pension (there is a similar possibility for recipients of the national old-age pension). The extra expenses must be related to reduced functional capacity and must not be covered by other benefits. The benefit covering the extra expenses can be claimed both as a regular benefit paid out monthly and as a lump-sum benefit for a given incidence of expenditure. The extra expenses can be related to medicine, transport, special courses, laundry etc. Important in this context is its coverage of healthcare costs. The benefit amount depends on the documented (or most likely) expenses caused by the reduction in functional capacity. The tax-free benefit is not means-tested against the income of the applicant.

b) Main gaps/obstacles

Municipalities decide what they offer their citizens – what is known as the service level of the municipality. In practice, this means that benefits and provision vary between municipalities.

c) Main adequacy challenges

There may be instances where municipalities have offered inadequate extra costs benefit. In such cases people may appeal against decisions to the National Board of Appeal.

1.3.2 Housing

There is no disability-specific housing support, but instead a general *boligstøtte* (housing support) scheme. However, people with reduced functionality due to a disability can apply for cash benefits related to home adaptations as described in this section.

1.3.2.1 Hjælp til boligændringer (Support for home adaptations)

a) Brief description

People with a permanent physical or intellectual disability can apply to the municipality for support for home adaptations that will make their home better fit their needs. If the home cannot be adapted to a sufficient degree, then the municipality can offer help to cover the expenses associated with finding a new and more accessible home.

b) Main gaps/obstacles

Municipalities decide what they offer their citizens – what is known as the service level of the municipality. In practice, this means that benefits and offers vary between municipalities.

c) Main adequacy challenges

There may be cases where people think municipalities have offered inadequate support to home adaptations. In such cases people may appeal against decisions to the National Board of Appeal.

2 Access to some key general social protection cash benefits

People with disabilities have access to general social protection benefits for risks other than disability. Some of these benefits have the same eligibility and entitlement conditions for everybody, while others have conditions related to disability. Eligibility criteria may in fact be indirectly discriminatory if they are more difficult to meet for disabled people than other groups (e.g. requirements of previous work, education, or contributions).

This section shows what income support people with disabilities get in three areas. First, it shows how the non-contributory national old-age pension does not contain any criteria that de facto discriminate against people with disabilities. Second, it shows how the unemployment insurance scheme, through its requirements on contributions and previous work, is more difficult to access for people with disabilities than for people without. Third, it shows that none of the three main social assistance schemes discriminates against people with disabilities, or has requirements that would be more difficult to meet for people with disabilities than others.

2.1 Old-age benefits

The *Folkepensionen* (national old-age pension) is a universal pension scheme that everybody, including people with disabilities, gets when they reach pensionable age. There is a supplementary allowance to the pension, aimed at pensioners in dire economic straits, that may be applied for by people with disabilities (see next section).

2.1.1 *Folkepension* (National old-age pension)

Eligibility conditions

The national old-age pension is a universal pension scheme for people who are Danish citizens, reside in Denmark and have lived in Denmark for at least three years between age 15 and pensionable age. EU citizens, citizens from an EEA country, Switzerland and the United Kingdom, refugees, and others may be eligible under certain conditions. There are no disability-specific eligibility or entitlement conditions that discriminate against people with disabilities. In principle, however, there are conditions that indirectly affect both access to, and the adequacy of, the national old-age pension for people with disabilities.

Age: The pensionable age is indexed to average longevity increases, and is currently 67 (2022). The mechanism of indexation discriminates against people with below-average expected longevity, including people with disabilities. They have a considerably shorter lifespan than the average, and it has not increased to the same extent as for the general population (Amilon, 2021; Danske Handicaporganisationer, 2019). Fortunately for people with disabilities of working age, there is a disability pension, as described in Section 1.1.1; and a general scheme of minimum income benefits – see Section 2.1.3.

Level of financial resources: The national old-age pension is made up of a basic amount and a supplementary amount. The basic amount is the same for everyone, and the supplementary amount is higher for single people. Finally, there are two supplementary allowances of relevance for people with disabilities – see point b) below.

a) Additional amount/compensation included and adequacy issues

People with disabilities may, like others, apply for supplementary allowances. There are three supplementary allowances that may be of relevance to people with extra costs relating to a disability (i.e. the personal allowance, the health allowance and the extended health allowance).

First, the personal allowance is for old-age (and disability) pensioners who are in a difficult economic situation. The municipality performs a means test (i.e. assesses the income and wealth of the pensioner in relation to the expenses that are to be covered).

Second, the health allowance is for old-age pensioners, and subject to a means test that includes the wealth of the partner, if any. The allowance covers subsidies for medicines, dental care, hearing aids, physiotherapy, foot therapy, psychological services, chiropractor services, and other medical services that can be subsidised according to the law on healthcare.

Third, there is an extended health allowance that gives municipalities the ability to subsidise glasses, dental work and foot treatments not covered by the law on healthcare.

b) Gaps/obstacles

By nature, the use of means tests and discretion in the supplementary allowances at the local level results in some differences in who gets what across municipalities. For example, one municipality may decide to subsidise glasses and foot treatment, whereas another municipality decides against it.

2.2 Unemployment benefits

The Danish unemployment benefit system consists of a voluntary unemployment insurance scheme complemented by a system of guaranteed minimum income benefits for people without insurance (see Section 2.3).

2.2.1 *Arbejdsløshedsdagpenge* (Unemployment insurance benefits)

a) Eligibility conditions

For *Arbejdsløshedsdagpenge* (unemployment insurance benefits), eligibility conditions are not different as between people with and without disabilities.

b) Additional amount/compensation included and adequacy issues

There is no additional amount for any person, including people with disabilities.

c) Gaps/obstacles

In general, a work history requirement indirectly provides a barrier to people with disabilities getting access to social insurance benefits. However, the work (income) requirement is set at the de facto minimum wage and with a three-year reference period. This makes the benefit widely accessible for people in part- or full-time jobs in the labour market. Nevertheless, it is still difficult for some people with a disability to get an ordinary job (i.e. not subsidised or supported in any way) with enough hours to qualify, equal to a minimum of one third of full time.

2.3 Guaranteed minimum income schemes and other social assistance benefits

People without work and who do not qualify for other social protection cash benefits have to resort to the guaranteed minimum income schemes, in particular the social assistance scheme. The Danish system of minimum income benefits is made up of social assistance, supplementary cash benefits, and extensive employment measures and social integration services.

The social assistance system encompasses three benefits. The *kontanthjælp* (social assistance benefit) is targeted at the non-migrant population aged over 30; *uddannelseshjælp* (educational assistance) is targeted at young people outside of education; and the *selvforsørgelses- og hjemrejseydelse eller overgangsydelse* (integration benefit – the official name is the self-sufficiency and return benefit or transition benefit), which is mainly targeted at migrants.

Supplementary benefits tied to receipt of social assistance include special housing benefit, help in special situations, bonus for learning Danish, and the temporary child allowance. Supplementary benefits not tied to social assistance receipt include the child and youth allowance for all families, child allowances for all single-provider households, and the individual housing benefit for low-income groups.

This section sets out the three social assistance benefits.

2.3.1 *Kontanthjælp* (Social assistance benefit)

a) Eligibility conditions

People who cannot provide for themselves due to a social contingency such as the loss of work, ending education, or a divorce. There are no disability-specific differences in rules applying to people with disabilities. However, its educational and work demands are de facto more difficult to meet for people with disabilities than for other people.

Age: People over 30. People under 30 may also be eligible if they have a vocational education. According to a recent study by the Danish Institute of Human Rights (Institut for menneskerettigheder, 2021), because some people with disabilities take longer to finish their education than people without disabilities, the age requirement discriminates against people with disabilities and leads to many of them being referred to the educational assistance benefit.

Other: There is a work requirement of 225 hours of (ordinary) work in the preceding 12 months. Failure to meet this demand may result in lower benefits. In addition, there is a benefit ceiling for all social protection cash benefits, which may also result in lower

social assistance benefits. Getting ordinary work on this scale may be very difficult for some groups of people with disabilities. In practice, however, many of these people will be exempt from the work requirement.

b) Additional amount/compensation included and adequacy issues

In the case of extraordinary expenses, recipients can apply for means-tested *hjælp i særlige situationer* (help in special situations). People with disabilities are more likely than people without disabilities to have extraordinary expenses. For example, people with disabilities may be moved to special housing that costs more to rent than other housing. In such cases, the help in special situations may be awarded to the recipient.

c) Gaps/obstacles

The social assistance system is known for being particularly complex, with substantial learning and compliance costs (Ydelseskommissionen, 2021; Kvist, 2022). This may result in stigma, procrastination, and non-take-up. These problems and outcomes may be acute for people with limited human capital or executive functioning – in other words, the people with the fewest cognitive resources are asked to navigate the most difficult social protection system (Christensen *et al.*, 2019). Indeed, this is the situation for some groups of people with disabilities (Amilon *et al.*, 2021; Bredgaard, 2020).

2.3.2 *Uddannelseshjælp (educational assistance)*

a) Eligibility conditions

Eligibility conditions for people with disabilities are not different from those for people without disabilities.

b) Additional amount/compensation included and adequacy issues

In case of extraordinary expenses, recipients can apply for means-tested help in special situations – see Section 2.3.1.

c) Gaps/obstacles

The social assistance system is known for being particularly complex, with substantial learning and compliance costs that may result in stigma, procrastination, and non-take-up, and are likely to occur more among people with executive function challenges, including certain groups of people with disabilities. In particular, young people with cognitive disabilities (autism, Asperger's syndrome, attention deficit disorder, attention deficit hyperactivity disorder, development impairments and brain damage) and mental disabilities (depression, manic or bipolar illness, schizophrenia, severe anxiety, obsessive-compulsive disorder, chronic/severe stress, post-traumatic stress disorder, eating disorder, other mental illness) can face such challenges in relation to the educational assistance. Around 20% of all people with disabilities have cognitive or mental disabilities (Larsen *et al.*, 2021).

2.3.3 *Selvforsørgelses- og hjemrejseydelse eller overgangsydelse (Integration benefit)*

a) Eligibility conditions

People who cannot provide for themselves due to a social contingency. There are no disability-specific eligibility provisions that provide a barrier to access. However, many in the target group have language problems and/or traumatic experiences that may exacerbate the administrative burden – see point c) below.

b) Additional amount/compensation included and adequacy issues

In case of extraordinary expenses, recipients can apply for means-tested help in special situations – see Section 2.3.1.

c) Gaps/obstacles

In addition to the situation described in Section 2.3.1, there may be a large group of non-Danish speaking, and sometimes traumatised, refugees who have marked cognitive challenges in understanding the rules and workings of the social protection system. Translation services are offered but may not be sufficient to overcome such challenges. Typically, this group of non-Danish-speaking and traumatised refugees will spend some time in the social protection system receiving an integration benefit and being subject to various interventions, such as health interventions and work tests. If interventions repeatedly fail, the level of functionality is assessed to be low; and if there is no sign of an increased level of functionality later, the person may be assessed to have disabilities that make them eligible for the disability pension – see Section 1.1.1.

3 Provision of assistive technology and personal assistance

Assistive technology (including devices) and personal assistance can be provided in different ways. It can be done through direct provision of in-kind benefits or through economic subsidies for certain behaviour and purchases. This section briefly explains the main ways in which the provision of assistive technology (including devices) and personal assistance is delivered in Denmark. Assistive devices aimed at mobility or the home are not included (for a broader account of policies see: Social- og Ældreministeriet, 2021).

Hjælpemidler (Assistive devices). People with a permanent physical or mental disability can apply for assistive devices to help in their day-to-day business. The person can either borrow the assistive device from the municipality or get a subsidy to buy it.

There are more than 60,000 types of assistive devices. The municipality must support with an assistive device if it: ameliorates the permanent consequences of reduced functional capacity; eases daily life; or is necessary for work purposes.

People with disabilities can borrow the device from the municipality without charge, and the tax-free economic subsidy does not depend on an income test.

Hjælpemidler til job (Assistive devices to jobs for people with a disability). People are entitled to assistive devices that can compensate for a disability that reduces their functional capacity and thus creates a barrier in their job or to their participation in activation offers such as job training or education. Entitlement extends to employees, those in flex jobs and wage-subsidised jobs, self-employed people, and unemployed people in activation measures. The compensatory assistive devices can be work tools and adjustments to the workplace. They include: special computers for people who are blind or have reduced eyesight; audio equipment for people who have a reduced ability to hear; installation of a stair lift; and special ergonomic office chairs.

Kropsbårne hjælpemidler (Wearable assistive devices). People can apply for wearable assistive devices, including special footwear, compression socks, arm and leg prostheses, wigs, and hearing aids.

Personal assistance. People with considerably reduced functional capacity that leads to an extensive need for help that cannot be covered by personal or practical help may be eligible for personal assistance.

There are different types of personal assistance aimed at helping people with a disability into education, activation measures, and work, or with their daily life. These include mentors and personal assistants.

Mentorstøtte til job og uddannelse (Mentor support for jobs and education). If people have a reduced functional capacity that creates barriers in their job or education, they may be eligible for personal assistance. Personal assistance can be practical help, interpretation, or personal support. The offer is available to people in ordinary work, sheltered work, wage-subsidised jobs and self-employment. The scope of help is assessed by the municipal jobcentre.

Normally, a mentor is engaged for six months with the possibility of extension.

Personlig assistance til job (Personal assistance to job-holders). People with a reduced functional capacity facing barriers in their job can also receive help from a personal assistant. The personal assistant supports people in the work functions where they experience difficulties. The personal assistance can be practical help, interpretation, or personal support. The personal assistant can be employed by the company or the company-owner. The scheme is available to people with disabilities who are employed on ordinary conditions, employed in a subsidised job, self-employed or unemployed in a programme organised by the local jobcentre. It is the jobcentre that assesses the need for support. The scope of support varies with the need. Normally, a person working full time (37 hours weekly) can at a maximum receive help for up to 20 hours per week. However, exceptions are possible in the case of multiple or very severe reductions in functional capacity.

Borgerstyret personlig assistance (Citizen-administered personal assistance). The assistance is for people over 18. There is no upper age limit. To receive the assistance, the person must be able to function as an employer. However, the subsidy may be transferred to a relative, company or an association. If so, the person only needs to act as the daily manager for the helpers. The need is accessed by the municipality.

People with reduced mobility or other functional capacities may get the post delivered to their main door (normally the post is delivered to nearby post boxes, next to the road).

Various special schemes. There are assistive devices and personal assistance targeted at particular groups. People with a hearing impairment can in certain instances get sign interpretation in relation to their education, work, and meetings with public authorities or social gatherings. People with dyslexia can get special assistive devices and educational offers.

Again, the provision of assistive technology and personal assistance is to a large extent at the discretion of the municipalities, thereby implying a certain level of geographical inequalities. Some municipalities enforce stricter eligibility rules or practices than others. Funding capacity may also vary between municipalities, which accentuates such inequalities. However, insurance contribution requirements are not used. Hence, differences in access to, and the scope of, provision are greater with regard to the policy and economy of the municipalities than with the previous or current work and education status of the people with disabilities.

4 National debates, reforms and recommendations

4.1 National debates

The adequacy of social protection for people with disabilities is not a main debate issue in Denmark. The Disabled People's Organisations of Denmark argues for a lump sum to be given to people with disabilities, to help them become more autonomous (Danske Handicaporganisationer, 2019): however, the proposal does not seem to muster broad political backing.

The main debate concerns the costs of the specialised social measures, which include services targeted at people with disabilities. However, it has not been directly linked with social protection as such. In any case, this debate is more concerned with in-kind benefits than cash benefits, and with public finances rather than adequacy of benefits.

However, there are debates about the situation of people with disabilities and their experience and evaluation of the social protection offered. These debates concern how people with disabilities experience their encounters with the system, and whether they are satisfied with the services or their case manager, etc. For example, the Disabled People's Organisations of Denmark works for more trust and less loneliness (Danske Handicaporganisationer, 2021).

4.2 Recent reforms and reforms currently in the pipeline

There have been no reforms related to COVID-19, but a major review of the specialised social measures is forthcoming in 2022 or the first part of 2023 (Social- og Ældreministeriet, 2021).

The healthcare reform of 2017-2019 included a transfer of responsibilities for specialised provision to people with disabilities from the five regions to the 98 municipalities. This may have led to a “despecialisation” of services and increased geographical inequities. Organisations representing people with disabilities fear that important knowledge has been lost, and that the individual municipalities may find it difficult to deliver the same scope and quality of services as the regions did (Danske Handicaporganisationer, 2021). In response, the current government has launched an examination of the specialised area (the review just mentioned).

The economy has also been under pressure. On the one hand, the area of specialised provision has grown markedly in expenditure terms (KL, 2020). On the other hand, economic pressures and budgetary constraints have been perceived as a main reason for reductions in both the scope and quality of specialised provision (Danske Handicaporganisationer, 2021).

In 2023, the social pensions (disability pension and the national old-age pension) will no longer be means-tested against income from work. This will markedly increase the autonomy experienced by people with disabilities who receive a disability pension and are married to a person in work. They will no longer see their pension reduced because of the earnings of their spouse. It will also, for the same reason, become less stigmatising to receive a disability pension.

4.3 Good practice and recommendations on how to tackle gaps and obstacles

Historically, one of the main social divisions concerns the relationship with the labour market. Contributory social insurance provision, such as industrial injury schemes, gives social protection especially to people with a strong relationship with the labour market. Some, but not all, people with disabilities have reduced functional capacities, which in turn results in weak labour market relationships and social protection.

This is why Denmark’s universal social pensions (the disability pension and the national old-age pension) and guaranteed minimum income benefits stand out internationally by providing people with disabilities equal access to the main areas of social protection regardless of their labour market relationships.

The universal character of the Danish disability and old-age pensions means that they do not create inequalities for people with disabilities depending on their employment record, education, or the like. Importantly, the national old-age pension does not discriminate between people with and without disability. The universality of these schemes may be considered as good practice for providing effective, egalitarian and relatively stigma-free benefits to people with disabilities.

When social protection becomes dependent on employment records it tends to discriminate against people with disabilities. This is also the case in Denmark as exemplified by the unemployment insurance scheme earlier. But the surge of supplementary social protection schemes may underpin divisions.

To reduce a polarisation in social protection between people with strong and weak labour market histories, it thus becomes crucial not only to operate universal social protection schemes but also **to increase the labour market participation of people with disabilities**. As described in this report there are several measures in place in Denmark aimed at this, such as the ice breaker scheme for new graduates, assistive devices, and several personal assistance schemes – all directed at people with disabilities themselves. Perhaps it is time to also **direct attention to the side of employers and consider an**

increased use of quotas, social clauses for companies undertaking work for the public sector, and promoting the use of the 'S' in ESG (companies' environmental and social governance). Here Denmark may learn a lot from countries with richer traditions of corporate social responsibility. Just increasing the knowledge of existing possibilities in employment policy may have some potential, as argued by both patient organisations and scholars (Danske Handicaporganisationer, 2021; Bredgaard *et al.*, 2020).

There are different ways of addressing the problems of possible despecialisation and increased geographical inequities. One solution would be to move the responsibility for services from the municipalities (back) to the regions. A less dramatic solution, but in the same direction, would be to establish regional knowledge centres that municipalities can consult in more complex cases. A third type of solution would be to boost local capacities through better funding or lifting the quality of provision (e.g. through better education of welfare professionals).

Another more concrete point to address is the strict and lengthy **assessment process**, as described earlier, which precedes any award of a disability pension. This process could be **shortened**, and its extensive use of traineeships could be changed from assessing the lack of people's work capacity to instead **using their remaining work capacity**, when possible, in flex jobs.

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