
Dismantling of Disabling Barriers
Strategies, objectives and political measures aimed at persons with a reduced functional ability

Unofficial translation
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1 Introduction and summary

1.1 Introduction

In this White Paper, the Government presents the strategies, objectives and measures in its policy relating to persons with a reduced functional ability.

Persons with a reduced functional ability still face barriers that prevent them from having equal opportunities to be active and participate in society. The disability arises in the gap between the individual's capabilities and the demands made by society. A policy to dismantle disabling barriers must strengthen the individual's capabilities and at the same time make society more accessible.

In many areas, the trend is going in the right direction. However, there is still a large gap between the objective and reality for many persons with a reduced functional ability.

There are no simple measures that can resolve the challenges we are facing in schools, working life, transport, culture, leisure time and health and social services.

Every day, plans are made and decisions reached that affect how society develops – relating to the design of buildings, outdoor environments, products and services. The choices made have huge consequences for the everyday lives of many persons with a reduced functional ability. Many people experience that they are made disabled due to the solutions that are chosen.

The situation varies greatly from sector to sector. A number of measures have been implemented in various plans of action. At the same time, we lack research and documentation on developments in many areas. The Government wants to pave the way for a policy that is based on knowledge of the effects of various measures and tools. Better knowledge through research and documentation will help to increase the awareness of and focus on achieving the objectives in the various sectors. In order to achieve results, there must be target-oriented and systematic work over a period of time, in which creating increased awareness and mobilising all areas of society and administrative levels are key.

The Government's vision is that persons with a reduced functional ability are to have the opportunity to develop personally, participate in society and enjoy life in the same way as other citizens.

One essential element of a democracy is that the entire population must have the same opportunities to be involved and take part in various societal arenas. This White Paper gives an account of the Government's policy to reduce the gap between objectives and reality and thus bring the vision closer.

1.2 Background

The White Paper on a Plan of Action for People with Disabilities 1998-2001 (St. meld. no. 8 (1998-1999)) was discussed by the Norwegian Storting (parliament) in February 1999. The plan of action was later extended to the end of 2002 and has been an important measure-oriented instrument in the shaping and implementation of the policy in this area.

As part of the follow-up to the Plan of Action for People with Disabilities, a public commission was appointed in 1999 to assess the situation for people with disabilities. This committee, which was chaired by Sigurd Manneråk, presented a report in June 2001 entitled NOU 2001:22 From User to Citizen. A strategy for dismantling disabling barriers.


Now, at the end of the Plan of Action for People with Disabilities, it is natural to sum up the results achieved and experiences gained. This summary must be seen in connection with NOU 2001:2002 and forms the basis for clarifying further objectives and strategies for the policy relating to persons with a reduced functional ability.

It is now more than 10 years since the reform relating to mentally retarded persons was implemented. In this White Paper, the Government wishes to provide feedback to the Norwegian Storting on the results of and experiences relating to the reform.
The Government wants to focus on children with a reduced functional ability and their families. This White Paper provides an overview of the important challenges, objectives and further work relating to this target group.

A separate committee under the chairmanship of county governor Knut Korsæth has looked at the subsidy schemes available to organisations representing persons with disabilities. On the basis of the Korsæth committee’s recommendations, the Government proposes changes to the existing subsidy schemes.

### 1.3 The Government’s basic values

Each person has an intrinsic value, irrespective of his or her level of functionality. This basic respect for human life is an important premise for the development of the society in which we live.

Society is responsible for safeguarding the value and equality of each individual. This responsibility must be followed up by the development of attitudes and framework conditions that support the ideas that everyone has the same value and the same basic needs and is to be treated with the same respect, that diversity is enriching, and that each person, with their individual knowledge and experiences, is a resource for society.

People with disabilities are, and must have the opportunity to feel themselves as, fully equal citizens in Norwegian society. This may seem to be an obvious statement, but many people with disabilities face obstacles that are created by society. These obstacles put limitations on the individual’s enjoyment of life and opportunity to take part in society as an active citizen.

The Government wishes to make the individual citizen the focus for the shaping of its policy. This requires the realisation of values such as:

- Equality
- Self-determination
- Active participation
- Personal and social responsibility

A policy that is based on equality means that the authorities are responsible for arranging matters so that everyone, based on his/her capabilities, has the same opportunities to achieve good living conditions and safeguard his/her rights and duties as a citizen. In the policy relating to persons with a reduced functional ability, the concept of equal opportunities is linked to the fact that schemes and services available in society, such as various types of services, activities and information, must in so far as possible be made available to everyone.

As a value, self-determination is very closely related to freedom for the individual. For many persons with a reduced functional ability, the opportunities for self-determination and an independent life will be linked to the design of their surroundings, the scope and content of various types of services, and the attitudes of society. Many persons with a reduced functional ability, or their families, are dependent on various types of services. Everyone must basically have the same rights and opportunities to decide over their own lives and be respected for their wishes. The fact that the services must in so far as possible be adapted to the users is a key objective.

Active participation as a value is related to both the individual and society. The policy relating to persons with a reduced functional ability must be based on the individual’s natural wish to manage by himself or herself. This means that arrangements must be made so that everyone, based on their capabilities, has the opportunity to play an active part in society. This includes children, young people, adults and the elderly. For many people of working age, active participation means the opportunity to support themselves and their families through work and their own income. The Government will make efforts to bring about a welfare society that supports the individual’s opportunities, initiative and own efforts. The policy relating to persons with a reduced functional ability must also safeguard equality of the sexes.

The Government will place emphasis on the societal gains related to the individual starting to make use of his or her own resources. Society needs everyone.

As an adult, individuals are responsible for their own lives. Demands must be placed on everyone, depending on their abilities and resources. The opportunity to have an independent life means for many people with extensive function impairments that society must accept a greater social responsibility. Society’s social responsibility is particularly important as regards children and young people with a reduced functional ability and their families.

The objective of having a more inclusive society, where people with a reduced functional ability are ensured the opportunity to live like other people, necessitates a number of measures. Many people will, for shorter or longer periods of their
lives, be unable to support themselves through work and their own income. Everyone must, however, feel certain that they will be given the necessary assistance. The welfare schemes must provide financial and social security, so that everyone can live a dignified life.

1.4 Disability

By a reduced functional ability is meant the loss of or damage to a body part or one of the body’s functions. For example, it may be an impaired mobility, sight or hearing function, an impaired cognitive function, or various function impairments due to allergies or cardiovascular diseases.

People with a reduced functional ability do not automatically become disabled. A function impairment does not have to result in limitations on the person’s participation in society. A person is disabled when there is a gap between the individual’s capabilities and the way in which society is formed or the functions required by society.

A large percentage of the population has a reduced functional ability. The risk of having a reduced functional ability increases with age. Society meets these challenges with different approaches.

The number of people who suffer from a reduced functional ability can be reduced by a focus being placed on preventative measures such as, for example, those promoting a healthier lifestyle, reducing the number of accidents on the roads, ensuring that the indoor and outdoor physical environments are well adapted, ensuring good accessibility to recreational and outdoor areas, improving air quality and reducing noise. Prevention is the key focus of the White Paper on A Prescription for a Healthier Norway (St. meld. no. 16 (2002-2003)).

When people first suffer from a reduced functional ability, at birth or later on in life, medical treatment and rehabilitation will often be able to improve their functional ability. The frameworks have been set for the development of the rehabilitation services through the Norwegian Storting’s debate on the White Paper on Responsibility and Mastery – towards an integrated rehabilitation policy (St. meld. no. 21 (1998-1999)).

If the function impairment cannot be treated or rehabilitated, in whole or in part, various compensatory tools will often be used.

For example, spectacles or hearing aids may help to improve a person’s sight or hearing. For people with extensive function impairments, various types of aids may, to a greater or lesser extent, compensate for the function impairments.

A number of services are intended to help people with a reduced functional ability to manage their day-to-day tasks, such as the home-based services. This is also a compensatory tool. In a separate White Paper on the Quality of the Nursing and Care Sector, the Government will give an account of the main objectives, strategies and measures in the nursing and care sector. The escalation plan for mental health contains a number of compensatory measures aimed at people suffering from mental disorders.

The degree of function impairment will often determine whether the individual experiences obstacles to establishing an independent life and an active existence in his or her surroundings. Surveys show that between 17-20 per cent of the population that have a reduced functional ability experience obstacles of such a nature that they can be defined as being disabled. These obstacles are in part created by society.

The concept of disability was introduced into public documents through the White Paper on The Development of Care for Disabled Persons (St. meld. no. 88 (1966-67)). Traditionally, disability has been viewed as a quality of the individual – the disabled person. It has been closely linked to a medical interpretation, in which disability is seen as a result of a disease, defect or other biological deviation. According to such an interpretation, blindness is a biological deviation that means a person cannot see, while a wheelchair user cannot walk due to, for example, spina bifida. This biological-medical interpretation is still widespread.

During the past 20 years, the biological-medical interpretation has been challenged. It has been pointed out that such an interpretation does not take the society surrounding the person into sufficient account.

It is clear that if stairs are replaced by ramps and lifts, then a wheelchair user is not as disabled as before. Similarly, deafness is less disabling in an environment where many people know sign language. Correspondingly, people with a reduced functional ability will in many individual situations not be disabled. A blind person is not very disabled when he/she is talking on the telephone.

The experience of being disabled is linked to the extent of the function impairment and when it arises in the person’s life. Although a congenital function impairment leads to the same practical difficulties as one acquired as an adult, the indivi-
The Government wants to reduce the gap between the individual’s capabilities and society’s requirements. This requires measures to improve the individual’s capabilities and to change society’s requirements.

The definition of disabled is “relational”. It is based on the relationship between the individual’s functional ability and the demands that both the physical and social surroundings make on the individual in various phases of life.

When creating national and local plans, carrying out research and measuring the results of the policy relating to disabled persons, there may be a need to state the number of disabled persons.

Using a relational definition, this may often lead to practical problems since it is then often necessary to have criteria linked to the individual’s diagnosis and characteristics rather than to his/her relationship with his/her surroundings.

The awareness of the link between the individual’s capabilities and society’s functional requirements is increasing. This also applies to the medical environment. In 2001, the World Health Organisation (WHO) adopted the International Classification of Functioning, disability and health (ICF). The ICF seeks to build a bridge between the biological-medical and more relational approach. The ICF’s main objective is to establish a uniform, standardised language and tool that places emphasis on looking at the individual’s health situation and functional ability in a wider context. The WHO believes this classification can be used as a tool for statistics, research, planning, management and financing, as well as a tool for clinical and educational activities. This classification will be translated into and published in Norwegian in 2003. The Directorate for Health and Social Affairs will also prepare a teaching tool related to this classification.

**Use of concepts in this White Paper**

This White Paper differentiates between the concepts of a reduced functional ability and a disability. These concepts are, among other things, used in describing measures to prevent people with a reduced functional ability from becoming disabled.

The concepts of diminished functional ability or function impairments are used synonymously with the concept of reduced functional ability.

In some situations, there will be a need to discuss measures relating to, or aim measures at, specific groups who have function impairments, such as persons who are mentally retarded, hearing impaired, visually impaired, etc.

The concept of a disability may, within different sectors, be applied in a more limited sense. For example, the concept of mobility disabled is often linked to the transport sector and that of people restricted in their choice of occupation is often used when talking about the labour market.

This White Paper refers to reports that are being prepared, bills that have been introduced to the Norwegian Storting or White Papers that have been presented. The references often use concepts that are used in the documents referred to, even though these do not agree with the definitions used in this White Paper.
2 Description of the situation

This chapter provides a description of the situation for persons with a reduced functional ability based on NOU 2001:22, the results and experiences of the Plan of Action for persons with disabilities (1998-2002), research into living conditions and international trends.

The Government wishes to put the focus on the situation for families with children who have a reduced functional ability and mentally retarded people. An overall presentation of the results and experiences of the reform relating to mentally retarded people, the situation for families with children who have reduced functional ability and the Government’s follow-up is given in later chapters.

2.1 NOU 2001:22 From User to Citizen. A strategy for dismantling disabling barriers

2.1.1 Mandate

As part of the work of following up the Plan of Action for persons with disabilities (1998-2002), the Bondevik Government appointed a commission in April 1999 to assess various strategies and tools for promoting the objective of full participation and equality for persons with disabilities. This commission’s mandate was to:

- Assess various strategies and tools for promoting the objective of full participation and equality for persons with disabilities.
- Describe the structural and institutional frameworks that persons with disabilities face in different arenas and in various phases of life, and consider whether the opportunity for participation and equality on the part of persons with disabilities depends on, for example, their gender or type of disability.
- Assess whether the rights of persons with disabilities are sufficiently safeguarded, and whether the use of rights in the legislation is a suitable tool for achieving the objective of participation and equality. The committee is to consider how the interests of persons with disabilities can best be safeguarded in municipal plans, including whether municipalities should have their own municipal plans of action for persons with disabilities. The committee is also to consider whether municipalities have a need for municipal boards for persons with disabilities as a tool to promote participation and equality. The committee should also consider whether making municipal boards and plans of action statutory is expedient in this context. When reviewing the various strategies and tools (such as the legal, financial and administrative ones), the committee is to consider in which areas and under which conditions the various tools are regarded as being most expedient.
- Give an account of the financial and administrative consequences of the committee’s proposals.
- Propose strategies and tools that can best promote the objectives relating to the living conditions, participation and equality for persons with disabilities.

The commission presented its recommendations on 29 June 2001.

2.1.2 Main findings and analysis

The commission has carried out a broad review of the structural and institutional frameworks relating to persons with disabilities and has identified disabling barriers in various areas.

The commission refers to the fact that persons with a reduced functional ability have in general worse living conditions than the average member of the population, on the whole have a lower income than the population at large, and that many have large expenses relating to health services, care services, medicines, etc. Around half of all those with a reduced functional ability do not work, and the commission points out that the lack of participation in the workforce is the explanation for their low incomes. Insufficient compensation for extra costs relating to function impairments is also pointed out as a problem.

The commission estimates that less than half of the measures that are necessary for achieving
basic access to outdoor environments and buildings, and which are known and recommended, have been implemented. However, there are great variations between municipalities. The committee concludes that persons with a reduced functional ability are currently not given the opportunity to participate in society in the same way as other people.

2.1.3 Challenges and recommendations
The commission summarises its review of these circumstances by stating that in most areas there is a gap between the political objectives and reality. Disabling factors weaken access to parts of society, weaken democratic rights and mean that many people with a reduced functional ability have a worse standard of living than other people. The commission believes that, despite improvements in several areas, the work of putting the basic principles of equality, mainstreaming (sector responsibility), compensation, user participation and universal design into practice has not been successful enough. The commission believes there is a long way to go before the objective of full participation and equality is reached.

In order to meet the above challenges and prevent a large part of the population from continuing to face disabling barriers, the commission proposes a three-part strategy. The first part is to develop a system which ensures that cases are raised and become part of the daily agenda, and that the implementation of measures is followed up and checked. The committee proposes the following measures:
- The introduction of an anti-discrimination law for persons with disabilities which prohibits discrimination while also having the objective of leading to equality.
- The strengthening of existing legislation in order to ensure that people with function impairments are treated equally.
- The creation of a board to supervise the rights of persons with disabilities. Among other things, this is to monitor and document discrimination and contribute to greater access to legal assistance for persons who are subject to discrimination.
- Greater research into persons with disabilities in order, among other things, to document and reveal deviations between objectives and reality and to strengthen the research’s “agenda function”.
- The creation of a documentation centre that is to gather and disseminate knowledge and have an overview over research and development work in this field.
- The operating subsidy given to organisations representing persons with disabilities for their lobbying work is to be increased considerably.
- The creation of mandatory meeting places for representatives of the organisations for persons with disabilities and politicians/public administration employees in all of Norway’s municipalities. The committee is divided in its views on whether the municipalities should be ordered by law to establish municipal boards for persons with disabilities. The committee proposes making user participation statutory, but does not believe that the municipalities must be required to prepare municipal plans of action for persons with disabilities.

In the second part of the strategy, the commission proposes three prioritised areas of commitment: full access to transport, full access to buildings and outdoor areas and full access to information and information and communication technology (ICT). The main objectives are:
- Full access to transport for everyone: public transport and its associated infrastructure (means of transport and terminals) are to be accessible by 2012.
- Full access to buildings and structures for everyone: to the premises of publicly elected bodies by 2005, to buildings where a service is provided to the public by 2006, to kindergartens, schools and universities by 2007, and to work premises and buildings by 2008.
- Full access to information and to information and communication technology: equal access to technology by 2005.

The tools are mandatory plans of action combined with national standards for accessibility, financial incentives in the form of targeted funding and binding deadlines.

In the third part of the strategy, the commission proposes some prioritised measures in various areas that it believes are important for achieving the objective of full participation and equality for persons with a reduced functional ability. These measures are related to the barriers that the committee has uncovered in its review of this area. The commission believes that most of the disabling barriers revealed by the report are created by people and are a result of the fact that society has not been planned and shaped in accor-
dance with the diversity of the population. The commission’s financial calculations show that removing existing barriers will be extremely costly. The committee believes it will be cost-efficient to introduce requirements as to standards so that persons with a reduced functional ability are taken into account prior to new investments.

2.1.4 Position papers received during round of consultations
This report has been the subject of a normal round of consultations. Around 140 position papers were received. The position papers come from a wide range of ministries and organisations in various sectors of society. These parties refer on the whole to the fact that the report provides a thorough analysis and documentation of the barriers created by society and forms a good basis for assessing political objectives, strategies and measures for persons with a reduced functional ability. These parties’ views on the commission’s proposals regarding key tools are in part incorporated into the following chapters of the White Paper.

2.2 Plan of Action for persons with disabilities 1998-2002

Background
The White Paper on the Results of and Experience Gained from the Government’s Plans of Action for Persons with Disabilities and the Road Further (St. meld. no. 34 (1996-1997)) summarised the status following the first two plans of action for persons with disabilities. When the Norwegian Storting discussed this White Paper, there was widespread political agreement on the challenges linked to improving circumstances for persons with disabilities. This was followed by the presentation of the White Paper on a Plan of Action for Persons with Disabilities 1998 – 2001 (later extended to 2002) (St. meld. no. 8 (1998-99)). This White Paper dealt with objectives and strategies and its main focus was on measures that could improve physical accessibility in society. It contained an extensive plan of action.

2.2.2 An accessible society – results
A summary of the results and experiences of the Plan of Action for persons with disabilities shows that many of the individual measures’ objectives have been achieved. The plan of action has helped to improve and establish a number of new public services for persons with a reduced functional ability. The plan of action has also increased the public’s attention to and understanding of the fact that taking the interests of persons with a reduced functional ability into account must be a prerequisite of planning and decision-making processes.

2.2.3 The plan of action as a tool in itself
The Ministries’ summaries point out that the plan of action has had a major effect as a tool in itself. A plan of action that has its basis in the Government and has been debated by the Norwegian Storting focuses more attention on important measures and projects.
2.3 Living conditions

A number of documents shed light on the living conditions and lives of persons with a reduced functional ability or a disability, including the The Equitable Redistribution White Paper (St. meld. no. 50 (1998-99)) and NOU 2001:22 From User to Citizen. Key suppliers of data on living conditions are Statistics Norway (surveys of living conditions) and the Research Council of Norway.

The research into living conditions shows that persons with a reduced functional ability often have worse overall living conditions than the average member of the population, both in the form of a poorer economy, weaker links to the labour force and less education. The average income for persons with a reduced functional ability is three quarters that of the rest of the population. Many also incur major expenses relating to health services, social services, medicines, housing and certain consumer goods.

Proposed or implemented measures

The White Paper on a Plan of Measures to Combat Poverty (St. meld no. 6 (2002-2003) points out that there is a strong link between the lack of or a weak link to the labour market and long-lasting low-income problems. The White Paper also emphasises the link between a low income and poor and/or unstable living conditions.

The Plan of Measures to Combat Poverty states that the Government will combat poverty using three main strategies:
- Getting more people into work
- Making the welfare schemes better targeted
- Implementing measures to ensure social inclusion.

On the basis of several studies, funds were granted in 2000-2002 for a project in the Sagene Tors- tershov district of Oslo to test specific measures that could improve the living conditions of those recipients of basic disability benefit who had the worst living conditions. Experience gained from the project shows that work involving searching out people and giving them close follow-up can give extremely good results. The challenges are linked to the better coordination of public services, greater flexibility in the services offered and better information and guidance to the users regarding existing laws and regulations. Experience gained during the project will form part of the further follow-up of the Government’s work on the Plan of Measures to Combat Poverty.

Further details regarding the collection of data relating to living conditions

Through the sub-programme entitled Research into Persons with a Disability, the spotlight has been put on the concept of living conditions. The aim of this has been to discover the factors that are important for describing the living conditions of persons with a reduced functional ability and whether the indicators that are used are sufficient and good enough to incorporate the special conditions under which many persons with a reduced functional ability and their families live.

The Directorate for Health and Social Affairs will establish a knowledge bank of the living conditions of persons with a reduced functional ability, senior citizens and persons with financial and social problems. The purpose of this is to systematisate and utilise existing sources of data. The Directorate will assess the need to increase the amount of data relating to these groups’ living conditions.

2.4 International work

Over the past few decades, the international policy relating to persons with a reduced functional ability has to an increasing extent been based on human rights. The UN Conventions on Human Rights have supported such a trend. Various conventions stipulate that everyone is entitled to life, freedom and personal safety, and that everyone is entitled to work, education, a cultural life and to establish a family. The UN has clearly stated that the policy relating to persons with a reduced functional ability is about human rights. The UN’s Standard Rules on the Equalisation of Opportunities for Persons with Disabilities were adopted by the UN General Assembly in 1993.

Considerable international collaboration is currently taking place on several levels to develop the policy applicable to persons with a reduced functional ability, both among user organisations and at a state level. Norway is involved in this work, both at the authorities level and via Norwegian organisations. Our policy affects and is affected by the international processes.
2.4.1 European cooperation

The European Union (EU) affects how the policy relating to persons with a reduced functional ability develops. Through the EEA Agreement, large parts of the EU legislation become applicable to Norway. This contains many provisions that are important to accessibility for persons with a reduced functional ability.

The EU also affects this accessibility through the requirements stipulated by the EU Commission in its purchase regulations. For example, the EU requires computer equipment to be usable by people with various function impairments.

One of the main elements in the EU’s work has been to increase people’s knowledge and awareness of the needs of persons with a reduced functional ability and of good solutions. The comprehensive Helios (Handicapped people in Europe Living In an Open Society) programme, in which Norway also participated, was key to this work. Norway is now taking part in the EU programme to celebrate the European Year of People with Disabilities in 2003 and in the programme to promote social inclusion.

Norway takes part in the Commission’s advisory committee (Disability Advisory Committee) but is not entitled to vote since it is not a member of the EU. Norway's opportunities to influence policy are limited. As in Norway, the Commission applies the principle of “mainstreaming” (sector responsibility). This means that the public body that has the general responsibility for an area is also responsible for the services to persons with a reduced functional ability. The key awareness-enhancing work for which the Commission is responsible, among other things through the programme work, is therefore important.

The EU places considerable emphasis on dialogue with the user organisations, and has made a major contribution to the development and running of the European organisation for persons with disabilities, the European Disability Forum. Norway has also supported this organisation and thus laid the foundations for the Norwegian Federation of Organisations of Disabled People (FFO) being admitted as a member of this organisation, in which it plays an active role.

In the Government’s Plan of Action for countries applying to become members of the EU, health is one of the prioritised areas of commitment to which support is given through project work. This also includes support for activities intended to improve the circumstances of persons with a reduced functional ability. Through project collaboration, agreement is given to activities for the blind and deaf and to habilitation programmes for children and young people in their local areas. This support is given on the basis of project applications. The plan of action puts a particular focus on cooperation with institutions and the improvement of institutional personnel’s expertise.

Norway wants to strengthen the human rights of persons with a reduced functional ability through its participation in the Council of Europe. Norway is working to ensure that the policy relating to persons with a reduced functional ability will be integrated in all the Council of Europe’s relevant committees.

The Council of Europe’s work relating to persons with a reduced functional ability has so far been organised according to a sub-agreement covering only 18 of the 45 member countries. Norway is one of these. Several of the countries in eastern Europe are not covered by this agreement, and it has been impossible to make the work in this field sufficiently representative or wide-ranging.

Some of the work under the sub-agreement leads to recommendations by the Council of Ministers that cover all the countries. One contribution in the past few years has been a recommendation that universal design should be part of the curriculum when training people such as architects. Another recommendation is linked to the nations’ role in ensuring that new technology does not create new barriers for people with a reduced functional ability.

The second ministerial conference of the Council of Europe’s member countries on the policy relating to persons with disabilities was arranged in Spain in May 2003. The two main themes of the conference were how individuals can achieve their rights as citizens and how the services can be renewed and developed.

The political declaration agreed on at the ministerial conference identifies objectives and important elements in a strategy that the Council of Europe is to shape into a European plan of action for persons with disabilities. Issues to which Norway in particular contributed were:

- children with a reduced functional ability and their families
- persons with a reduced functional ability who have a great need for assistance
- a proposal that the Council of Europe contribute to the ongoing work in the UN to examine
the question of an international convention on the rights of persons with disabilities.

Norway has placed great emphasis on the fact that the follow-up of the ministerial conference had to be a part of the Council of Europe’s activities in which all the member countries take part. The Secretary General of the Council of Europe is working to ensure that the Council of Europe will have transferred the activities in the sub-agreement to activities for all the Council of Europe member countries within three years. The objective is to start transferring these activities in 2004.

2.4.2 Nordic cooperation

The cooperation within the Nordic Council of Ministers has included in part practical cooperation tasks and in part the development of a common understanding of problems and a common approach to the policy relating to persons with a reduced functional ability. For many years, cooperation on technical aids was the key issue, and the division of work regarding the testing of such aids was a useful measure. The cooperation in this area has continued, but the focus is to a greater extent on arenas for the exchange of experience, information and the provision of technical aids.

More and more emphasis has been placed on cooperation at a Nordic level with organisations representing persons with disabilities. This has been formalised through the Nordic Council on Disability Policy (NHR) which is an advisory and policy-developing body for the entire Council of Ministers organisation. This board has put the spotlight on increased accessibility for persons with a reduced functional ability through the use of the universal design principle. Among other things, the board has held Nordic competitions to find good solutions for access to, for example, teaching institutions, museums, ancient buildings and transport systems and in societal planning.

Within the health and social welfare sectors, a separate institution has been established for cooperation on issues relating to persons with a reduced functional ability – the Nordic Cooperation on Disability (NSH). This is responsible for running a number of programmes and projects and for a scheme to provide subsidies to organisations representing persons with disabilities. The Nordic Development center For Rehabilitation Technology is subject to the NSH. The NSH has also been made responsible for providing secretariat services to the NHR.

Through the NSH, Norway has led the Nordic Council of Ministers to focus on the sector responsibility or mainstreaming principle. The aim of this has been both to make the NSH primary tasks in the health and social welfare sectors visible, and to contribute towards various parts of the Nordic Council of Ministers playing a more active role with regard to the situation for persons with a reduced functional ability.

It looks as if coordinating Nordic views on issues that are to be dealt with by the EU may become an important part of the Nordic cooperation. Sweden places emphasis on this in its programme for the chairmanship of the Nordic Council in 2003.

It is also important to have Nordic cooperation in foreign aid and development work. In November 2000, a Nordic ministerial conference held in Copenhagen put the spotlight on persons with a reduced functional ability in the collaboration on development work. The conference affirmed important principles. The most important of these was the acknowledgement of the fact that the interests of persons with a reduced functional ability are to be taken into account in relevant programmes and activities. The need for more knowledge of the situation for persons with a reduced functional ability in poor countries, both in the form of statistics and documented experiences, was also pointed out. The follow-up work to the conference will be evaluated in 2005. Greater Nordic coordination, not least in dealings with multilateral organisations, will be important in the further work of putting this field more clearly on the international agenda.

2.4.3 Multilateral cooperation

The development of international human rights instruments has been important to both the Council of Europe and the UN. The international norms protect the rights of persons with a reduced functional ability in the same way as all other persons’ rights. Realising these rights is thus the overall objective of the efforts made in developing countries. A discussion has been taking place for many years regarding whether the rights of persons with a reduced functional ability and protection against discrimination should be specially regulated, as the case is for women and children, for instance. Persons with disabilities are only explicitly mentioned in one of the UN’s human rights conventions (the Children’s Convention). The UN’s convention on children’s rights was
adopted by the General Assembly in 1989. Through the Children’s Convention, children with disabilities, as well as children in general, are given clear rights.

The UN’s Convention on Children’s Rights is an important foundation for the policy applicable to children and young people in Norway. The Ministry of Justice and the Police has, in a parliamentary bill entitled An Act relating to Amendments to the Human Rights Act, et seq (Ot. prp. no. 45 (2002-2003)), proposed incorporating the Children’s Convention into Norwegian law. It also proposes some specific changes to the law that will lead to the convention becoming more visible in Norwegian legislation.

The UN’s Children’s Committee has previously commented on Norway’s second report to the UN – among other things that children with a reduced Functional ability are not integrated sufficiently into Norwegian society. This relates to several sectors, such as kindergartens, schools, culture and outdoor areas. In addition, the comments relate to the physical access to public buildings and transport systems.

In May 2002, the UN’s General Assembly held a Special Session on Children in New York. The aim of the special session was to look at the experiences of implementing the plan of action adopted at the Children’s Summit Meeting in 1990, and to agree on setting future priorities for children. A plan of action entitled “A World Fit for Children” was agreed to. This puts a clear focus on particularly vulnerable groups of children, including children with a reduced functional ability.

The plan of action places emphasis on both preventive measures and undertakings that children with a reduced functional ability will have access to basic health and education services, including rehabilitation services. Norway has made active efforts to ensure a clear focus on the rights of children with a reduced functional ability in the plan of action.

Previous proposals to prepare a separate UN convention on the rights of persons with disabilities were not successful. Many states, including Norway, believed that existing human rights conventions provided sufficient protection against discrimination. Instead, it was agreed to prepare Standard Rules on the equalisation of opportunities for persons with disabilities. Norway played a key role in shaping the draft rules. The UN has appointed a special reporter who is to monitor how the standard rules are followed up. Since the creation of this position in 1994 until the end of 2002, the special reporter has been Bengt Lindquist from Sweden. The special reporter’s mandate was renewed in 2002 for another three years.

Norway provides financial support to the work of the special reporter, who reports to the UN’s Commission for Social Development. The special reporter’s work contributes to strengthening the national states’ follow-up of the standard rules, and is an important part of the work of improving the rights of persons with disabilities.

The EU’s Treaty of Amsterdam (1999) contains a new non-discrimination provision that prohibits discrimination on the basis of disability in the same way as discrimination on the basis of age, race or ethnic background, gender, sexual preference, religion or faith.

A change in mood led to the UN Assembly General in 2001 establishing an ad hoc committee to examine the question of an international convention on the rights of persons with disabilities. Norway expressed strong support for this in a joint Nordic statement to the UN’s Human Rights Commission in 2002 and has played an active role in the committee’s work. Norway places emphasis on the fact that the main objective of an international convention should be to achieve a considerable improvement in the situation for persons with disabilities, both as regards practical policy and legal rights. The convention should therefore have an attainable ambition level and there should be a follow-up system that, at intervals of a few years, registers how far each country has come.

### 2.4.4 Cooperation on foreign-aid work

The work relating to persons with a reduced functional ability forms part of Norway’s work on human rights and to combat poverty. The main objective of the foreign-aid work relating to persons with a reduced functional ability is social integration. This means that the main emphasis is to be on measures that integrate persons with a reduced functional ability into the ordinary range of services offered.

Persons with a reduced functional ability in developing countries are often among the very poorest there. They often have less access to health services and education than other members of the population. Poverty in itself can lead to a reduced functional ability. Poor nutrition, a dangerous working environment, poor living conditions, limited access to health services, etc, are factors that may lead to poor people being more liable to incur a reduced functional ability.
Norwegian foreign-aid policy stipulates a requirement that the needs of persons with a reduced functional ability are to be safeguarded. In 1999, the Ministry of Foreign Affairs prepared a ten-year Plan for the Work relating to Persons with Disabilities in Aid to Developing Countries. The Ministry of Foreign Affairs’ plan of action lays the foundation for the work aimed at persons with a reduced functional ability. It is based on various the Norwegian parliamentary documents and on the UN’s standard rules. The core of the standard rules is that persons with a reduced functional ability are to have the same rights and duties as everyone else in society.

Emphasis is to be placed on a policy dialogue with partner countries and in multilateral fora. Norway is to make efforts to ensure that international organisations increase their work aimed at persons with a reduced functional ability. The rights of persons with a reduced functional ability must form a natural part of the dialogue with the authorities in partner countries. Efforts must be made to ensure that the situation for persons with a reduced functional ability is improved and that their rights are safeguarded in the field of public services. Particular emphasis is to be placed on accessibility with regard to health and education, co-determination in political processes and the opportunity to find work. The interests of persons with a reduced functional ability must be safeguarded in relief work too, and Norway is to contribute to the implementation of the Convention on Mines by providing support to mine victims.

Experience gained from following up the plan of action has shown that the UN system is a good channel for providing assistance to persons with a reduced functional ability. Organisations such as UNICEF, ILO, WHO, HABITAT and UNESCO are active in this field. UNICEF cooperates with WHO in a number of areas to prevent children from being born with function impairments or being affected by them later on in life. UNICEF and WHO have, for example, helped to reduce the number of polio cases. ILO has for several years worked to improve the opportunities of persons with a reduced functional ability in working life through international work standards, advisory services provided to national authorities and research work.

A lot of work remains to be carried out with regard to the policy dialogue with partner countries on the rights of persons with a reduced functional ability. In order to follow up both this and the work in the UN system, the Ministry of Foreign Affairs will try to incorporate this consideration more systematically into both instructions for meetings in UN fora and the dialogue with partner countries.

Several voluntary organisations are actively involved in providing assistance to persons with a reduced functional ability. A number of organisations representing persons with disabilities are members of the Atlas alliance, which has a framework agreement with the Norwegian Agency for Development Cooperation (NORAD). Around half of the support given as foreign aid to persons with a reduced functional ability is channelled through voluntary organisations. In 2001, the Atlas alliance received around NOK 509 million in funding.

Education For All (EFA) is a basic right and Norway has undertaken to work towards this. The education conference in Dakar in 2000 adopted a plan of action to ensure education for all, and international society undertook to achieve the six main objectives by the year 2015. The two sub-objectives regarding education in the UN’s Millennium Objective agree with the Dakar objectives.

The Norwegian strategy for education for all by 2015 was launched in January 2003. One important aspect of the Norwegian strategy is that Norwegian aid to developing countries for education is to be increased from 9 to 15 per cent. In Norwegian development-aid policy, education is regarded as the most important individual factor for combating poverty, while also being a human right and a benefit in itself.

However, there are still many people who do not receive an education. In 2000, 115 million children had no access to primary/lower secondary schooling. Reaching children with a reduced functional ability and ensuring their education will require special efforts. In the Norwegian efforts to ensure education for all, a special focus is to be placed on the rights to schooling of children with a reduced functional ability and this must be an integrated consideration.

The Dakar plan of action (2000) does not make visible, or safeguard sufficiently, the right of children with a reduced functional ability to an education. On this basis, the Nordic countries took the initiative to create a so-called EFA (Education for All) flagship. Norway, together with the UNESCO headquarters, is currently responsible for following up this flagship during the first three years. The University of Oslo has been given funding by the Ministry of Education and Research to establish and run the flagship and has also made a member of staff available to work on this.
The flagship is a network with a common objective and with the aim of reinforcing efforts in this field. The flagship is intended to create a greater focus on “inclusive education” and strengthen the education sector. A separate seminar on the EFA flagship will be held in connection with the 8th International Congress on Including Children with Disabilities in the Community, to be held in June 2004 in Stavanger.
3 Objectives and strategies

3.1 Assessment of the situation

The review in the previous chapter shows that major changes have taken place over the past few years. Measures and services have been improved and new schemes have been established. However, the gap between the objective and reality is still great in some areas.

NOU 2001:22 From User to Citizen also points out a number of challenges. This report has provided the basis for a debate on such things as the direction, size and weighting of various tools. In this debate, the following questions have been raised:

- What has produced results so far?
- What is the reason for us succeeding in some areas and failing in others?
- What have been the experiences of other countries and which of these can be applied to Norwegian societal conditions?
- How do we balance the policy tools for persons with a reduced functional ability against important main objectives in Norwegian policy linked to decentralisation, greater municipal self-government and the simplification of the public sector?

The debate shows that there are no simple isolated measures that can resolve the challenges we are facing. There must be a greater awareness and wide-ranging mobilisation in the private and public sectors, in all areas of society and levels of public administration. It is only through systematic work over time, and by starting to use a set of tools, that it will be possible to face the greatest challenges remaining in the policy relating to persons with a reduced functional ability.

NOU 2001:22 From User to Citizen proposes creating plans to improve existing buildings, means of transport, etc, in order to make these comply with the requirements as to universal design by specific deadlines. These proposals are discussed in further detail later on. These improvement plans will, in so far as it has been possible to estimate their costs, lead to huge public costs. The Government has not found room for such a commitment.

After NOU 2001:22 was presented in June 2001, the Government has put forward a proposal regarding, or implemented, a number of measures to improve the situation for persons with a reduced functional ability. These measures will be discussed in greater detail in later chapters.

Education and work

The policy relating to persons with a reduced functional ability must be based on the individual’s natural desire to be self-sufficient. Arrangements must be made so that everyone, based on their capabilities, has the opportunity to participate actively in society. For many people of working age, this involves opportunities to be self-supporting and support their families through their work and own income. The Government also places emphasis on the societal gains relating to the individual starting to use his/her resources.

The White Paper on Equalisation (St. meld. no. 50 (1998-99)) stated that “persons with a reduced functional ability often have worse overall living conditions than the average member of the population, both in the form of a poorer economy, weaker links to the labour force and less education.”

Work is one of the most important factors for improving living conditions. Studies show that higher education increases the opportunities for persons with a reduced functional ability to obtain work to a much greater extent than it does for the rest of the population. For the Government, it is important to improve the opportunities for persons with a reduced functional ability to take part in working life. Education and work are thus a key area of commitment.

Accessibility

Accessibility is the other area of commitment in the Government’s policy relating to persons with a reduced functional ability. This includes such things as access to buildings, outdoor areas, services and products.

Barriers created by society lead to persons
with a reduced functional ability becoming disabled and provide obstacles to participation and equality. Through the Plan of Action for Persons with Disabilities, a number of measures have been implemented to reduce the obstacles created by society. Making the existing legislation clear and strengthening it, development projects at a municipal and county council level, an increased focus on user participation, cooperation with educational institutions, and extensive course activities have produced results. These measures have contributed to a greater awareness of the needs that persons with a reduced functional ability have and which must be safeguarded in the planning and decision-making processes. Knowledge of how society can be made more accessible has increased and the prerequisites for creating a society that is suitable for everyone are better. Accessibility is increasing in a number of areas and several municipalities and county councils can demonstrate good results.

NOU 2001:22 From User to Citizen shows that major challenges remain. Many people experience an everyday life that prevents them from leading an independent, active life. The Government will focus on measures to increase accessibility in society.

**Services**

Improved services are the third area of commitment in the Government’s policy relating to persons with a reduced functional ability. Many persons with a reduced functional ability are dependent on extensive services from various bodies in order to lead an active, independent life.

The Government believes that important challenges for the public services are related to personnel recruitment, expertise, organisational factors, information, service and procedural work. For many people who need services from differing bodies, the services often do not appear to be very coordinated. It is also a problem that many do not provide sufficiently individualised services.

**Children with a reduced functional ability and their families**

As regards the situation for children with a reduced functional ability and their families, the Government believes there is a need to make services more accessible, further coordinate the services that are provided, increase the expertise in the help system and increase the psychosocial services offered.

**Mentally retarded people**

Persons with a reduced functional ability also include mentally retarded people. The Government’s basic values emphasise that it is the individual citizen who is to be at the centre when policy is being formulated. Society has an obligation to safeguard the individual’s value as a human being and equality. This means, among other things, that services and measures provided to mentally retarded people must be based on the individual’s needs and capabilities. Society must make conditions suitable so that mentally retarded people can fully utilise their abilities and live as normal a life as possible, with the same living conditions as others and the greatest possible degree of self-determination.

Research shows that we are still facing challenges to improve mentally retarded people’s living conditions and circumstances in various areas of life. In its further work, the Government will follow up the weaknesses revealed. These are related to housing, services, the expertise of personnel, work and leisure time. Although some mentally retarded people’s social life has improved since the reform, many still feel isolated and have a poor network. The Government believes it is important to pave the way for a more active and varied leisure time in which mentally retarded people can to a greater extent take part in activities intended for everyone. It is also important to continue the work of improving mentally retarded people’s opportunities for self-determination and participation.

### 3.2 Visions and main objective

#### 3.2.1 Vision

The Government’s policy relating to persons with a reduced functional ability has the following vision:

**Persons with a reduced functional ability are to have the same opportunities for personal development, participation and enjoying life as other citizens.**

Persons with a reduced functional ability, like other people, are to have rights and opportunities to decide over their own lives and be respected for their wishes. People’s equality must also be reflected in the opportunities offered by society. In order to ensure equal opportunities, obstacles must be removed and society must be accessible to every-
Persons with a reduced functional ability are not a homogeneous group and society’s demands and assistance must be adapted accordingly.

### 3.2.2 Main objectives

Based on the Government’s basic values and vision, the objectives will be related to creating framework conditions that ensure persons with a reduced functional ability have opportunities for personal development and to take part in society. This requires an integrated, coordinated policy.

The main objectives of the Government’s policy relating to persons with a reduced functional ability are:

- Active participation and full equality.
- Good access to buildings, outdoor environments, products and services.
- Services, training and qualification are to be based on the individual’s requirements.
- More people in work who can utilise their abilities and talents for the benefit of themselves and society.
- Financial and social security must be ensured.

### 3.3 Strategies

In a historical perspective, persons with a reduced functional ability have often been discriminated against and excluded from large parts of society. Institutions and segregation were intended to protect persons with a reduced functional ability from society. For many people, life in an institution became an exclusion from society. This way of thinking was later replaced by the objective of participation in society and equality.

NOU 2001:22 From User to Citizen shows that the situation for persons with a reduced functional ability varies greatly from sector to sector. For example, as regards basic training, Norway is far ahead of most other countries, while in other sectors there are major challenges. The report states that the mainstreaming (sector-responsibility) principle has helped to ensure equality between persons with a reduced functional ability and other citizens as regards the bodies/sectors that are formally responsible for providing the services. The fact that the mainstreaming principle has been stipulated is, however, no guarantee that a sector will implement the necessary measures that contribute to equal services in line with the main objectives of the policy relating to persons with a reduced functional ability.

**The mainstreaming (sector-responsibility) principle**

The Government believes that the mainstreaming or sector-responsibility principle is a necessary and basic strategy for achieving the main objectives of the policy relating to persons with a reduced functional ability. This strategy means that it is the normal societal bodies that are to provide and finance services to persons with a reduced functional ability in the same way as to the rest of the population. It is the same bodies which, as required, are to provide additional special schemes if the ordinary schemes are insufficient.

The implementation of the Plan of Action for Persons with Disabilities (1998-2002) has provided important experience in the use of tools that promote sector responsibility. The Government will build on this experience. The responsibility for coordinating the policy relating to persons with a reduced functional ability lies with the Ministry of Social Affairs. This includes a responsibility for initiating measures to achieve stipulated objectives and for coordinating the Government’s policies in this area. The work of coordinating the policy relating to persons with a reduced functional ability is to be carried out by a separate Committee of State Secretaries chaired by the Ministry of Social Affairs.

In order to achieve the main objectives and results in the areas of work, education, accessibility and services, the sector responsibility must be strengthened. Each sector of society must be shaped and act in such a way that measures and services are made available to persons with a reduced functional ability.

A White Paper that is to promote sector responsibility cannot provide the answers to all the challenges relating to persons with a reduced functional ability. The White Paper’s most important objective is to create a superstructure across ministerial boundaries, with binding objectives, strategies and tools in the policy relating to persons with a reduced functional ability. Although many measures are presented in the White Paper, the shape of more specific measures will to a significant extent have to be anchored in sector-related processes in the various ministries. The interests of persons with a reduced functional ability must be clearly taken into consideration in the development of White Papers and planning and budgetary documents. In this White Paper, the Government will refer to on-going and planned processes in which it is important that these interests are taken into consideration. The White
Paper also discusses specific measures to promote sector responsibility and ensure that the interests of persons with a reduced functional ability are taken into consideration within the various ministries’ areas of responsibility.

**Better knowledge of the situation of, and societal developments relating to, persons with a reduced functional ability**

The Government will help to increase the basic knowledge of the situation of, and societal developments relating to, persons with a reduced functional ability. This may provide information on the achievement of objectives and the effectiveness of using the various tools, and show where the need for increased efforts is greatest.

**Greater user participation**

Many users experience that services provide too little information and poor service, make errors in their casework, are difficult to get hold of, are poorly organised and coordinated, are not very flexible and have shortcomings in their services. Greater user participation can contribute to the services being better adapted to the users’ wishes and needs.

In general, the Government wants an open public administration system and user participation in all public planning work. The Government wishes to increase user participation. The users’ viewpoints must become a more important condition on which the shape of the individual services and of public services and systems that organise the production of services are based.

Persons with a reduced functional ability also have interests that stretch beyond the desire to have an influence on matters that directly concern themselves. If persons with a reduced functional ability are to be said to be fully equal members of society, this group must be able take part in political decision-making processes and governing bodies in the same way as other people. The Government will improve the opportunities that persons with a reduced functional ability have to safeguard their political rights.

**Universal design as a strategy**

Society is not designed for or adapted to suit everyone, and many people are prevented from enjoying life to the full and taking part in society. Every day, decisions are made that affect which groups and individuals do not have access to buildings, outdoor environments, services or products that are built or rehabilitated/renewed. Knowledge of universal design is key to the work of increasing awareness of the fact that the interests of persons with a reduced functional ability must be taken into consideration.

Universal design means that accessibility for persons with a reduced functional ability is achieved, in so far as possible, through ordinary, general measures as a natural part of the product design, architecture, planning and service.

Experience has shown that taking the interests of persons with a reduced functional ability into consideration is not necessarily a cost-increasing element if this is done in an early phase of the planning work. The costs are considerably higher if inaccessible buildings, services or outdoor environments are to be altered later on. Universal design is thus a cost-effective strategy that should form the basis of planning work.
4 Tools

4.1 Legal tools

4.1.1 Proposals in NOU 2001:22
Following a detailed discussion of today’s legislation, NOU 2001:22 From User to Citizen proposes strengthening the legal protection afforded to persons with a reduced functional ability. In order to prevent a large part of the population from continuing to face disabling barriers and being exposed to discrimination, the committee believes that other, more binding, tools than those traditionally used in Norway must be utilised. The committee’s proposal includes the introduction of an anti-discrimination law for persons with disabilities, the strengthening of the existing legislation and the creation of a supervisory board to monitor the rights of persons with disabilities.

It also proposes establishing mandatory meeting places for representatives of organisations for persons with disabilities, politicians and the public administration sector. This proposal is discussed in greater detail later on.

4.1.2 Commission to assess the proposal to introduce an Act to prevent the discrimination of persons with disabilities
On 29 November 2002, the Government decided to appoint a commission to look into ways of strengthening the legal protection against discrimination afforded to persons with disabilities, including the issue of a separate Act to prevent the discrimination of persons with disabilities. In this way, the Government wishes to discover which legal tools are most suitable for improving the legal protection afforded to persons with disabilities.

The commission’s mandate states that the committee is to prepare a draft of a new Act or a draft of amendments to existing legislation, or both, in order to strengthen the legal protection against discrimination afforded to persons with disabilities. This is intended to give persons with disabilities the same rights to full participation in society and equality as other citizens.

The commission’s proposals are to aim to actually improve the legal protection against discrimination afforded to persons with disabilities. The commission has to decide who is to be given rights and duties, including whether individual rights should be given to persons with disabilities in more areas than at present under prevailing law. The commission has to discuss various sanctions that could be used and decide on burden-of-proof rules and forms of liability in the case of any civil-law sanctions. The commission is to consider whether separate bodies should be responsible for the efficient follow-up of the regulations.

The commission must ensure that the draft legislation is within the framework of Norway’s international law obligations, chart the relevant legislation in other countries, and look at the work in the context of the ongoing process relating to the proposed UN convention on persons with disabilities. The commission has been asked to complete its work by 31 December 2004.

4.1.3 Work on legislation
Parallel to the abovementioned committee’s work, the Government has put forward, and will continue to put forward, a number of proposals to amend the law in individual sectors in order to improve the legal situation for persons with a reduced functional ability:

New Election Act
- Parliamentary bill (Ot. prp.) no. 45 (2001-2002) made proposals regarding a new Election Act. Regulations were prepared and took effect as from January 2003. In §26 of the regulations regarding polling stations, such things as the right of access to polling stations for persons with a reduced functional ability and access for blind and visually impaired people to vote without the help of others are improved.
Education

Services
- Parliamentary bill (Ot. prp.) no. 54 (2002-2003) proposes authorising the right to an individual plan in the Social Services Act, etc.
- Section 4-6 of the Social Services Act authorises the Ministry to stipulate quality requirements for the service.
- The Government will consider expanding the patient ombudsman scheme to also include the Norwegian Municipal Health Services Act and services pursuant to the Social Services Act.
- On 21 March of this year, the Government appointed a committee to examine and make proposals regarding how to harmonise the municipal health and social services legislation.

Working life
The committee appointed to review employment legislation has, in its proposals regarding the incorporation of Council Directive 2000/78/EC on the implementation of the principle of equality in working life, proposed amendments to the Norwegian Working Environment Act. These amendments involve the continuation, and a certain expansion, of the scope of prevailing provisions in section 55 A, subsection two of the Working Environment Act, which currently protects persons with disabilities from discrimination during the hiring process.

4.1.4 Making services and benefits better targeted and more coordinated
A number of welfare schemes have been established to ensure the necessary and proper help and financial and social security. Several schemes are closely related and are intended to cover some of the same needs. Administratively speaking, the schemes are organised differently and establish rights to different degrees. In some areas, legislation gives the municipalities a great deal of freedom to assess the scope of welfare benefits at their discretion, while in other areas individual rights have been established to a greater extent and there is less room for the exercise of discretion. This particularly applies to schemes based on the Norwegian National Insurance Scheme Act.

The way in which the welfare schemes are organised can in some cases result in an untidy scheme, seen from both the users’ and the public administration’s viewpoint. Poor coordination of the benefits at a municipal and state level and differing degrees of established rights also lead to geographical differences. It can be questioned whether today’s schemes are organised and regulated by law in such a way that this provides sufficient security, predictability and integration. This must, not least, be looked at with regard to the need to exercise discretion in relation to the individual.

The Government will continue to look at the various benefits/services in connection with each other, among other things in the health and social sector. The aim is to assess the total use of tools by the municipalities and state. As part of this work, it is desirable to look at the way in which this is organised, the extent to which rights are established, the conditions that trigger the exercise of rights, and the relationship between cash benefits and services. This work must be seen in connection with the follow up of the White Paper on measures to combat poverty (St. meld. no. 6 (2002-2003)) and the work of coordinating the Norwegian Directorate of Labour, the social security services and the social welfare services (abbreviated to SATS).

4.1.5 Use of existing legislation
The Government believes it is important to put the focus on existing legislation in order to improve the situation for persons with a reduced functional ability. This is linked to three factors:
- Information and guidance on existing legislation
- How the existing legislation is practised.
- Lawsuits relating to the current practice.

In a project entitled “Improved user guidance for persons with disabilities”, it was pointed out that the greatest problem for the users today is not a lack of rights but a lack of ability on the part of the public-service system to provide guidance to people so they can exercise their rights.

The results of the project reveal shortcomings
regarding information, guidance and casework in public services.

One important challenge is to ensure that the services themselves own the problems that the users describe and that this forms the basis for the services implementing targeted measures that can improve information and service.

NOU 2001:22 From User to Citizen concludes, among other things, that legislation intended to protect the rights of persons with a reduced functional ability does not function as intended. For example, provisions that allow dispensation from requirements regarding access to, for example, buildings are utilised to too great a degree. The committee has based its work on the assumption that the legislation is in many areas very satisfactory and in line with the objectives of protecting weak groups. A crucial question is thus if the intentions are in practice being safeguarded sufficiently.

In its future work, the Government will place emphasis on measures to improve information and guidance on existing legislation and consider measures where the intention of the Act and what happens in practice do not correspond sufficiently.

The way in which the existing legislation is practised that is of importance to persons with a reduced functional ability has not been tested in court very often. The reasons for this are complex. The wording of the regulations, the nature of the rights, the limited opportunity to try cases in court, and the lack of financial resources among persons with a reduced functional ability may be possible reasons.

The White Paper on Legal Aid (St. meld. no. 25 (1999-2000)) states that surveys indicate that it is the part of the population that has the greatest need for social benefits that least knows its rights. Public funds for legal aid should be used where the need is greatest, and the service should primarily encompass cases that are generally regarded as being most important to people and which affect their personal circumstance the most strongly.

Based on the issues related to how the existing legislation is practised, it is important to take a closer look at how the supervisory boards can help put the focus on the situation for persons with a reduced functional ability.

The Government will work actively to make the individual sector's supervisory board responsibilities clear. Among other things, this is to take place through the ministries' annual letter of award to the underlying supervisory boards. Existing boards must to a greater extent help to ensure that the opportunities afforded by current legislation to improve the situation for persons with a reduced functional ability are also utilised.

4.2 Financial and administrative tools

It is relevant to utilise financial tools, both in the form of a supply of funds to improve the efforts in further defined areas and by creating economic incentives that promote the objectives stated by the Government in its policy relating to persons with a reduced functional ability. The Government will in this context particularly put the focus on the state as a demanding customer. State-run operations are a major customer in the market. The requirements set by the state may affect the shape and content of the products and services supplied by the market in general. This is discussed in greater detail later on.

Administrative tools are, among other things, related to organisation, consciousness-raising through requirements as to reports and procedures, and the improvement of expertise through information and training.

4.2.1 More about procedures

In order to strengthen sector responsibility and ensure that the interests of persons with a reduced functional ability are safeguarded in relevant public reports and procedures, it is necessary to increase the awareness of public employees and improve the administrative routines.

The state

As part of following up the Plan of Action related to persons with disabilities (1998-2002), a round of consultations was held on the use of the UN's Standard Rules on the Equalisation of Opportunities for Persons with Disabilities in the state administration system. This revealed that there are still many challenges relating to starting to make more active use of the standard rules. A separate training programme for state employees showing how the UN’s standard rules can be used in their daily work is currently being prepared by the Directorate for Health and Social Affairs.

The Norwegian State Council on Disability (SRFF), which is an advisory body for, among others, the Government, is in its mandate assig-
need tasks linked to following up the UN’s standard rules. The SRFF bases the views it states in rounds of consultations and its dialogue with the ministries on these standard rules. Through closer cooperation between the SRFF and the ministries, the awareness of the situation of persons with a reduced functional ability may increase. The SRFF’s mandate period expires in 2003. In connection with the appointment of a new board, the Government will adjust the mandate so that closer, more regular contact will take place between the SRFF and the ministries in charge of the sectors.

The ministries’ annual letter of award and steering dialogue stipulate requirements as to production and focus in the underlying services. These processes are to be used more actively in order to increase the awareness of the situation for persons with a reduced functional ability. The objective is to clarify how the individual body can help to promote the Government’s objectives in this area.

According to the Instructions for Official Studies and Reports, ministries are ordered, in their work on Acts and amendments to Acts, to take, among other things, equality consequences into consideration, including relating to reduced functional ability. Work has been implemented to make these instructions’ requirements relating to shedding light on the situation for persons with a reduced functional ability clear.

**County councils and municipalities**

During the Plan of Action for persons with disabilities (1998-2002), a number of measures were initiated so that municipal and county council procedures would to a greater extent safeguard the needs of persons with a reduced functional ability. One of these measures was the preparation of circular T-5/99 Accessibility for All. This circular is intended for municipalities, county councils, county governors, ministries and organisations. The objective of the circular is to:

- make visible and strengthen the interests of persons with a reduced functional ability in planning work pursuant to the Planning and Building Act
- give the municipalities a better basis for integrating and safeguarding the interests of persons with a reduced functional ability in their ongoing work on municipal, regulation and development plans
- provide a basis for assessing cases where the interests of persons with a reduced functional ability conflict with other considerations and interests
- give the county councils and county governors opportunities to provide contributions and assist in the municipal planning work when this is necessary to safeguard the objective of the circular.

The circular contains a separate chapter on the municipal planning process. This stresses that the municipalities have to carry out an overall assessment of the measures necessary so that persons with a reduced functional ability can fully take part in society and have to coordinate objectives and measures in the municipal planning work. In order to achieve this, it is important that the interests of persons with a reduced functional ability are safeguarded in the long-term part of the municipal plan, in plans of action with a long-term budget and in development goals, annual plans and annual budgets.

A number of measures have been implemented to make this circular known, but further measures are necessary to ensure that the circular is actively used.

### 4.3 Research and documentation

The Government will contribute to increasing the knowledge of the situation for and societal developments in relation to persons with a reduced functional ability. This will provide better information on goal achievement and the effectiveness of using the tools and show where the need for efforts is greatest.

#### 4.3.1 Documentation centre

NOU 2001:22 proposes the creation of a documentation centre. A White Paper (St. meld. no. 34 (1996-97)) had already discussed a similar proposal. The Government wanted to establish a secretariat to maintain an overview over ongoing and completed research, to arrange contact and disseminate knowledge and to initiate research.

The Government wants to establish a documentation centre that will gather information and develop tools to report on developments in the various sectors of society with regard to the situation for persons with a reduced functional ability.

In order for the information to improve, the results of the current data gathering must to a
A greater extent be seen in relation to each other. A number of institutions gather data, or provide support for the gathering of data on the situation of, or services for, persons with a reduced functional ability. Important institutions are Statistics Norway, the Research Council of Norway, and other research environments and centres, as well as various state directorates. These bodies are not very coordinated when it comes to comparing data to provide the best possible all-round picture of the situation for persons with a reduced functional ability.

Arranging for a better comparison of data is an important task, but is not sufficient to ensure the necessary knowledge base for choosing tools and measures for the policy relating to persons with a reduced functional ability. In several areas, there are no data, or the data gathering that takes place provides extremely inadequate information on the effect of various measures aimed at persons with a reduced functional ability. It will also be necessary to develop tools and methods to improve the data basis in areas where the knowledge base is lacking.

Important tasks for the documentation centre will be:
- To establish a collaboration between key institutions that gather knowledge on persons with a reduced functional ability.
- To develop and start using a tool to enable regular reports on developments in the situation of persons with a reduced functional ability in the various sector areas.
- To ensure that this tool can be used, in so far as possible, to compare developments in Norway with those in other countries, cf the open coordination method in the EU.
- To contribute to improving the data gathering that now takes place with public support, and to propose and possibly start the gathering of data in areas that are poorly covered.
- To have a special focus on the gathering of data that can ensure greater knowledge of goal achievement and the effect of tools on public policy in this area.
- To provide an assessment of developments compared to national targets and the UN’s Standard Rules on the Equalisation of Opportunities for Persons with Disabilities.
- To make the knowledge that is gathered easily available to public bodies, decision-makers and others that need and want information.
- To provide advice and guidance.

The documentation centre is to present an annual report on the status of the situation for persons with a reduced functional ability. The Government will return to the question of how the content of the annual report can also be made known to the Norwegian Storting.

4.3.2 Research

NOU 2001:22 From User to Citizen – proposal

NOU 2001:22 places emphasis on research being an important tool to achieve the goal of full participation and equality for persons with a reduced functional ability. The report points out that research plays a major role in documenting everyday life and disabling factors, evaluating the effect of measures and analysing the situation of persons with a reduced functional ability. The report points to the fact that research has been characterised by a focus on the individual perspective and that a lot of the research is based on diagnoses. What is lacking is more socially oriented research. There have also been problems related to creating stable, competent research environments, and a wide range of institutions currently carry out research. The report also points out that some important issues have only been slightly covered by current research. These include:
- The significance of general changes to society for persons with a reduced functional ability.
- Studies that put the spotlight on the environment and what it is that creates barriers to participation for persons with a reduced functional ability.
- Surveys that shed light on how tools function in practice.

NOU 2001:22 recommends the following measures to improve the research:
- There is a need for more resources, and on a wider front than only those relating to the areas covered by the former Ministry of Health and Social Affairs and the Ministry of Education, Research and Church Affairs. In 2001, it was on the whole these two ministries that funded research in this field.
- Some environments have to be encouraged to make a special commitment to research into persons with disabilities. These must be promised funds for a certain length of time, and the environments must have contact with wider research environments, especially the universities.
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Dismantling of Disabling Barriers

The Government’s assessment and recommendation

The first programme of research into persons with disabilities was carried out from 1995-1999, as part of a major welfare programme organised by the Research Council of Norway. This programme was carried on and has, together with research funds from the Health and Rehabilitation Foundation, contributed to a clear growth in the volume of research into persons with a reduced functional ability and disabling factors in Norway.

Although developments have been positive, the Government believes there is still a need for greater efforts in this field. The funds that are set aside for further research are to contribute to:

- a cross-sector approach to the situation relating to persons with a reduced functional ability. This means that all the Research Council of Norway’s relevant programmes must to a greater extent develop projects that also shed light on the situation for persons with a reduced functional ability.
- developing some stable, competent research environments to carry out research into persons with a reduced functional ability and disabling factors.

This research should in future focus on such things as the significance of societal changes for persons with a reduced functional ability, what creates and reduces barriers to participation, how tools function in practice, living conditions and people’s experience of public services. As in other research, the gender perspective should also be integrated into research on the situation of persons with a reduced functional ability.

The Government will implement two new initiatives to strengthen the research efforts in this field:

- The Ministry of Social Affairs has, in cooperation with the Ministry of Trade and Industry, initiated a new four-year scheme relating to persons with a reduced functional ability and new technology (IT Funk). This scheme will run for four years and utilise just over NOK 30 million. New technology is having an increasing effect on people’s daily lives. If the design of new technology does not take persons with a reduced functional ability into consideration, new barriers will arise. IT Funk is discussed in more detail later on.
- As from 2004, an inter-ministerial research scheme linked to the situation for persons with a reduced functional ability is to be implemented. This scheme, which will cost approx. NOK 50 million, will last for five years and cover the areas mentioned above.

4.4 User participation

User participation at a system level often has two objectives. Based on democratic principles, users are entitled to good information and to be heard in matters that concern them. Secondly, user participation is intended to give municipalities, county councils and the state the opportunity to quality assure their operations by finding out how the users experience the current situation or service. This way of thinking is based on the political and administrative authorities and the users having a common interest in the resources being utilised in the best way possible and in good measures and services being developed.

As one of several strategies to improve the situation for persons with a reduced functional ability, the Government wants to strengthen user participation. The work of strengthening user participation is discussed in further detail in the chapters on the various sector areas. In this chapter, the focus is put on the use of legal tools to ensure greater user participation.

4.4.1 The state

Over the past few years, a number of schemes have been established to strengthen user participation at a system level in the state sector. In some areas, user participation is statutory, eg, in the specialist health service through the Norwegian Health Authorities Act. All regional health authorities have now established separate user committees discussed in further detail later on. The Ministry of Health is aiming to establish user committees in connection with the individual health authorities too.

There are plans to have increased, more targeted user participation in the Norwegian Directorate of Labour. The Ministry of Labour and Government Administration is aiming to introduce a parliamentary bill regarding user participation in the Norwegian Directorate of Labour in 2003. This is discussed in greater detail later on.

The National Insurance Administration has for several years focused on user participation in developing services. User-contact schemes have been established at various levels in the organisa-
tion, including separate user committees linked to the assistive technology centres. On the basis of the Norwegian Directorate of Labour’s experience of this, the social security services will consider the need to make user participation statutory.

4.4.2 The municipalities

NOU 2001:22 From User to Citizen – proposal

NOU 2001:22 recommends that all Norway’s municipalities should establish mandatory meeting places for representatives of organisations for persons with disabilities and politicians/public administration employees. Cooperation bodies are necessary and important tools in the work of closing the gap between the objective and reality.

The majority of the committee recommends that the municipalities are to be obliged to organise cooperation arenas but that they are to be allowed to choose how they want to organise these. If the municipalities find separate municipal boards appropriate, these should be established, but it should also be possible to create other arenas that safeguard user participation in the municipal decision-making processes.

The minority of the committee wants to make it statutory for user participation to be organised through separate municipal boards for persons with disabilities.

Further details on municipal boards for persons with disabilities

In Document no. 8:87 (2000-2001), John I Alvheim and Harald T Nesvik, MPs representing Norway’s Progress Party (Fremskrittspartiet), put forward a proposal to make municipal boards for persons with disabilities statutory. In Report (Innst. S.) no. 267 (2000-2001), the committee states the following:

“The Storting (the Norwegian parliament) asks the Government to present, by the end of 2001, a paper showing whether making municipal boards for persons with disabilities statutory is expedient and, if so, to present proposals regarding making this statutory.”

The rules governing senior citizens boards are slightly different from the guidelines relating to boards for persons with disabilities. An evaluation recently carried out shows that these boards to a large extent deal with the same type of issues.

The evaluation report also draws a positive picture of these boards. The summary states the following:

“The majority of the boards, mayors and chief officers state that they see the results of the board’s work in the form of greater attention to the needs of elderly persons/persons with disabilities in the form of actual changes for the elderly/persons with disabilities, and that the board’s activities are of significance to the situation for elderly persons/persons with disabilities. The majority of the mayors and chief officers would also, if it were up to them, advise the municipality to establish senior citizens boards. Fewer would recommend boards for persons with disabilities. In the counties, it is only among the chairpersons of the county councils, and only as regards boards for persons with disabilities, that there is a majority in favour of recommending the creation of boards. More mayors than chief officers recommend boards. This applies in both the counties and municipalities.”

The survey also shows that most of the boards have good resources in that they have members with experience of board work and of the municipality’s activities. The main picture as regards the boards’ working conditions is positive.

Assessment and recommendation

The Government wishes to strengthen user participation at a municipal level for persons with a reduced functional ability. In line with the recommendations of the Manneråk Committee, the Government will propose making a requirement of user representation for persons with a reduced functional ability statutory. Such user participation may be organised in various ways. Separate municipal boards are one alternative, but other solutions are also possible. The Government will therefore give the municipalities a great deal of freedom to choose how the statutory user representation is to be organised. The Government will adopt the same principles for user representation for the elderly in the municipalities. In many contexts, it will be natural to look at user representation for the elderly and for persons with a reduced functional ability in connection with each other. Reference is made to the proposal in the municipalities bill for 2004, (St. prp. no 66 (2002-2003)) which gives an account of how the state regulations can be simplified, among other things in relation to the rules regarding specific bodies in the municipalities. The Ministry of Social Affairs intends to present a parliamentary bill to the
Odelsting (a chamber of the Storting (Norwegian parliament)) proposing a statutory requirement of user representation that also covers persons with a reduced functional ability. Initially, a consultation paper (Green Paper) will be published.

4.5 Subsidies to organisations representing persons with disabilities

Background

The state currently gives a general operating subsidy to organisations representing persons with disabilities and a subsidy for equality work in the organisations. A total of NOK 111.4 million was granted for these purposes over chapter 621, item 74 in the National Budget for 2003. Apart from the subsidy to the Norwegian Federation of Organisations of Disabled People (FFO), 115 organisations have applied for an operating subsidy for 2003.

The operating subsidy given to organisations representing persons with disabilities is intended to make them better able to carry out work on policies relating to their interests and to provide services to their own members. Organisations representing persons with disabilities are also important for ensuring user participation in the development of measures and services.

The subsidy scheme for organisations representing persons with disabilities has existed in its current form since 1994. Since that time, considerable changes have taken place in and in the relationship between the organisations. Among other things, this can be seen by the fact that the number of organisations entitled to a subsidy has risen from 78 in 1994 to 108 in 2001.

4.5.1 The subsidy committee (Korsæth Committee)

In Budget Recommendation (Innst. S.) no. 11 (1999-2000), the Social Committee asks the “Ministry to prepare a scheme for providing support to organisations representing persons with disabilities…” On this basis, the then Ministry of Health and Social Affairs appointed a committee in 2000 to carry out a wide-ranging review of the subsidy schemes aimed at organisations representing persons with disabilities. The subsidy committee’s mandate was to arrive at a subsidy scheme that encouraged cooperation and interaction between the organisations and did not encourage them to split into many small organisations. This would allow persons with a reduced functional ability to achieve, through their organisations, a stronger position as regards promoting their interests in public policies. The committee was given the task of looking at a number of factors relating to the subsidy scheme, including the criteria for being entitled to a subsidy, subsidies for measures run by humanitarian organisations locally, how umbrella organisations were to be financed and whether the subsidy for equality work and the general operating subsidy should be combined.

4.5.2 Principles applicable to new subsidy scheme

The Ministry bases the subsidy scheme for the organisations representing persons with disabilities on the following principles:

- The subsidy scheme must make conditions suitable for a wide-ranging voluntary involvement.
- The subsidy scheme must place the least possible restrictions on how the organisations organise their work and prioritise their efforts.
- The subsidy scheme must be simple and easy for the organisations to relate to.

4.5.3 Criteria for being entitled to a subsidy

The Ministry sees that the sharp rise in the number of organisations representing persons with disabilities may be unfortunate in some aspects. When organisations become smaller, this weakens their power and their opportunities to provide a service to their members. Many members are not provided with services locally because very many of the organisations that receive a subsidy are so small that they have not established county associations, local associations or other local services. In addition, the work is not very cost-efficient in that parallel expertise and operational structures are developed in many organisations. At the same time, the Ministry sees that the small diagnosis organisations may play an important role when it comes to giving their members information and guidance, and that they are an important arena for meeting others in the same situation. It is the organisations themselves that must assess the expedience of merging into fewer and larger organisations instead of continuing as many small ones. The Ministry does not want the subsidy schemes to force mergers of the small
organisations against their will, as the Korsæth Committee’s proposal aims for. The subsidy system should, however, be arranged such that it does not encourage a trend towards an even more fragmented organisational structure. The Ministry therefore proposes that the organisations that are currently covered by the subsidy scheme are to continue to be covered by this, but that a lower limit of 250 members is set for new organisations. This proposal takes care of the need to maintain the expertise that has been developed regarding rare diagnoses and means that these organisations will not be closed down. At the same time, it will help to prevent a further fragmentation of the organisational structure.

4.5.4 The umbrella cooperation
The Ministry proposes that the financing of umbrella organisations should take place through the member organisations. The Ministry places emphasis on the fact that the organisations must have great freedom to organise their internal work. This is in line with the principles stated for umbrella cooperation in a White Paper regarding the state’s relationship with voluntary organisations (St. meld. no. 27 (1996-1997)). In this, the importance of the fact that the umbrella organisations must primarily take their legitimacy from the participating member organisations was underlined.

4.5.5 Other proposals

The merger of the operating subsidy and the subsidy for equality work
The Ministry wishes to achieve a simpler, tidier subsidy scheme and, on this basis, proposes combining the operating subsidy and the subsidy for equality work.

New subsidy model
The Ministry proposes continuing with today’s system, which is based on fixed criteria and a discretionary subsidy.

The Allocation Board
In connection with the reorganisation of the subsidy scheme for organisations representing persons with disabilities, the Ministry will consider the Allocation Board’s role and function in the new system.

The Ministry aims to follow up the proposed changes to the subsidy scheme for organisations representing persons with disabilities in the 2005 Budget, after the Norwegian Storting has discussed this White Paper.
5 Education and employment

Working life is one of the most important gateways to a sense of community with others and participation in society. The workplace provides an income and is an arena for social participation. Many people also feel that, through meaningful work, their workplace contributes to their quality of life.

Education is an important prerequisite for taking part in working life. Education in general and higher education in particular are far more important to persons with a reduced functional ability as regards their chances of getting work than they are to other people.

5.1 Education and teaching

Education is intended to allow children and young people to share in a social, professional and cultural community and also provide a foundation for individual growth. Individually adapted and equal teaching is a main principle of all activities in schools and other educational institutions. Equal rights to education is a key principle in the field of higher education.

5.1.1 Primary/lower secondary schooling and upper secondary schooling

NOU 2001:22 From User to Citizen

The number of pupils in Norwegian primary/lower secondary education that have been subject to separate teaching measures has never been more than one per cent. Today, this figure is approximately 0.5 per cent.

Although primary/lower secondary education and upper secondary education has clearly improved as regards individual rights for children and adults, the report concludes that the goal of an inclusive school has not been reached. The commission believes the methods used in schools do not sufficiently reflect the goals of including pupils with special needs. The commission also points to weaknesses in the planning of the transition from kindergarten to primary/lower secondary school, and from here to upper secondary schooling and work.

NOU 2001:22 proposes the following, among other things:

- A statutory individual right to teaching in Braille and sign language. Ensure capacity to cover the need for the production of educational tools in Braille and audio format at all levels of education. Statutory right to academic books in an electronic version or audio format.
- Clearer rules regarding the allocation of special teaching.
- Systematic development work related to the goal of an inclusive school, preferably followed up by action-oriented research.

In its position paper in reply to the consultation document, the Norwegian Federation of Organisations of Disabled People (FFO) agrees with the description the commission gives of the circumstances relating to education and teaching. The organisation supports the measures proposed.

The Union of Education Norway believes the commission has put forward good proposals for strategies and measures. The Union also believes it is necessary to have development work and action-oriented research on how to make schools inclusive.

The Government’s objectives

The Government has the following objectives:

- Pupils are to experience an inclusive and adapted school where everyone is given a chance to succeed based on their capabilities, talents and interests.
- Pupils with a reduced functional ability are to experience good planning, help and guidance in the transition from primary/lower secondary schooling to upper secondary schooling and to higher education/work.

Better educational environment and greater opportunities for educational differentiation in primary/lower secondary school.
Norwegian schools have a good starting point in large financial resources and good teachers. There are also many satisfied parents and pupils. NOU 2001:22 states that:

- 90 per cent of the parents of children receiving special education say that their child is happy or very happy at school.
- The quality of the school day for pupils with mobility difficulties is good. Pupils, parents and teachers are all satisfied with the school.

The current provision regarding class division, or the number of pupils there can be in each class, is no longer adapted to schools’ needs. The Ministry of Education and Research has, in a parliamentary bill (Ot. prp. no. 67 (2002-2003)) proposed changing the class-division rules. Schools should be allowed to organise the pupils in groups in a way that the school itself finds expedient. At the same time, these groups should not be larger than that which is educationally justifiable. The division into groups should not weaken the feeling of belonging socially to the class community.

The opportunities for greater educational differentiation are intended to promote forms of teaching that enable individually adapted education within the school community in line with the objective of an inclusive and adapted school.

Knowledge of the effect of special education is limited. The Ministry of Education and Research has prepared an updated report on the status of the knowledge in this field. Preliminary reports show professional developments in adapted teaching that benefit all pupils. The ideology of an inclusive school seems to have been accepted, but there seems to be relatively little practical knowledge of how to achieve this. The research work reveals a school system in which the pupils are happy, but which is also characterised by quite a lot of unrest and many pupils that teachers believe require extra help. Norwegian Board of Education has been asked to implement a model experiment involving an increased level of adapted teaching and special education following an individual administrative decision in four selected municipalities. The model experiment is planned to last for 2-3 years.

A wide-ranging review of special education’s place in the Norwegian school, including the use of resources in, and the results of, special education, will be an important part of the follow-up work to the Committee for Quality in Primary and Secondary Education in Norway.

In a parliamentary bill (Ot. prp. no. 67 (2002-2003)), the Government has discussed an overall strategy to improve the quality of primary/lower secondary teaching. Key elements of this work include a proposal to change the existing statutory provisions in order to ensure greater local freedom of action, the creation of a national quality-assessment system, a review of the financing schemes, and changes to the way in which the state education administration system is organised.

As part of the national quality-assessment and development system, a web site with easily available information on the quality of education is being prepared. The Ministry of Education and Research is considering whether, and if so in what way, indicators relating to pupils with special needs are to be made visible on the web site.

The scheme involving bonus and demonstration schools is to be continued and further developed. These measures will together contribute to a new way of thinking in education and an increased focus on what the individual pupil gets out of his/her education and on his/her educational environment.

**Pupils with sensory impairment**

Making adaptations to ensure good educational services to pupils with sensory impairment involves many challenges. NOU 2001:22 From User to Citizen particularly points out the challenges relating to this group. Among others, the report states that the parents of children with impairment hearing feel that their child falls between two stools when it comes to rights, services and language training. Children who have Norwegian as their mother tongue but who need sign language to support this have no specific rights under the Education Act.

The Education Act currently grants pupils the right to Braille teaching, cf sections 2-14 and 3-10. The Education Act also grants pupils the right to sign-language teaching, cf sections 2-6 and 3-9. As regards the need for other visual support for hard of hearing pupils, this will have to be looked at in accordance with chapter 5 of the Education Act, which deals with special education. Special education’s place in Norwegian primary/lower secondary teaching will, as previously mentioned, be assessed in further detail by the Committee for Quality in Primary and Secondary Education in Norway.

The Norwegian Storting will discuss a parliamentary bill on the hearing sector and the Natio-
nal Support System for Special Education (Statped) in 2003.

Norwegian Board of Education is responsible for the production and distribution of audio books to pupils with documented reading and writing difficulties in Norway. This centre has prepared and follows up the Plan of Action for specially adapted teaching aids for children, young people and adults. Teaching aids are produced for visually impaired people in response to applications from the schools. The Ministry of Education and Research is of the opinion that the situation regarding access to specially adapted teaching aids was satisfactory at the start of the 2002/2003 academic year.

Schools now want audio books in a CD format in which one CD holds an entire book, and in a format that makes it easier to navigate within the audio book. The relevant format is DAISY (Digital Accessible Information System), which is becoming an international standard. The DAISY format will now form the basis of the future audio book production for pupils who have reading and writing difficulties or who are blind or visually impaired. Refer also to the report entitled “On literary and information services to the blind and visually impaired in a digital world” which is now being followed up by the Ministry of Culture and Church Affairs. This report is also discussed later on.

More people meet the general university/occupational entrance requirements through better adapted upper secondary education

In a parliamentary bill (Ot. prp. no. 67 (2002–2003)), the Ministry of Education and Research has proposed an amendment to legislation that will allow the county councils, through the occupational training boards, to in individual cases approve an apprenticeship contract under which all or much of the training is to take place in the company.

The project entitled “How to make more people meet the general university/occupational entrance requirements” was carried out by three county councils and completed in 2002. This project was part of the Plan of Action for persons with disabilities. Its objective was to develop measures that would contribute to more young people with a reduced functional ability completing upper secondary school in ordinary classes and meeting the general university/occupational entrance requirements. The focus was also put on measures relating to the choice of branch of studies. The results of this project are good and Norwegian Board of Education has been assigned responsibility for following up these positive experiences in the further development work in this field.

Supervision

The Ministry of Education and Research will pave the way for an increased focus on the situation of pupils with a reduced functional ability in the supervision exercised by the County Governors’ education departments.

The transition from kindergarten to primary/lower secondary schools, and from there to upper secondary schools and then higher education/work

While the transition from kindergarten to primary/lower secondary school is more or less automatic for most children, NOU 2001:22 states that many parents of children with a reduced functional ability have to fight to achieve a good school start for their children. The most common problem is that the planning starts too late and that those who are to assume responsibility for the child’s programme in school are not involved early enough.

Important guidelines for the education to be offered to pupils with special needs are stated in chapter 5 of the Education Act and in its regulations (including on rights, expert assessments, procedures, individual teaching plans, the psychological pedagogical service, special education help before school age, etc).

At the beginning of 2001, the Ministry of Education and Research prepared a guidance booklet entitled “Special education in primary/lower secondary and upper secondary. Regulations, procedures and processes”. This booklet is intended to help develop the cooperation between the school, the psychological pedagogical service and others with the aim of improving the quality of the education provided.

In order to ensure that pupils receive help and guidance during the transition between primary/ lower secondary school and upper secondary school, and during the transition to higher education, the Ministry of Education and Research has initiated a project entitled “Divided advisory services”. This project will test new ways of organising the advisory services. The objective is to improve the educational and occupational guidance provided in secondary schools. The project is to be car-
ried out in Oslo and in the counties of Akershus, Oppland and Rogaland.

The Ministry of Education and Research wishes to improve the help and guidance given to pupils with a reduced functional ability during the transition from primary/lower secondary schooling to upper secondary schooling, and from there to higher education and work.

Transitions during pupils’ education also form part of the mandate of the Committee for Quality in Primary and Secondary Education in Norway. Emphasis has been placed on the fact that the situation of pupils with a reduced functional ability is to be shed light on and discussed.

The role of the Norwegian Directorate of Labour is to take care of the links with working life. The Norwegian Directorate of Labour's help to young people starts when they leave school. For young people with a reduced functional ability or with a special need for adaptation, this is not always sufficient. Young people with a reduced functional ability may require guidance regarding their opportunities in the job market earlier on, and the Norwegian Directorate of Labour requires good information on what the school and pupil have thought of when it is to provide help.

It is important that the Norwegian Directorate of Labour comes into the process early on in order to prevent young people from being turned into disability pensioners. In 2000, a model for cooperation between the Norwegian Directorate of Labour, the education authorities and the social services was prepared regarding the transition from school to working life for pupils with a reduced functional ability and other pupils with special needs in upper secondary schools. This model was tested in Hordaland county. On the basis of the findings made here, the Ministry of Education and Research asked the state education offices to inform the municipalities and county councils of the “Hordaland model”. The state education offices were also asked to initiate discussions with relevant players to assess whether this model could form the basis for the creation of local cooperation agreements in other counties.

So far, experience has shown that a lot of work remains before such cooperation functions satisfactorily in all counties. The work of developing routines for cooperation between the school authorities and the Norwegian Directorate of Labour will be given priority. An important part of this work will be to clarify the division of responsibilities between the various players relating to the transition from school to work.

### Cross-sector cooperation

In the autumn of 2002, a working group comprised of members from several ministries presented a report on services to children and young people under the age of 18 years with complex learning difficulties. The focus was on the National Support System for Special Education and on the child-habilitation services.

The working group recommends, among other things, that work continues on how best to ensure binding cooperation on an all-round, coordinated and continuous range of services for children and young people under the age of 18 years. The working group also stated that, in the further work, it should be considered whether there is a need to anchor the regulations regarding an individual plan in other legislation in addition to the current health legislation, for example in the Education Act.

The Ministry of Education and Research will consider the recommendations of the working group on the basis of the Committee for Quality in Primary and Secondary Education in Norway's report, which will be presented in June 2003.

Summary of measures relating to primary/lower secondary and upper secondary schooling:

- The Ministry of Education and Research has in 2003 presented a proposal to make changes to the current class-division rules so that schools may arrange flexible, educationally justifiable groups.
- The Ministry of Education and Research will initiate a review of adapted teaching and special education.
- A bill regarding hearing impairment and the National Support System for Special Education will be introduced to the Norwegian Storting in 2003.
- The Ministry of Education and Research will adopt the DAISY format in its further production of audio books for pupils with reading and writing difficulties or who are blind or visually impaired.
- The Ministry of Education and Research has in a bill (Ot. prp. no 67 (2002-2003)) presented a draft amendment to the law which would allow the county councils, via the occupational training boards, to in certain cases approve apprenticeship contracts stipulating that all or much of the training is to take place in a company.
- The Ministry of Education and Research will, as from 2004, increase its focus on the situation...
for pupils with a reduced functional ability in the supervision exercised by the County Governors’ education departments.

- A project entitled “Divided Advisory Services” has been initiated by the Ministry of Education and Research and will test new ways of organising school advisory services. This project will be finally evaluated in 2003/2004.

- The Ministry of Education and Research will give priority to the work of developing routines for cooperation between the school authorities and the Norwegian Directorate of Labour in order to facilitate the transition from school to working life of persons with a reduced functional ability. An important part of this work will involve clarifying the division of responsibilities between the various players. The “Hordaland model” is to be evaluated.

5.1.2 Universities and colleges

NOU 2001:22 From User to Citizen – proposals

NOU 2001:22 From User to Citizen points out obstacles that lead to not everyone have the same opportunity to take higher education.

NOU 2001:22 concludes that the tools used are too weak. The education institutions lack sufficient understanding of what is needed to allow students with a reduced functional ability to study there. The report suggests that changes should be made to the regulations. When a person with a function impairment is admitted to higher education, the educational institution should have certain obligations to make adaptations.

The committee also suggest:

- Universities must be accessible to everyone by 2007
- The regulations regarding the award of financial support for education should be changed so that a full scholarship should be given for any extension due to function impairment.

The Government’s objective

The Government wants to encourage persons with a reduced functional ability to take higher education and to prevent people having to turn down offers of study places due to a lack of adaptation. The measures must provide support for the educational institutions’ responsibility to make adaptations for students with a reduced functional ability.

The Government has the following objectives:

- Persons with a reduced functional ability that meet the requirements for studying must have the same actual opportunity to take higher education as other people.
- The percentage of students with a reduced functional ability in higher education must be increased so that it is the same as in the rest of the population.
- Facilitate the transition from higher education to work for students with a reduced functional ability.

Competition for students

The educational institutions are competing for students. There are many indications that the potential for recruiting considerably more students with a reduced functional ability is large. The Ministry of Education and Research wishes to contribute towards the institutions seeing this potential and to a greater extent making arrangements so that they become attractive places for students with a reduced functional ability.

Better registration and documentation

There will be a need to monitor developments regarding better access to universities and colleges. There is currently no uniform, good register of the number of students with a reduced functional ability and their courses of study. Improved reporting routines are planned. This may provide a starting point for specific measures within the various universities’ and colleges’ areas of responsibility.

Requirement that plans of action be prepared

Through the Plan of Action for persons with disabilities (1998-2002), several measures relating to higher education have been implemented. Møre forskning, a research centre, has evaluated the effect of local plans of action. This evaluation shows that the authorities’ requirement that local plans of action must be prepared has led to the implementation of a number of measures to improve the situation.

The Ministry of Education and Research will pass on the positive experiences gained from the Plan of Action for persons with disabilities. The requirement regarding local plans of action will be maintained. This means that current plans of action must be revised when the plan period expires.
In order to provide support for the educational institutions’ responsibilities, funds have been set aside to establish a national unit to act as an initiator and network. This unit is to be established at the Norwegian University of Science and Technology (NTNU) and will:

- Support the work of following up and revising the institutions’ plans of action for persons with a reduced functional ability.
- Help to develop professional environments and networks for the exchange of experience and development of expertise.
- Develop web sites with relevant information.
- Arrange seminars/conferences for contact persons/experts in this sector.
- Contribute to the development of uniform systems for registering students with a reduced functional ability and for user surveys.

**Tighter legislation relating to the learning environment**

The institutions’ responsibility for the students’ learning environment is specified and tightened up in the revised Universities and Colleges Act, cf Ot. prp. no. 40 (2001-2002). This Act states that the institutions are responsible for their physical and mental working environments. The requirements as to the physical working environment are specified in function requirements in the Act.

The educational institutions must, among other things, ensure that premises, access roads, sanitary facilities and technical facilities are designed in such a way that persons with a reduced functional ability can study at the institution. The educational institution must also ensure that the learning environment is designed in accordance with the universal design principle.

In order to ensure that the students have the right to share in deciding on matters relating to the learning environment, universities and colleges are ordered by law to establish a learning environment committee. These committees are to take part in the planning of measures relating to the learning environment and monitor developments in issues that affect the students’ safety and welfare. These committees also have an important task relating to the learning environment for students with a reduced functional ability. It is natural for these committees to be included in revisions of local plans of action whose aim is to improve the learning environment for students with a reduced functional ability.

**Independent supervision**

In a parliamentary bill (Ot prp no 65 (2002-2003)), the Ministry of Education and Research has put forward a proposal to amend section 44, nos. 3 and 6, of the Universities and Colleges Act. This proposal means that the Directorate of Labour Inspection will be assigned responsibility for supervising the students’ learning environment, and that the learning environment committee’s key role in the work of safeguarding the students’ learning environment will be strengthened.

The changes in higher education mean that greater demands are placed on the individual educational institution to establish systems that satisfactorily document the quality assurance work and reveal defects in quality. This also applies to demands on the educational institutions to improve the situation for students with a reduced functional ability.

**Individual education plan**

All students admitted to courses with a scope of 60 study points or more have been given a statutory right to an individual education plan. This scheme is to be implemented as from the autumn of 2003. The educational institutions are currently working to develop such education plans in accordance with the guidelines stated in the bill (Ot. prp. no. 40 (2001-2002). The requirement of an individual education plan is intended to ensure a closer and more binding relationship between the institution and the individual student. The plan must, among other things, show how the institution is making arrangements so that the student can achieve a defined learning objective within a standardised time. The institution and student are expected to cooperate on preparing the education plan and the individual student is expected to be able to influence the content of his/her own education plan.

The Ministry of Education and Research expects the individual education plans to be a useful tool for adapting the study situation of persons with a reduced functional ability.

**User forum for higher education**

A user forum for persons with disabilities in higher education was established in 2000 and was extended for a further three years in 2003.

The User Forum has the following mandate:
To function as an advisory body for the Ministry of Education and Research.

To ensure that views on issues that concern persons with a reduced functional ability and higher education are made visible, so that these become part of the basis for decisions made both in the Ministry and with regard to the university and college sector otherwise.

To exchange information on and experiences of making adaptations for persons with a reduced functional ability in higher education.

To discuss the content and further development of the information and advisory services for students with a reduced functional ability.

Contact person/advisory service

The requirement that each educational institution is to have a contact person or advisory service for students with a reduced functional ability will be maintained. This service varies greatly from educational institution to educational institution.

Through the national unit at the Norwegian University of Science and Technology (NTNU) and the User Forum for Higher Education, the Ministry of Education and Research will pave the way for a wide-ranging exchange of experience on how this type of service can be further developed.

Transition from studying to work

One of the key motivations for studying lies in the possibility of obtaining work. Many persons with a reduced functional ability experience difficulties in finding work once they have completed their education. This is due to several factors. There is reason to believe that persons with a reduced functional ability have fewer opportunities than other students to obtain job experience through summer jobs, etc, while they are studying. The lack of job experience and barriers in working life and in the help system are factors that can explain some of the difficulties.

In order to facilitate the transition from studying to work, more focus must be placed on the role of the educational institutions. The educational institutions can, through the advisory service and/or career centres, develop a cross-sector collaboration that may also include the Norwegian Directorate of Labour. By starting to plan for the transition from studying to work in plenty of time before the end of the studies, the opportunities to get a job may be increased.

The Norwegian University of Science and Technology (NTNU) has, in collaboration with Sør-Trøndelag College, established a cross-sector cooperation forum involving public services (municipalities, county councils, the technical aids centres), user organisations and players in industry in order to put the focus on the obstacles faced by persons with a reduced functional ability. The cooperation forum is closely linked to the Lucas Centre, which was established by the same educational institutions, the Student Welfare Association in Trondheim and Gjensidige Nor Forsikring, an insurance company. The centre will help new students to get housing and will inform them of the public subsidies that are available. During the study period, the centre will arrange for individual adaptations, both during the studies and for examinations. Once the studies have been completed, the centre will assist with the transition from education to work. Job experience schemes will be considered.

It is important to document the results and experience gained from this type of cooperation. The Ministry of Education and Research arranged for the exchange of experience between educational institutions that wish to develop good services in this area.

In cooperation with the Ministry of Labour and Administration, the Ministry of Education and Research will prepare a circular that explains in greater detail the schemes and opportunities that currently exist to facilitate the transition from education to work. It appears as if these schemes are not sufficiently well known. The circular will also make it easier for the educational institutions and the Norwegian Directorate of Labour to enter into local forms of cooperation. The effect of the circular and some key schemes that may facilitate the transition from education to work will be evaluated.

Summary of measures – universities and colleges:

- The Ministry of Education and Research will, in cooperation with the sector, aim to introduce improved reporting routines that can form the starting point for specific measures within the various universities’ and colleges’ areas of responsibility.

- The Ministry of Education and Research will require the educational institutions to prepare local plans of action. These plans of action must contribute to compliance with the requirements stipulated in the Universities and Colleges Act and to students with a reduced functio-
A national initiator and network function has been established at the Norwegian University of Science and Technology (NTNU) related to the work of promoting a better learning environment for students with a reduced functional ability. The Ministry of Education and Research finances this unit’s operations.

- The NTNU unit will, in cooperation with the university and college sector, arrange for expertise-enhancing services aimed at members of the learning environment committees.

- The Directorate of Labour Inspection is to be made responsible for supervising the students’ learning environment and ensuring that the learning environment committee’s central place in the work of safeguarding the students’ learning environment is strengthened.

- The educational institutions will follow up the development and use of the individual education plan so that this becomes a useful tool for students with a reduced functional ability.

- The Ministry of Education and Research will maintain the requirement that every educational institution is to establish a contact person or advisory service for students with a reduced functional ability. The Ministry will also make arrangements so that these services can be further developed.

- The Ministry of Education and Research will maintain the User Forum for Higher Education for a further three-year period.

- The Ministry of Social Affairs has taken the initiative to prepare a revised brochure on students with a reduced functional ability, and pave the way for greater user participation. In connection with this, tests will be carried out and experience will be gained relating to how modern language technology, including speech recognition, dictation and speech synthesis, can be applied when adapting and designing teaching aids and services for users with special needs.

5.2 Work

The labour-market policy is intended to contribute to a well functioning labour market, characterised by low unemployment and by vacant jobs being filled quickly. Although Norway has a low level of unemployment and a high percentage of persons who are in employment compared to other countries (cf. the OECD report entitled “Transforming Disability into Ability” 2002), we have in recent years seen that many people have problems entering the job market. More and more people are also leaving the labour force because of long-term absences due to illness, retirement due to disability or early retirement.
NOU 2001:22 From User to Citizen – proposals

According to NOU 2001:22, only around half of all those with a reduced functional ability are in work. The committee refers to the fact that there are considerable differences in the living conditions of those in work and those who have little or no link to working life. The committee underlines that working life must have room for employees with health problems, even though they cannot function optimally.

The commission proposes the following measures:

- Cancelling the amount companies have to pay themselves, ½ G (the national insurance base amount), for technical aids when adapting workplaces.
- Ensuring that the opportunities to combine existing work/social security benefit schemes are utilised and developed.
- Making the Public Employment Service (PES) responsible for following up persons with a reduced functional ability from school until they function in working life.
- Making job seekers that are/are not receiving vocational rehabilitation assistance equal: with regard to the loan of technical aids and equal access to work with assistance and a function assistant.

Main challenges and objectives

Persons with a reduced functional ability belong to one of several groups in which a lower percentage are employed compared to the population as a whole. In this White Paper, the Government wishes to focus on tools to get more persons with a reduced functional ability into work.

The Government wants to pave the way for a working life that is characterised by diversity, in which the individual can make use of his/her abilities and interests. Through an increased emphasis on diversity and different experience backgrounds, we wish to pave the way for a stimulating and creative working environment and improved productivity and competitive ability. Measures to adapt the workplace, as well as measures to remove discriminatory barriers, will be important. The Government believes there is a need for coordinated, greater efforts so that persons with a reduced functional ability can start to use their resources in working life. There is a particular need to increase the efforts to get more people into ordinary work.

Persons with a reduced functional ability are an extremely heterogeneous group. The focus must therefore be put on a wide range of tools. Public Employment Service (PES) role relating to clarification, qualification and arrangements is key to this.

The Government’s objective is for everyone to have opportunities to take part in working life based on their capabilities.

In 2003, the Government will introduce a White Paper on labour market policy that will, among other things, help to prevent persons with a reduced functional ability from being rejected and excluded.

5.2.1 Clarification, qualification and arranging jobs

In 2004, the Public Employment Service (PES) will probably have to deal with an increased number of persons with a reduced functional ability. The number of registered persons restricted in their choice of occupation has risen from just over 54,000 in 1995 to just over 76,000 at the end of 2002. At the same time, the number of persons restricted in their choice of occupation who take part in vocational rehabilitation measures has risen sharply during this period, from around 30,000 to around 54,000.

The increase in persons restricted in their choice of occupation is linked, among other things, to a more stringent requirement of vocational rehabilitation prior to any disability pension being granted, the reactivation of those receiving a disability pension, and the follow-up of the escalation plan for mental health, cf St. prp. no. 63 (1997-1998). An increase in the number of those who are restricted in their choice of occupation for social reasons is also expected as a result of the Government’s plan of action to combat poverty.

The Government will consider creating more subsidised jobs in order to strengthen the Public Employment Service (PES) efforts – in relation to clarification, qualification and arranging jobs – to get persons with a reduced functional ability into ordinary work.

Documentation

In order to develop and improve the labour-market policy tools, the Ministry of Labour and Government Administration regularly conducts various kinds of evaluations of the labour-market...
measures and other parts of the labour-market policy. Analyses linked to various group's adaptation to the labour market, including the long-term unemployed and people who are restricted in their choice of occupation, are also conducted.

Of new and more limited studies can be mentioned ECON, which has charted the situation for visually impaired and hearing impaired people and wheelchair users, Telemarksforsknings-Bo, which has charted the services offered to job seekers with reading and writing difficulties, and the Disability and Aging Project, which has produced a report on the situation for persons with a reduced functional ability who leave working life.

In order to obtain information on the situation for persons with a reduced functional ability in the labour market, Statistics Norway, on behalf of the Ministry of Labour and Government Administration, carried out a survey that was a supplement to the Labour Survey (AKU) in the 4th quarter of 2000. A new and extensive additional survey was carried out in the 2nd quarter of 2002. The results have been published by Statistics Norway. Some of the findings of the survey are presented in this paper. The Ministry aims to conduct annual additional surveys to obtain better knowledge on the situation for persons with a reduced functional ability in the labour market.

The Ministry of Labour and Government Administration also supports several research programmes run by the Research Council of Norway, which look into issues relating to persons with a reduced functional ability (the Welfare Programme and the Working Life Programme). In total, these research efforts provide wide-ranging documentation of developments in the labour market and of the situation for persons with a reduced functional ability.

**User participation**

In order to develop the best possible labour-market policy, the labour-market authorities try to have a regular dialogue with the organisations representing persons with disabilities and with individuals with a reduced functional ability in various arenas. One such arena is the National Forum for the Integration of Persons who are Restricted in their Choice of Occupation into Working Life, chaired by the Ministry of Labour and Government Administration. Another arena for cooperation is the National Committee for the Information Campaign in connection with the European Year of People with Disabilities in 2003, cf (St. prp. no. 47 (2001-2002)), in which work is one of three prioritised areas. The objective is to increase knowledge on how discriminating, society-created barriers can be removed.

User participation is to be a basic principle for all the services provided by the Public Employment Service. Through information and guidance, job seekers are to become competent to make their own choices. Increased user participation means that users play an active role and have an influence on their own rehabilitation situation. This provides the best possible starting point for successful rehabilitation.

Attempts are made to ensure user participation in shaping the services offered in several ways – among other things, by the organisations representing persons with disabilities participating in reference groups for various projects and in rounds of consultation. Some of the projects are user controlled, such as FunkArbeid, and some projects aim to pave the way for users of the Public Employment Service to have increased individual user participation.

The Norwegian Directorate of Labour introduced user participation as an important principle in its services early on, but there is still quite a way to go before this is sufficiently integrated in all the services provided by the Public Employment Service. It is therefore important that continuous efforts are made to integrate user participation in the services offered by all levels of the Public Employment Service. In 2003, the Public Employment Service will take the initiative to cooperate with user organisations to ensure a good range of services for groups with special needs. User participation is to be put on the agenda, among other things through the creation of local user fora. The Ministry of Labour and Government Administration also intends to introduce a bill that ensures user participation in the Public Employment Service by the end of 2003. This is also discussed elsewhere in this White Paper.

The Ministry of Labour and Government Administration aims to invite comments on a draft Act relating to public labour-market services from interested parties shortly. Emphasis is placed on contributing to a general strengthening of the user perspective, including strengthening the users' influence and protection afforded by the law. Job seekers' rights are currently only partly formalised in Acts and regulations, primarily the administration of daily benefits and vocational rehabilitation benefits. The Public Administration Act's general rules impose certain procedural
requirements on the Public Employment Service as regards those who are registered as job seekers and people who are restricted in their choice of occupation.

The Ministry of Labour and Government Administration wishes to make the users’ rights clear and visible, and will propose incorporating these into a new Act relating to public labour-market services. The introduction of new service-based user rights is intended to give users a formal right to have their need for labour-market services assessed. This may be of major importance to many persons with a reduced functional ability who feel that their needs are not assessed properly.

**Trial schemes involving new financing forms and competition over job-placement services**

The Ministry of Labour and Government Administration has started the work of introducing new financing forms into its labour-market policy. Activity-based and result-based financing schemes are to be used on a trial basis in limited areas. The objective is to improve the quality of the services provided to the individual job seeker.

In order to reduce the waiting period involved in clarifying job seekers who are restricted in their choice of occupation, the Ministry will make changes to how the Public Employment Service uses its resources so that more people can be clarified. As a trial scheme, activity-based financing has been introduced related to the number of people who are restricted in their choice of occupation that the Norwegian Directorate of Labour clarifies with the aim of vocational rehabilitation.

A trial scheme involving competition to provide job-placement services for people who require extra adaptations and follow-up in the labour market has also been started. The target groups are those who are restricted in their choice of occupation and those who have been unemployed for a long time. Through this trial scheme, a wide range of job-placement-related services from a variety of providers will be tested. The trial will last for three years and is being carried out in three counties. A research institution is evaluating the trial as it takes place.

**Job-seeker activities**

The effect of job clubs on improving participants’ job-application behaviour and on obtaining jobs for job seekers has been positive. In order to make a further contribution to a good job-placement result, the Ministry of Labour and Government Administration will consider trials involving job clubs and other job-seeker activities for job seekers with a reduced functional ability.

The goal of a job club is for the participants to improve their job-application behaviour and thereby get an ordinary job. Arrangers of this measure must provide guidance to the participants, who undertake to systematically apply for jobs. The job seeking takes place full-time, and the participants are obliged to attend while those arranging the measure are required to ensure it has an appropriate content and system. The guidance and job seeking take place in groups. The job seekers are given advice on and training in writing applications and CVs, and in how to present themselves to employers, among other things.

**Mentally retarded people – greater efforts**

With regard to mentally retarded people, a labour-market measure called “Permanently Adapted Work” has been given high priority. The number of places under this measure has been increased by around 460 in 2002 and will be increased by a further approximately 100 in 2003.

Permanently adapted work is the most important measure for mentally retarded people who cannot get an ordinary job. Of the around 4,000 mentally retarded people who took part in the labour-market measure at the beginning of 2002, around 80 per cent participated in the Permanently Adapted Work project.

The new regulations for Permanently Adapted Work have placed greater emphasis on the work helping to develop the employee’s resources through adapted qualification. This applies to skills that are important in relation to work, both that covered by the measure and in the case of any transition to other measures and/or ordinary working life. Permanently adapted work is not subject to any time limit. However, the relevance of transferring the person to other labour-market measures or education schemes or arranging an ordinary job for the person must be regularly assessed.

**Cooperation with the health service**

The health service is an important partner for the Public Employment Service and the social security services. The health service is responsible for the preventive treatment, treatment and follow-up
of persons who require health services. The health service must, when required, cooperate with other services and take part in multidisciplinary collaborations. The health service’s participation is necessary and often crucial to the provision of an integrated service to persons who have complex problems and to achieving the goal of more people in work. Through sick leave, medical certificates and diagnostic work, the health service is also an important setter of the terms on which the social security services base their assessments.

The social security services’ “Project for an Inclusive Working Life” has conducted a survey in order to develop ways of thinking and approaching the problem that can make a function assessment into an efficient tool. A function assessment may make it easier to implement relevant measures for the individual and prevent rejection and exclusion from working life due to illness and function impairments. Several different tools have been developed internationally to assess functional ability, and some of these tools were presented at a conference of experts in 2003. The Ministry of Social Affairs has taken the initiative to start work on developing good methods for assessing functions. This work must be seen together with the follow-up to the Agreement regarding an Inclusive Working Life.

Strategies that see the users’ problems in relation to each other and which enable real, multidisciplinary cooperation to solve these problems must be created. A reorganisation of the Public Employment Service, the social security services and social welfare services must be coordinated with the reform work relating to the health service.

Summary of measures – clarification, qualification and arrangements:
- The Ministry of Labour and Government Administration will arrange for annual reports on the situation for persons with a reduced functional ability in the labour market by carrying out annual surveys to supplement the Labour Survey (AKU).
- During 2003, the Norwegian Directorate of Labour will start to cooperate with the user organisations in order to ensure a good range of services to groups with a reduced functional ability. User participation is to be put on the agenda, among other things through the creation of local user fora.
- The Ministry of Labour and Government Administration intends to present a bill that ensures user participation in the Public Employment Service by the end of 2003.
- The Ministry of Labour and Government Administration will clarify the users’ rights and make them visible, and will propose that these are incorporated into a new Act relating to public labour-market services. The introduction of new service-based user rights will give the users a formal right to have their need for labour-market services assessed.
- The Ministry of Labour and Government Administration will continue the trial scheme involving per-person-financed clarification of persons restricted in their choice of occupation, aimed at more rapid clarification and follow-up of these people. The Ministry will consider increasing its efforts to examine the job opportunities afforded to persons who are restricted in their choice of occupation.
- In 2003, the Ministry of Labour and Government Administration implemented a trial scheme involving competition to provide job-placement services to people who require extra adaptation and follow-up in the labour market, including people who are restricted in their choice of occupation or have been unemployed for a long-time. A wide range of job-placement-related services from a variety of providers will be tested in this trial scheme.
- The Ministry of Labour and Government Administration will continuously assess the direction and scope of the measures aimed at job seekers with a reduced functional ability.
- The Ministry of Labour and Government Administration will consider whether to expand the labour-market measure called Permanently Adapted Work.
- In order to contribute further to a good job-placement result, the Ministry of Labour and Government Administration will consider trials involving job clubs and other job-seeker activities for job seekers with a reduced functional ability.
- The Ministry of Labour and Government Administration will consider implementing a trial scheme aimed at following up job seekers with mental disorders.
- In order to improve the collaboration between the health service and other services, there is a need for research and development-oriented projects that raise issues relating to incentives, goals and responsibility for cooperation in various contexts.
5.2.2 The Agreement regarding a more Inclusive Working Life

The Agreement regarding a more Inclusive Working Life (the IA Agreement) was entered into between the Stoltenberg Government and the parties in working life on 3 October 2001.

The Government and the parties agreed on the following objectives:

- To reduce the sickness absence rate by at least 20 per cent for the entire period of the agreement.
- To obtain jobs for far more persons with a reduced functional ability (employees who are restricted in their choice of occupation, employees undergoing vocational rehabilitation, and persons receiving disability benefit who have been reactivated).
- To increase the average age at which employees retire.

The agreement assumes that the workplace is to be the main arena for preventing sickness absence and exclusion and for getting more people with a reduced functional ability into work. The goal is to find solutions at the individual workplace, among other things by encouraging an open dialogue between the employer and employee. The authorities support industry’s own efforts through various tools. The National Insurance Administration, the Public Employment Service and the Directorate of Labour Administration administer the state tools under the framework of the agreement. For the Government, this agreement is one of many tools to achieve a more inclusive working life. It is therefore important to see the agreement in relation to other efforts in the working-life area.

In addition to tools that apply to the entire working-life area, the companies that enter into a cooperation agreement with the social security services are given special tools to achieve the goal of a more inclusive working life. The social security services have established working-life centres in each county to take care of the authorities’ obligations. Companies that enter into a cooperation agreement with the social security services undertake to set their own goals for the agreement period and are assigned their own contact person in the working-life centre to help in this work. The Government has urged the parties in working life and individual companies to make joint efforts to get more companies to join the Inclusive Working Life (IA) agreement. In May 2003, more than 730,000 people were employed by IA companies, i.e., 38.5 per cent of the entire workforce.

Sub-goal 2 of the agreement is to have far more employees with reduced functional ability employed than at present (employees who are restricted in their choice of occupation, employees taking part in vocational rehabilitation measures, and those receiving disability benefit who have been reactivated). A preliminary user evaluation of the working-life centres shows that only around 22 per cent of the 420 IA companies covered by the survey had set specific goals in relation to this sub-goal (ECON report 95/02). This may be linked to such things as the fact that much of the focus on the agreement has been related to the goal of reducing the sickness absence rate. In the further work, it is important to focus on the fact that the agreement has three goals, all of which are important and a prerequisite for succeeding in the work of achieving a more Inclusive Working Life.

In 2003, the National Insurance Administration will prioritise persons with a reduced functional ability in its professional-development programme and when implementing development projects. The objective is to increase the number of IA companies that prepare sub-goals linked to recruiting more employees with a reduced functional ability. The working-life centres will in 2003 try to make more companies formulate specific goals relating to employing persons with a reduced functional ability. The Public Employment Service will be the main player when it comes to finding persons from this target group for jobs.

A coordinating group has been appointed. In this, the parties to the agreement are to contribute to achieving the agreement’s operational goals in the best way possible. A meeting place has been established for the two largest user organisations representing persons with disabilities and the Coordination Group. Such contact between the parties to the agreement and the two largest user organisations is important for the further work on the agreement, especially related to the goal of achieving employment for far more persons with a reduced functional ability.

The agreement has been entered into for a period of just over four years, from 31 October 2001 to 31 December 2005 and is to be evaluated after the 2nd quarter of 2003. The Government will place emphasis on the developments with regard to all three sub-goals when the agreement is to be evaluated.
Summary of measures under the Inclusive Working Life (IA) Agreement:
- In 2003, the National Insurance Administration will give priority to a focus on persons with a reduced functional ability in its professional development programme and when implementing development projects. The aim is to increase the number of Inclusive Working Life (IA) companies that prepare sub-goals linked to recruiting more employees with a reduced functional ability.
- Efforts are being made to develop good data to measure the results of the work carried out until the evaluation in the autumn of 2003. The evaluation of developments compared to sub-goal 2 will be measured on the basis of the percentage of persons with a reduced functional ability. There will be an evaluation related to the fact that fewer people are to receive disability benefit and to the fact that more people receiving disability benefit and people who are restricted in their choice of occupation are to get jobs and/or return to work. The evaluation in 2003 will, among other things, be based on a supplemental survey to the Labour Survey (AKU) which particularly looks at the situation of persons with a reduced functional ability in the labour market.

5.2.3 Recruitment of persons with a reduced functional ability to the public sector
The Norwegian Storting has asked the Government to prepare a separate plan of measures to get more persons with a reduced functional ability into work in the public sector. The Ministry of Labour and Government Administration is to prepare the plan, which will aim to ensure that far more people are recruited to work in the public sector and that employees are not excluded from the public sector due to their reduced functional ability without active adaptation measures being attempted first.

The signals sent by the fact that the public-sector employers are at the forefront in this work are important. However, it is a main principle that employers’ recruitment of persons with a reduced functional ability is not take place through statutory orders.

The Ministry has based its work on the plan of measures on a close cooperation with the users through the organisations representing persons with disabilities, research environments and people with an interest and knowledge in this area.

5.2.4 Adaptation of the workplace
In its report NOU 2000:27, the Sandman Commission points to the workplace as the most important arena for preventing sickness absence and preventing employees from leaving the workplace permanently. The Commission’s report points out, among other things, that measures to reduce sickness absence can only succeed if they are implemented in a collaboration between the employer and employee. In the Sandman Commission’s view, it is a prerequisite that both the employer and employee must be made responsible for the work on the working environment in general and the follow-up of those off work due to illness in particular. Long-term, stable working and employment conditions give the parties a greater interest in developing and improving the working environment. The report underlines that workplaces must be adapted so that as many people as possible are ensured a place in working life.

The Inclusive Working Life (IA) Agreement is one of the most important tools for developing and improving the working environment.

The Working Environment Act’s provisions regarding adaptations for and the follow-up of persons with a reduced functional ability
As part of the work of following up the Sandman Committee’s report, the Norwegian Storting recently agreed to amendments to the Working Environment Act in order to make clear, specify
and in part extend the employer’s liability for, among other things, the follow-up of and adaptations for those on sick leave, cf Ot. prp. no. 18 (2002-2003). The following amendments were agreed upon:

- The employer’s duty to carry out systematic, preventative working-environment efforts, including systematic work on sickness absence, is to be precisely defined in section 14.
- The concept of “disabled” in section 13 of the Working Environment Act is to be changed to “employee with a temporary or permanently reduced ability to work”. This wording is intended to cover all employees who have had their ability to work in their current jobs reduced as a result of illness, injury, strain, etc, irrespective of whether this is a short-term or long-term reduction.
- It is to be clearly stated in section 13 that the employer has a duty to consider reduced or changed working hours for employees with a reduced ability to work. For some employees, it may be relevant to work full-time but with changed working times, eg, so that the employee does not have to work in the evening/at night and can instead work permanently on the day shift. For others, it may be relevant to have the working hours reduced because full-time work is too tiring. In this context, it is important that the employer makes sure to adapt the work tasks, so that the volume of work tasks corresponds to any shorter working hours.
- Section 13 is to stipulate a new duty for employers to prepare follow-up plans for adapting the work of employees who are on sick leave within eight weeks at the most, apart from if this is regarded as being obviously unnecessary. The follow-up plan is to contain an assessment of the employee’s tasks and functional ability, ie, what the employee can/cannot do. The plan must also contain the adaptation measures that the company can carry out with regard to physical and organisational factors so that the employee can return to work. Examples of this are physical adaptations, purchases/adaptations of technical equipment, changes to routines, work functions or working hours, new work tasks, and training/retraining, possibly through work-related vocational rehabilitation involving a leave of absence from the company.
- Section 64 is to state that the rules regarding job protection in the case of illness must also apply when the employee is only partially absent, for example in the case of active or partial sick leave.
- Section 16 is to state that employees who are on sick leave undertake to participate in the preparation and implementation of follow-up plans so that they will be able to return to work as quickly as possible. Measures aimed at the individual employee’s needs must to a certain extent be based on individual information, and this raises issues with regard to the employee’s right to refuse to disclose information. The starting point must be that this type of adaptation work must be based on an assessment of the employee’s functional ability, and not on his/her medical diagnosis. The focus must thus be on which of the work tasks the employee can and cannot do. The employee’s contribution is a prerequisite for the employer’s adaptation work having any real effect.

These amendments to the law came into force on 30 April 2003.

The Directorate of Labour’s supervision strategy

The Directorate of Labour is the administrative and supervisory authority for the Working Environment Act’s provisions. The Directorate of Labour will therefore be responsible for following up the companies’ compliance with the requirements regarding adaptation for employees with a reduced ability to work. This will take place as an integral part of the directorate’s supervisory, guidance and information activities.

Technical aids/appliances

NOU 2001:22 From User to Citizen proposes that job seekers, both those undergoing vocational rehabilitation and others, are to be treated equally with regard to borrowing technical aids and access to Work with Assistance and to a function assistant.

The conditions for the allocation of technical aids and a function assistant are the same for persons taking part in a work-oriented vocational rehabilitation process and other job seekers. The target group for the labour-market measure called Work with Assistance is, however, disabled people who have an extensive need for follow-up and assistance.

Many people experience that it takes a long time for administrative decisions to be reached and technical aids to be handed out in the work-
place. Several measures have been implemented to improve the casework and shorten the time taken to arrange technical aids.

The authority to make administrative decisions regarding technical aids and the adaptation of work and vocational rehabilitation services was transferred from the social security services and county social security services to the technical aids centres in 2002. In this way, expertise on the technical aids and ergonomic measures is gathered in one place in each county. This restructuring has led a reduction in the time taken to deal with each case.

The National Insurance Administration has made efforts to improve expertise in order to strengthen the first-line service in the municipalities with regard to applications for technical aids. The results of this work are good. The applications from the municipalities state the reasons for making them in a better way and have been professionally assessed. This also shortens the time taken by the technical aid centres to process applications.

In 2003, a national technical group is to be appointed to increase the expertise in workplace aids and ergonomic measures.

Problems have been reported regarding assistance to adapt workplaces. It is therefore important that all affected parties are told which party is responsible for discovering and clarifying needs, and providing training and follow-up with regard to the adaptation of workplaces, cf the previous description of the Working Environment Act’s provisions.

The municipalities’ responsibility for habilitation and rehabilitation is stipulated in the Municipal Health Service Act. The regulations governing habilitation and rehabilitation that came into force on 1 July 2001 state the municipalities’ responsibilities in greater detail. The municipalities are to ensure that necessary technical aids are provided and must adapt the environment surrounding each individual. The comments on the regulations provide guidance on the municipality’s responsibility for providing technical aids and adapting all arenas of life. This may also include the individual’s workplace if the adaptation can be characterised as rehabilitation and is a necessary health service for the individual.

In 2003, the Ministry of Health will initiate a review of the regulations governing habilitation and rehabilitation that will also include that part of the regulations that concerns technical aids and ergonomic measures.

Workplaces that have a company health service will often be able to discover and clarify employees’ requirements. In companies that have entered into an agreement on an inclusive working life, the problem of which party is responsible for clarifying measures is solved. In order to encourage the use of necessary technical aids in working life, the Government is making arrangements so that the contact persons in the working life centres will be able to promise technical aids. The representative can then get help from the technical aids centre to clarify and possibly try out measures at the workplace.

**The amount companies have to pay themselves towards technical aids – \( \frac{1}{2} G \)**

NOU 2001:22 proposes cancelling the amount companies have to pay themselves towards technical aids – \( \frac{1}{2} G \) (the national insurance base amount) – when adapting workplaces.

Employers are responsible for the individual adaptation of technical aids in the workplace for persons with disabilities who have been employed for more than six months. This is stated in section 13 of the Working Environment Act. This responsibility is limited to \( \frac{1}{2} G \) (NOK 27,084 until 1 May 2003). The surplus amount is the responsibility of the National Insurance Scheme. In the case of new employees or if the person becomes disabled during the first six months of an employment relationship, the National Insurance Scheme covers all the expenses of technical aids in the workplace.

The fact that a potential employer has to expect expenses of up to \( \frac{1}{2} G \) for technical aids after a person has been employed for more than six months may lead to difficulties for job seekers with a reduced functional ability. For many people, the need for technical aids will be uncovered gradually, and the limit of six months is often too short.

As from 2003, a nationwide trial has been started in which the employer’s responsibility for technical aids lapses entirely in Inclusive Working Life (IA) companies. During the trial period, employers that have not entered into an agreement regarding an inclusive working life will also have refunded all their expenses relating to adaptations for persons who are hired during the trial period.

On the basis of proposals in Document no. 8:153 (2001-2002), the Norwegian Storting has asked the Government to present proposals.
regarding the cancellation of the \( \frac{1}{2} \) G companies have to pay towards technical aids when adapting workplaces as regards companies that are not IA companies too. The Ministry will submit a proposal regarding this in the 2004 Budget.

**Function assistant**

Since 1997, a trial scheme has been in existence that provides a function assistant for persons with extensive physical function impairments who need practical assistance in the work situation. This scheme has two objectives. It is intended to ensure that persons with extensive physical function impairments can continue in normal work. The scheme is also intended to make it easier for people to start normal work. The scheme was evaluated by the Labour Research Institute in the autumn of 2000. The evaluation shows that the scheme is a good tool for integrating persons with extensive function impairments at work. At the end of 2002, the scheme encompassed around 50 people.

This support scheme will in time be organised as a permanent scheme. It will be considered whether to base the authority for the scheme in the National Insurance Act.

**Cancellation of the limit on interpreting hours in working life**

In the Revised National Budget for 2003, the Ministry of Social Affairs proposed cancelling the limit on the number of interpreting hours in working life as from 1 July 2003 with regard to the scheme granting an individual right to an interpreter in working life.

**Summary of measures relating to the adaptation of the workplace**

- The Ministry of Labour and Government Administration will, before the summer of 2003, put a bill before the Norwegian Storting regarding greater protection against discrimination in working life.
- The National Insurance Administration will, in 2003, establish a national group of professionals in the area of workplace aids in order to increase the expertise in technical aids and ergonomic measures in this area.
- In connection with the Directorate for Health and Social Affairs’ evaluation of the regulations governing habilitation and rehabilitation in 2003, the municipalities’ responsibility for technical aids and ergonomic measures is to be reviewed.
- A nationwide trial has been established in 2003, according to which, in the case of new appointments after 1 January 2003, the amount that employers have to pay themselves after the employee has been employed for six months, \( \frac{1}{2} \) G, no longer applies. For IA (Inclusive Working Life) companies, this amount is also no longer charged for employees who have been employed for more than six months prior to 1 January 2003.
- The Ministry of Social Affairs will establish a permanent function assistant scheme.
- The Ministry of Social Affairs has proposed cancelling the limit on individual rights to an interpreter in working life as from 1 July 2003.

**5.2.5 Combination of work and social security benefits**

NOU 2001:22 emphasises the importance of developing favourable schemes in order to be able to combine employment income with social security benefits.

The Government is continuing to work on measures to prevent persons from retiring on disability pension and to encourage those receiving disability pension to utilise the ability to work that they do have. Reactivating those receiving disability pension is a measure involving cooperation between the social security services and the Public Employment Service that was started in 2001. As part of the work of encouraging those receiving disability pension to increase their work efforts, a trial scheme involving more favourable rules for the reduction of disability pension in relation to employment income was started on 1 September 2001. The reactivation work has so far resulted in 4,000 people saying they would like to try to go back to work again, and around 1,500 have started to work full-time or part-time or have increased their work efforts. The Ministry of Labour and Government Administration and the Ministry of Social Affairs will assign the task of evaluating this reactivation work to a research institute.

The tightening up of the vocational rehabilitation requirement, ie, that a person must try vocational rehabilitation before a disability benefit can be granted, has led to a considerable increase in the number of people going from rehabilitation to vocational rehabilitation. In parliamentary bill (Ot.
prp.) no. 102 (2001-2002), the Ministry of Social Affairs has proposed introducing a time-limited disability benefit and a permanent disability pension. The objective of this proposal is to reduce the number of new persons receiving disability pension and prevent permanent disability by, among other things, introducing a new time-limited disability benefit that is to be assessed after 1-4 years. The time-limited disability benefit is mainly to be given to all those who have a certain ability to work (who are only partially disabled). The benefit may also be given to those who are 100 per cent disabled on the application date but whose future ability to work is uncertain. In this way, the Government believes that more persons receiving disability pension will be able to return to work full-time or part-time after a period of receiving benefit. The proposal regarding a time-limited disability benefit is a follow-up to a proposal in the Sandmann Committee’s recommendation (NOU 2000:27).

5.2.6 Coordination of the Public Employment Service, the social security services and the social welfare services

Experience has shown that persons with a reduced functional ability have to relate to a number of bodies in the public help system. The current way in which the welfare schemes are organised does not provide sufficiently coordinated help to those who have problems entering the labour market. The service system is too divided and is not organised so that it can find tailor-made, integrated solutions for the individual. The lack of expertise and knowledge on the part of the employees in the services reinforces this problem.

In the autumn of 2002, the Government presented a White Paper on the Coordination of the Norwegian Directorate of Labour, the Social Security Services and the Social Welfare Services, (St. meld. no. 14 (2002-2003)). In this, the Government proposed reorganising the welfare administration system based on three elements:

- A uniform first-line service, based on cooperation between the state and municipality that is particularly aimed at those who are in danger of falling out of working life, or who due to their lack of work or ability to work require help from the public services.
- A reorganised state welfare administration system, with one department for work and related benefits that has a focus on work for everyone between the ages of 18 and 67 years, and one department for pensions and family benefits.
- The municipalities are to continue to be responsible for the social welfare services.

On the basis of Report (Innst. S.) no. 189 (2002-2003), the Norwegian Storting decided to return this White Paper and asked the Government to examine various models for a common welfare state consisting of today’s Norwegian Directorate of Labour, social security services and social welfare services.

The Government will appoint a public committee to examine various organisational models. Preparatory inter-ministerial work will also be initiated to carry out a wide-ranging review of the rules governing benefits and services (the welfare schemes). The Government will continue and reinforce the coordination processes in the first-line services based on the prevailing division of responsibility between the state and municipalities and between the state services.

Several trials have been initiated with the aim of achieving better coordination between the social security services, the Norwegian Directorate of Labour and the social welfare services, including the so-called 13 municipalities’ trial, trials linked to the “Programme to strengthen the social welfare services”, which tried out inter-departmental cooperation on particularly deprived social-welfare recipients, and a trial involving active vocational measures for recipients of long-term social welfare which started in 2000 and encompasses a total of 16 municipalities. In several of the projects, attempts have been made to have a special coordinator whose task is to look into the assistance available and provide guidance and rapid, correct information. This has proven to be a good service to the users.

As regards the examination of various models for a common welfare state consisting of today’s Public Employment Service, social security services and social welfare services, this will be put before the Norwegian Storting in a suitable manner in plenty of time before the parliamentary elections in 2005.
6 Accessibility

This chapter deals with measures to increase accessibility for persons with a reduced functional ability. Firstly, an account is given of the objectives, main challenges and all-sector measures in which the principle of universal design is key. Thereafter, the transport, building and outdoor areas, information and communication, products, culture and leisure-time areas are discussed.

6.1 NOU 2001:22 From User to Citizen – proposed main strategy

NOU 2001:22 From User to Citizen proposes measures to create full access to transport, buildings and outdoor areas, information, and information and communication technology.

In order to achieve the objectives suggested by the commission, mandatory plans of action with binding deadlines, national accessibility standards and financial tools in the form of targeted funding are recommended.

With regard to the three prioritised areas of commitment, the commission suggests total state targeted funding of NOK 2.5 billion spread over five years. This funding will only comprise a small part of the total costs, which, according to the report, are difficult to estimate.

The commission’s financial calculations show that removing existing barriers is very costly. The commission believes that it will be cost-effective to introduce a requirement of standards so that persons with a reduced functional ability are taken into consideration prior to new investments being made.

6.2 The Government’s assessments

The proposals stated in NOU 2001:22 From User to Citizen involve, among other things, improvement plans for existing buildings, means of transport, etc, in order to make these comply with the universal design requirements by specific deadlines. These improvement plans will, as far as it has been possible to estimate their costs, lead to very large public outlays. The Government has not found room for such a commitment.

The Government supports the commission’s proposal that the principle of universal design is to form the basis of new buildings and new purchases. If the principle is adopted right from the start, this will not normally involve any significant extra costs.

6.3 The Government’s objectives, main challenges and all-sector measures

The Government’s objectives are:
- Good access to buildings, outdoor environments, products and services
- All new state investments are to be assessed in accordance with the principle of universal design.

The main challenges are to create awareness and knowledge of disabling factors, to create a willingness to dismantle disabling barriers, to impart knowledge of universal solutions, and to encourage development work to create new universal solutions and help to increase the range of goods and services that are produced according to this principle. The state must also establish work procedures that ensure the principle of universal design is the basis of new buildings and new investments, and have a system for charting the extent to which the objectives have been reached. An account of the tools that will be used to face these challenges is given below.

Information

Information is a key tool for increasing the awareness and knowledge of disabling factors and the willingness to reduce them.

The information campaign entitled “No Obstacle” that was started in connection with the European Year of People with Disabilities in 2003 aims to create an awareness and knowledge of disabling barriers and to make people more willing to remove them.
This particularly targets:
- Politicians and members of the public administration at national, regional and local levels
- Working life
- The school sector

The information campaign will last for several years.

The Delta Centre
The state’s own competence centre for participation and accessibility for persons with a reduced functional ability – the Delta Centre – is to be at the forefront when it comes to assisting the public and private sectors with knowledge of how the principle of universal design can be implemented. This centre has, among other things, published an accessibility template which shows how the accessibility requirements in the Planning and Construction Act can be met for all groups with a reduced functional ability, and has tools for checking the accessibility of various types of public buildings and public transport.

Qualified professionals
Developing expertise on universal design so that pupils and students receive the necessary training is an important part of the dissemination of knowledge. The commitment to universal design will lead to increased demand for persons with knowledge of how universal design can be realised when creating buildings, outdoor areas, means of transport, telecommunications, media, various articles for everyday use, etc. Imparting knowledge on universal design will be relevant both in vocational studies at upper secondary schools and in the basic, higher and further education offered at various universities and colleges.

Plan of action for universal design
This plan of action, in which 10 ministries are participating, is intended to help strengthen the willingness and ability to use good functional solutions that suit everyone. State activity is emphasised. The main angle of approach is to use the universal design strategy in all operations where it may be of use and give results in practice. The plan of action attempts to make the efforts of various public bodies, professional environments and organisations more coordinated and rational.

Public administration casework
The Government wants the principle of universal design to be considered in all relevant issues dealt with by the state administration. This work must be seen in connection with the guidance material currently being developed for state administration that is linked to the UN’s Standard Rules on the Equalisation of Opportunities for Persons with Disabilities. The work must also be seen in connection with the further development and follow-up of the plan of action for universal design.

Research and development work
The Government wishes to increase the research and development efforts relating to universal design.

In 2003, the Ministry of Social Affairs, in cooperation with the Ministry of Trade and Industry, has initiated a four-year, inter-departmental project to be carried out by the Research Council of Norway to improve access to information and communication technology (ICT).

This project is to help enable everyone to use more of the ICT-based products and services that are developed and introduced to the general market.

In total, around NOK 30 million will be placed at the disposal of this project over four years. On the basis of previous experience, it is realistic to expect that the environments that receive project funding will themselves contribute own efforts worth a corresponding amount. The total contribution will thus be around NOK 60 million.

Standardisation
Standardisation is an important tool for promoting universal design. Technical requirements can be specified in the standards in accordance with the authorities’ desire for universal design. Norwegian participants in international, European and national standardisation work should therefore be especially aware of the goal of promoting universal design.

State measures in the standardisation area have in part been characterised by ad hoc solutions and a diffuse allocation of responsibility. The Ministry of Trade and Industry has taken the initiative to gather the four standardisation organisations into one organisation called Standard Norway.

The purpose of gathering these together is to enhance the efficiency of the standardisation
work that these organisations carry out, to achieve a greater force abroad and better coordination and prioritisation, and to make it easier for the users in that they have fewer organisations to relate to. It is not relevant to make any decisions on the other three Norwegian standardisation organisations as yet. However, these may be located in the same premises.

**State purchases**

The requirement regarding the universal design of products and services from a major player like the public sector will undoubtedly influence manufacturer to turn their development and production work in this direction.

A general requirement of universal design for products and services may make areas where there are still not enough products that will/can meet such requirements more expensive. However, the Ministry of Labour and Government Administration still wishes to encourage a requirement of universal design to be stipulated for state purchases where this is expedient. The necessary tools to implement this will be clarified.

**Legal tools**

Acts and regulations may also be used to ensure a process in which buildings, outdoor environments, products and services become more accessible. The Planning and Building Act and its regulations are an example of this. Requirements are stipulated for both housing and other buildings. Two public commissions have been appointed to review this legislation – the Planning Law Committee and the Building Law Committee. The Planning Law Committee has just published its report. The Building Law Committee is to publish the first part of its report at the end of October 2003.

New accessibility provisions have recently been added to other legislation. This applies to the Universities and Colleges Act. The Election Act now has a requirement regarding the accessibility of polling stations. A new regulation on local air pollution will help to make outdoor areas more accessible to people with allergies and respiratory passage disorders.

The proposal in NOU 2001:22 From User to Citizen relating to a general Act to combat discrimination on the basis of function impairments is another legal approach. A public commission is currently examining proposals regarding such an Act. In the work on a UN convention on the rights of persons with disabilities, Norway has stated that the convention must oblige countries to implement the necessary measures to create a society that has no man-made barriers and which is based on the principle of universal design.

Accessibility in Norwegian society is also governed by regulations formed by the EU and made applicable to us through the EEA Agreement. As stated below, this applies, among other places, in the transport and telecommunications areas.

**Documentation**

The new documentation centre mentioned in chapter 4 is to be developed into an important knowledge bank in order to shed light on accessibility for persons with a reduced functional ability.

**Summary of all-sector measures:**

- Nationwide information work through the training package “Planning for All”, prepared by the Ministry of the Environment, and the information campaign entitled “No Obstacle” arranged by the Directorate for Health and Social Affairs.
- The Delta Centre is to provide the public and private sectors with knowledge of how the principles of universal design can be implemented.
- A coordinated and greater effort to increase the expertise on universal design in educational institutions. This work must be seen in connection with the Plan of Action for universal design.
- An extensive Plan of Action for universal design aimed at the state sector. A separate strategy plan to improve the ministries’ work procedures relating to the use of the universal design principle is to form part of the plan of action. The work on the plan of action is to be coordinated by the Ministry of the Environment.
- The Ministry of Trade and Industry and Ministry of Social Affairs have implemented a four-year project to be carried out by the Research Council of Norway to make information and communication technology more accessible.
- The Ministry of Social Affairs will take the initiative to cooperate with the standardisation bodies on standardisation work as a tool for promoting universal design.
– The Ministry of Labour and Government Administration wishes to encourage requirements regarding universal design to be stipulated for state purchases where expedient.
– The proposal as to a general law against discrimination on the basis of function impairments is to be examined. The law commission work is to be followed up by the Ministry of Justice and the Police.
– The Ministry of Social Affairs will establish a new documentation centre that is to chart accessibility for persons with a reduced functional ability.

6.4 More about the work of improving accessibility in the various sector areas

6.4.1 Transport

NOU 2001:22 From User to Citizen – proposal

NOU 2001:22 starts off by assuming that access to means of transport is a prerequisite for participation and equality in a school, work, leisure-time and cultural context. The commission points out that the public transport solutions in Norway today are not adapted for everyone, and that persons with a reduced functional ability face major barriers as travellers. Many people are told to use special transport solutions. The county council transport services vary in content and scope and as regards the groups that are covered by the services. The committee believes that persons who have a need for transport services are being prevented from participation due to the lack of services.

The commission’s proposals:
– A strengthening of the existing legislation in order to ensure that persons with a reduced functional ability are treated in the same way as other people. Full access to transport for everyone: public transport and its associated infrastructure (means of transport and terminals) are to be accessible by 2012.
– A national special-transport service by 2003.

The main challenges and the Government’s objectives

Universal design means that as many people as possible are able to use the normal transport services in an equal manner. The ordinary transport service must therefore in so far as possible be adapted for persons with various types of function impairments. However, some people will always be dependent on a specially adapted service, such as the TT scheme (transport for disabled persons). Public transport schemes must also be seen in connection with the National Insurance Scheme’s financial support to disabled people for their own cars and the basic transport benefit.

In the National Transport Plan 2002-2011, the Ministry of Transport and Communications considered introducing a legal basis or regulations that would to a greater extent ensure access to means of transport for persons with a reduced functional ability. The Ministry concluded that tools other than purely legal ones would be better suited to improve access to means of transport. The Norwegian Storting agreed to this.

The Government does not believe it is realistic to prepare standards to the extent and with the deadlines recommended in NOU 2001:22. The Ministry of Transport and Communications will, however, make efforts to find possible operational and technical solutions that can help to improve access to public transport.

Measures relating to the means of transport itself must be seen in connection with measures relating to terminals, bus stops, stations, etc., since the travel chain must be looked at from door to door. General technical requirements as to the means of transport will often be based on international standards.

The Government’s objective for the transport sector is:
– Access to the transport system is to be improved and taken into account when planning and designing infrastructure, means of transport, traffic and other services.

Through international collaboration and in some countries, a considerable effort is being made to improve the way in which factors are adapted for persons with a reduced functional ability. This also applies in the transport sector.

User participation

Over the past few years, a number of user-participation groups have been established in the transport sector, and organisations representing persons with disabilities are represented in these.

The National Budget for 2003 granted NOK 4 million to accessibility measures that are to be discussed and planned by the user-participation groups:
The airline group for the airline transport of persons with a reduced functional ability. This group includes airlines, Avinor and the Ministry of Transport and Communications, as well as various organisations representing persons with a reduced functional ability. The work concentrates on adapting airport infrastructures, providing guidance to travellers, training personnel and adapting airline interiors and technical aids to suit persons with disabilities.

The contact group for persons with disabilities who take the train

The user-participation forum to discuss the question of disabilities in the Public Roads Administration's area of responsibility

Transport by sea

New fast craft are fitted out with the aim of being suitable for persons with a reduced functional ability, both as regards embarkation/disembarkation and mobility on board. The same is true of the Coastal Express ships.

Larger ferries built after 1985 are adapted to suit those who are mobility impaired and have such things as lifts. The improvement in ferry accessibility will correspond to the rate of investment in new materials and is to be in accordance with the EU's regulations governing passenger ships (EU Council Directive 98/18).

Railways

Railway materials have a long lifetime and modifying stations, etc., is costly. This will be assessed and given priority in relation to other necessary measures for developing and improving railway traffic in Norway. The EU is striving to achieve coordinated traffic on the railway network. On the basis of a directive regarding coordinated services in the trans-European railway system for conventional railways, technical specifications will be prepared and must also take the needs of persons with a reduced functional ability into account. These specifications will apply to Norway. In the railway sector, the preparation of standards at an international level is crucial to developments.

The Norwegian National Rail Administration’s Stations and Junctions programme, which forms part of the National Rail Administration's plan of action and which is to be followed up in annual National Budgets, includes measures to improve accessibility for the public, as well as information systems for disseminating traffic information to the public at stations and junction terminals.

The Ministry of Transport and Communications is arranging competition over the purchase of passenger transport on the railways. In this connection, the Ministry of Transport and Communications will prepare the quality requirements that are to be stipulated for train materials, including the requirements that should be stipulated so that the train materials can also be used by persons with a reduced functional ability.

Airlines

The Norwegian Air Transport Act and its associated regulations contain few provisions restricting the freedom of contract between airlines and passengers. The starting point is a total freedom of contract.

The EU commission is working to strengthen airline passengers’ rights, and one of the measures involved is to develop voluntary service declarations in which the situation of persons with a reduced functional ability is dealt with in the same way as that of other groups. If voluntary declarations are not accepted, the commission will take the initiative to introduce such legislation in the field of aviation.

Bus transport

The most important requirements relating to buses in local traffic are a low floor/entrance, necessary embarkation aids, information that is readable on the outside, sound boxes, and in-bus announcements of bus stops, both using signs and over the loudspeaker. The Ministry of Transport and Communications has, in cooperation with the Directorate of Public Roads, started work to find specific, practical solutions regarding bus accessibility.

In addition to the general technical requirements relating to vehicles, it will be relevant to stipulate supplementary requirements as part of the conditions for awarding a licence and/or through agreements regarding public purchases of public transport services, including tenders.

The Ministry of Transport and Communications has also recently decided that licences are to stipulate a requirement that the express (non-stop) buses must be adapted to suit persons with a reduced functional ability.
The EU has issued Directive 2001/85/EC on technical requirements for buses. This makes it mandatory for EEA states to ensure that persons who are mobility impaired can access new class 1 buses (town buses) as from 2004.

New materials
In the past few years, the Norwegian State Railway (NSB) has invested between NOK 4-5 billion in new materials. Among other things, 36 new train sets have been ordered, enabling wheelchair users for the first time to get on board on their own from new platforms.

Adapted transport for persons with disabilities (TT transport)
Since 1988, the county councils have organised a transport service (the TT scheme) for persons who, due to mobility impairment, cannot use existing public transport.

The TT scheme is primarily aimed at persons who, due to their function impairment, cannot make use of ordinary public transport. The scheme functions in most of the county councils as a taxi-based individual door-to-door transport system.

Transport for persons with disabilities comes under the county councils' responsibility for local public transport. As for public transport in general, TT transport is given priority depending on local circumstances and within the individual county council's budget. The Ministry of Transport and Communications has prepared advisory guidelines for TT transport. These are limited to criteria relating to user approval, the content of the service and the work procedures.

In Norway as a whole, the number of TT users doubled from 1988 to 2000 (122,700 users in 2000).

The average TT user is a retired woman over the age of 70 who lives alone. TT users are, however, a complex group of individuals with various function impairments and differing needs. Most of the TT journeys are for leisure-time purposes, such as shopping trips and visits to relatives and friends.

In some cases, the use of TT transport may be approved for daily travel to and from work.

Work and educational travel for persons with disabilities
In 2001, a trial scheme was initiated involving adapted transport for employees and students with disabilities. The aim was to gain experience of various organisational models before implementing a permanent transport scheme. The Government also wanted to chart how an improved transport service for persons with disabilities would affect the numbers of those applying for disability pension and the transition from disability to work/education.

Experience so far has shown that few people make use of or have made use of this scheme. Participation has been less than expected.

Based on its evaluation of this trial scheme, the Government will decide whether to propose establishing a permanent scheme for work and educational travel for persons with disabilities. The Government will return to its follow-up of the trial scheme in the National Budget for 2004.

Report on benefits and transport schemes for persons with disabilities
The Ministry of Transport and Communications and the Ministry of Social Affairs will appoint an inter-ministerial working group to review public schemes and benefits that in part overlap and which are intended to help cover the transport needs of persons with disabilities in addition to the service provided through ordinary public transport.

Apart from the TT scheme, this applies to the national insurance benefit for a disabled person's own car, and the basic transport benefit. The objective is to propose changes that ensure persons with disabilities have a good transport service and which contribute to the schemes functioning in a more integrated, coordinated and rational fashion.

Summary of measures in the transport area:

- In the White Paper on the National Transport Plan that is to be put before the Norwegian Storting in the spring of 2004, the Ministry of Transport and Communications will provide further information on the work of improving the transport service for persons with a reduced functional ability.
- The Ministry of Transport and Communications will ensure that the principles of universal design are integrated and safeguarded in the work and prioritisations of the Ministry's underlying departments and operations.
- The Ministry of Transport and Communicati-
ons will further develop the work carried out by the user-participation groups in order, among other things, to determine more long-term priorities in the fields of aviation, railways and road transport.

- The Ministry of Transport and Communications and the Ministry of Social Affairs will review public schemes and benefits that are intended to help meet the transport needs of persons with disabilities in addition to the service provided through ordinary public transport.
- The Ministry of Transport and Communications and the Ministry of Social Affairs will evaluate the trial scheme involving work and educational travel for persons with disabilities and decide on whether this is to be made permanent.

6.4.2 Buildings and outdoor areas

Provisions regarding accessibility are to be found in the Planning and Building Act and its regulations. These provisions apply to both privately and publicly owned buildings, and there are provisions for both dwellings and other buildings. In addition to these general provisions, accessibility may be regulated by some special provisions. The Norwegian State Housing Bank also stipulates provisions relating to buildings for which the bank grants a mortgage. In addition, the Norwegian State Housing Bank has special schemes to encourage housing to be built with a life span standard and special provisions relating to sheltered housing and nursing homes.

NOU 2001:22 From User to Citizen – proposals

The commission proposes a goal that buildings for various purposes are to become accessible by specific deadlines (2005-2008), and that a national accessibility standard is to be prepared as a regulation pursuant to the Planning and Building Act. No dispensation from the accessibility requirements is to be granted unless construction changes are, for listed-building reasons, impossible or undesirable. The responsible authorities are to prepare a plan for how this goal is to be reached, and targeted funding of NOK 150 million per annum for a five-year period is proposed to encourage adaptation work.

The committee specifically proposes a review of the subsidy schemes, a more stringent requirement as to lifts in dwellings, and that 20 per cent of the houses in projects being built for rental or sale are to have a life span standard.

The commission estimates that slightly more than half of the necessary accessibility measures have been implemented for outdoor areas. It points out that most attention has been paid to wheelchair users and less has been given to measures to improve conditions for persons who are visually or hearing impaired or have cognitive difficulties. The commission points out that local air pollution can result in accessibility problems for persons suffering from asthma or allergies.

The main challenges and the Government’s objectives

The Government believes it is also important to focus on accessibility for groups other than the mobility impaired. In the past few years, quite a lot of attention has been paid to problems that arise due to indoor climates and pollution. Measures for visually impaired and hearing impaired people and those with cognitive difficulties have not been given the same amount of attention.

The Government’s objectives are:

- Buildings must be designed in such a way that they are accessible to everyone to the greatest extent possible.
- Everyone must be able to live in a good dwelling in a good living environment.

The Government believes the main challenge lies in improving the expertise on universal design and in contributing to changes in the attitudes of the players involved in the building process. If universal design is a prerequisite when building projects are being planned, this will not lead to significant extra costs for the builder. The costs of improving accessibility later on, however, are huge.

Anchoring the accessibility requirement in legislation

The state has the overall responsibility for making sure that buildings and outdoor environments are easily accessible. This responsibility involves, among other things, stipulating public requirements that contribute to well-planned areas and buildings.

The Government has appointed a building law commission which has been asked to consider whether the legislation safeguards accessibility for persons with disabilities, and whether the Planning and Building Act should go further in stipulating requirements as to existing buildings.
than it does at present. The commission will deliver the first part of its recommendation at the end of October 2003.

**Information and guidance**

The National Office of Building Technology and Administration, the Norwegian State Housing Bank and the Delta Centre are all responsible for information and guidance to help increase the various players’ awareness of the accessibility requirements and the principles of universal design. Cooperation between the organisations representing persons with disabilities and the organisations representing the construction industry is important.

**Standardisation work**

The Norwegian Council For Building Standardisation has stated that the accessibility to buildings is not sufficiently ensured by regulations and guides. In the Council’s experience, local building authorities lack uniform tools that make the goals of the regulations visible.

The guide to the technical regulations made pursuant to the Planning and Building Act contains references to Norwegian and international standards in annexes.

The Government wants recommended accessibility standards to be prepared. A standard should provide examples of solutions that are considered to comply with the legislation, so that these can be referred to as examples that meet the function requirements relating to accessibility stipulated in legislation or regulations.

**More about housing**

It is assumed that 6-7 per cent of the housing market fully complies with the requirements as to a life span standard. This means that the choices persons with a reduced functional ability have are basically limited. The Norwegian State Housing Bank is the Government’s most important body for implementing its housing policy. This bank can offer additional loans for life-span-standard housing. Around 40-50 per cent of the housing currently built using Norwegian State Housing Bank financing have a life span standard. Very few privately financed houses are built to this standard.

The Government will consider measures that can contribute to more houses with private financing being built with a life span standard. Further and higher education schemes for private construction companies and municipalities may, as previously discussed, be a key tool.

The Manneråk Commission proposes that 20 per cent of the houses in rental projects are to be built to a life span standard. The municipalities have an important role to play in the work of increasing the share of life-span-standard housing. Municipalities should help to ensure that universal design forms the basis of new housing construction. The municipalities may stipulate requirements in planning regulations and development agreements that a certain percentage of the houses in a development project are to be built with, for example, a life span standard.

The state provides subsidies for building and technical sanitary changes to houses in order to adapt them to persons with function impairments. The benefit scheme was transferred from the National Insurance Scheme to the Norwegian State Housing Bank in 1978. It can be difficult to draw the boundary between these, and this contributes to a certain extent to solutions being chosen based on the possible source of payment and not based on the solution that will be the most appropriate for the user. The user also has more bodies to relate to in order to resolve his/her problem.

An inter-departmental working group is looking into this issue. A two-year model experiment may be initiated in two counties as from 2004 to try out a more flexible use of both the National Insurance Scheme’s and the Norwegian State Housing Bank’s schemes. In addition, the model experiment will provide ideas as to how the service system should interact so that persons with a reduced functional ability receive the necessary help to obtain a more suitable dwelling. This experiment may be expanded to other counties in 2005 if the experience gained is good. The experiment will be described in greater detail in the White Paper on Housing in the autumn of 2003.

The Government will present a White Paper on Housing in the autumn of 2003. This White Paper will review the Norwegian State Housing Bank’s tools in their entirety, and the housing needs of persons with a reduced functional ability will have a key place in it. One of its objectives is to strengthen both the physical and structural accessibility of the housing market through targeting and improving the Norwegian State Housing Bank’s tools.
Buildings that the state owns or leases

The Ministry of Labour and Administration will require all state enterprises to adopt the principle of universal design in maintenance work and when renewing leases, in so far as this is practically and financially possible. Universal design should also be the basis of any changes to the regulations in various areas. More information and greater expertise will also be important tools in this area.

Over the past 10 years, Norway's Directorate of Public Construction and Property has upgraded its buildings considerably as regards adaptation for persons with a reduced functional ability.

All the measures have more or less been carried out in cooperation with the users. The Directorate of Public Construction and Property is currently developing a new system to ensure that the objective of universal design is implemented and taken into consideration at all levels in the planning and construction of new buildings.

Kindergartens

Kindergarten buildings and outdoor areas must be adapted in accordance with the building regulations’ provisions relating to accessibility, so that children with a reduced functional ability can benefit from their pre-emptive right to a kindergarten place. In the forthcoming all-round review of the Kindergarten Act, the Ministry of Children and Family Affairs will consider creating separate regulations governing accessibility pursuant to section 3 of the Kindergarten Act.

School buildings

In order to upgrade school buildings, a so-called interest-compensation scheme for school buildings applies to enable the municipalities/county councils to raise loans for which the state covers the interest expenses. This scheme is intended to help ensure that all pupils in primary and secondary schooling have good learning conditions. The needs of disabled persons are to be taken into account.

A school competition – Be a detective for your own future – remove barriers at your school! – has been initiated. Information materials and charting tools have been sent to all schools, urging the pupils to check the accessibility of their own school.

Universities and colleges

In order to achieve the goal of having more students with a reduced functional ability in higher education, the accessibility of teaching premises, service buildings and student homes must be improved. The positive experience of using local plans of action for students with a reduced functional ability is discussed elsewhere in this White Paper, and an account is given of a number of measures that will also affect the physical accessibility of educational institutions.

The physical learning environment is to be designed in compliance with section 44 of the Universities and Colleges Act. As regards the design of the physical working environment, the boards of universities and colleges are responsible for ensuring, among other things, that the design of the learning environment complies with the principle of universal design in so far as is possible and reasonable.

10 per cent of the grants awarded annually by the Ministry of Education and Research are used to build student homes that are adapted for persons with a reduced functional ability.

Buildings where service is provided to the public

The Government’s objective is for public buildings to have a plan, size and distribution of rooms that enable persons who have an impaired ability to orientate themselves or move to access and use all the parts of the building that are supposed to be accessible to the public. This is stipulated in the regulations governing requirements as to buildings and building products. In practice, the prevailing regulatory requirements regarding adaptation for persons with an impaired ability to orientate themselves or move have in part been overlooked and an exemption from these has also been granted for many buildings. The Ministry of Local Government and Regional Development will prioritise providing information in this area in order to increase awareness of the legislation.

Historical buildings and sites

The accessibility of historical buildings and sites must be based on the specific situation, since each building is unique. The solutions must be seen in connection with what changes listed buildings and sites can cope with without their cultural history values being lost. Information on cultural-his-
Churches and cultural buildings

Churches and cultural buildings must be as accessible as possible to persons with a reduced functional ability. This also applies to buildings that form part of museums in so far as this is practically possible without unacceptable changes having to be made to authentic cultural monuments. In the guidelines for the state funding of local and regional cultural buildings, one of the prerequisites for a subsidy is stated to be that all parts of the building that users are allowed to visit must be fully accessible. When applications for a subsidy for all types of modifications are submitted, it is presumed that the premises are or will be adapted for persons with a reduced functional ability. However, a certain amount of discretion regarding what is practically achievable is allowed, and the conservation considerations for older, listed buildings are also taken into account.

The new opera house in Oslo is intended to be adapted in such a way that good accessibility is achieved for all user groups in so far as possible. Representatives of organisations for the disabled take part in regular meetings at which discussions are held and information is imparted, as well as in a working group that can be included in the project work at short notice to clarify factors that require a quick decision.

The Ministry of Culture and Church Affairs approves new churches and stipulates requirements as to accessibility.

The failure to follow-up the requirements in legislation may indicate a limited knowledge and understanding of the regulations on the part of those responsible for approving and erecting buildings.

When the Ministry of Culture and Church Affairs grants funds for culture projects, it will stipulate as a prerequisite that the building must be made accessible to everyone.

Sports facilities

The Ministry of Culture and Church Affairs channels money from lotteries, etc, to facilities for sports and physical activities. For more than 20 years, it has been a condition for receiving a grant of these lottery funds that all sports buildings and facilities must be accessible to persons with an impaired ability to move. The scheme is practised by plans for facilities for which a grant of lottery money is to be applied for having to be specially approved in advance.

This conditions also apply to the renovation of older facilities.

The Ministry of Culture and Church Affairs has been very restrictive about granting exemption from these conditions.

Accessibility to outdoor areas

A number of different administrative bodies are responsible for developing and maintaining outdoor areas.

Through the Plan of Action for universal design, the Ministry of the Environment will follow up and further develop issues raised in the project entitled Societal Planning and User Participation, which was carried out from 1998-2002. Important individual areas are plan development, plan participation, information, training and education.

The Ministry of the Environment is continuing to work on several tools to clarify responsibilities and work tasks. The Planning and Construction Act is currently being revised.

The evaluation of circular T-5/99 Accessibility for Everyone shows that this circular has had a positive effect on the emphasis placed on accessibility in county and municipal plans.

Regulations regarding local air pollution were approved on 4 October 2002. A better air standard will benefit groups such as asthmatics and those suffering from cardiovascular diseases. Several Norwegian towns provide continuous information and notification of the local pollution situation, including via the Internet.

Summary of measures relating to buildings and outdoor areas:

- The statutory provisions regarding accessibility are assessed on the basis of reports by the Planning Law Committee and the Building Law Committee. The individual enterprise’s role in this area will be evaluated in order to ensure that the information provided by the state is coordinated and targeted.

- The information measures and further/higher education offered with regard to accessibility are to be provided by the National Office of
Building Technology and Administration, the Delta Centre, the Norwegian State Housing Bank and educational institutions.

- A separate guide to show how the responsible enterprises can ensure accessibility in their projects will be prepared.
- The guide to technical regulations made pursuant to the Planning and Construction Act will refer to recommended standards that provide examples of accessibility solutions which comply with the legislation’s function requirements. This work is to be monitored by the Ministry of Local Government and Regional Development.
- In the autumn of 2003, the Government will submit a White Paper on housing that will examine the Norwegian State Housing Bank’s tools. Strategies that can dismantle disabling barriers in the housing market and improve the individual’s ability to participate in the housing market will be key to this.
- State enterprises are to base new buildings, maintenance work and the renewal of leasing agreements on the principle of universal design.
- The Ministry of Children and Family Affairs is considering publishing separate regulations on accessibility in kindergartens.
- School buildings are to be improved and made accessible through the interest-compensation scheme.
- Pupils at primary/lower secondary schooling are to be made aware of accessibility through the project entitled “Be a detective for your own future – remove the barriers at your school”.
- In accordance with the accessibility provision in the Universities and Colleges Act, institutions must ensure that the learning environment is also designed in accordance with the principle of universal design in so far as this is possible and reasonable.
- 10 per cent of new student housing is to be adapted for persons with a reduced functional ability.
- Accessibility to historical buildings and sites will be dealt with in a forthcoming White Paper from the Ministry of the Environment.
- The requirement of accessibility to churches, cultural buildings and sports facilities has been incorporated into the Ministry of Culture and Church Affairs’ subsidy and approval schemes.
- National policy guidelines to strengthen the interests of children and young people during planning work are to be evaluated with regard to how they ensure qualities for groups other than children and young people.

6.4.3 Information and communication

NOU 2001:22 From User to Citizen – proposal

NOU 2001:22 proposes that the state is to have as a goal that people with and without function impairments are to have equal access to public information by 2005. It must therefore be ensured that all citizens can receive all public information using their desired medium. All public web sites must comply with the guidelines for accessible web sites (WAI), and the report proposes creating national objectives and standards for information to persons with a reduced functional ability as part of the Government’s information policy.

The report proposes that persons with a reduced functional ability are to have equal access to Information Technology (IT). This means that IT must either be made accessible to everyone during its development phase or be adapted so that it becomes accessible for persons with a reduced functional ability. In order to achieve this, the committee proposes using both legal tools, licence requirements, guidelines for state purchases, plans of action and standardisation.

Main challenges and the Government’s objectives

Public information is to be adapted based on the capabilities of persons with a reduced functional ability. This is in line with the general principles of the state’s information policy, which stipulates that information from the authorities must be prepared on the basis of the users’ needs and capabilities.

The Government wants the opportunities presented by information technology to be utilised in the best possible way so that persons with a reduced functional ability can be better included in working life and society.

The Government’s objectives are:

- IT tools are to be produced in accordance with the principle of universal design, so that they can be used by as many user groups as possible.
- Public information available on the Internet must meet the standard requirements of the Web Accessibility Initiative (WAI).
- Persons with a reduced functional ability are to be able to access a variety of information and have several ways of expressing their opinions.

More about the IT policy

Two areas in which IT is of importance to persons with a reduced functional ability can be pointed out:
- The accessibility and universal design of IT tools and IT in other tools
- The active use of IT to ensure that groups are included in working life and society.

There is a great potential for improving the everyday life of persons with a reduced functional ability through the active use of new technology. At the same time, there are also dangers linked to new forms of exclusion from participation in society. The choice of user interface and technology is crucial.

In order for as many user groups as possible to benefit from IT tools, it is vital that the tools are created on the basis of universal design.

Designing IT according to the principles of universal design requires a great deal of knowledge and the need for skills and expertise is great. Development work may be challenging, especially where standards do not exist or cannot exist. In order to safeguard this, the Government will set aside approx. NOK 30 million for a new, four-year commitment to ICT accessibility.

More about IT in the telecommunications sector

In the ICT sector, there has been convergence between IT, telecommunications and broadcasting.

In the telecommunications sector, special services to persons with a reduced functional ability are to form part of so-called “mandatory nationwide services”, which means that it is the suppliers, and not the state, that must basically pay for the adaptation of these services. Services to persons with a reduced functional ability are currently taken care of through the mandatory order in Telenor’s licence dated 2 March 1999, in which the scope of this is described in further detail.

The scope of services to persons with a reduced functional ability in Telenor’s licence comprises:
- Access to text telephone services for speech impaired and hearing impaired people and a discount or reimbursement scheme for the blind and visually impaired in connection with the use of the directory enquiries service.
- The distribution to Norway’s Technical Aids Centres of an updated catalogue of telecommunications equipment for persons with a reduced functional ability.
- Research and development tasks relating to the need to specially adapt telecommunications services.

The Ministry of Transport and Communications will continuously assess whether technical developments mean that the scope of services to persons with a reduced functional ability should be changed. This will take place, among other things, by monitoring the work in an ad hoc subgroup of the EU’s Communication Committee, which has recently started work to safeguard the needs of persons with a reduced functional ability in the field of electronic communications.

More details on the information policy

The Ministry of Labour and Administration is making efforts to ensure that the state administration actively uses the Internet as a channel for imparting information and services to the public. The goal is for all documents from the public sector to be available on the Internet in one or more normal text formats (html, Word, pdf, etc), so that persons with a reduced functional ability who can use IT have easier access to public information.

More or less all the Government’s and ministries’ documents are now published in a format that enables them to be read by visually impaired people using available technical aids.

According to the Government’s plan of action entitled eNorway 2005, public web sites must be user-friendly and meet international guidelines for design and universal design. Special reference is made to WAI/W3C, the Web Accessibility Initiative from the World Wide Web Consortium. This will be implemented by new documents, templates and publication systems having to meet these requirements. This does not involve any significant additional costs. When upgrading publishing systems, templates and systems must normally also be upgraded in order for already published contents to meet the same accessibility requirements provided such an upgrade does not lead to disproportionately high additional costs.

It is particularly important that the electronic reporting services and interactive communication services provided by the authorities can be used by as much of the population as possible.

More about the media policy

In the media sector, several measures have been implemented that the Ministry of Culture and Church Affairs will continue or further develop:
- Support to the easy-to-read newspaper called Klar Tale (Clear Speech)
- A satellite transmitted deaf-interpreter channel run by the Norwegian Broadcasting Corpora-

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6.4.4 Access to products

NOU 2001:22 From User to Citizen – proposal

NOU 2001:22 states that today’s lack of adaptation of product information has an exclusionary effect on visually and hearing impaired people and on persons with cognitive function impairments, and that it also prevents independence. For people with asthma or allergies, the lack of information on a product’s contents may have serious consequences. Norwegian legislation stipulates no requirements as to the design of products or the method in which product information is to be provided.

The committee proposes that Norway should play an active role in the international standardisation work and increase its efforts to develop standardised symbols and international standards for products in everyday life. The state and municipalities must use their power as a major customer to stipulate demands as to the accessibility of products.

Summary of measures relating to information and communication:

– State enterprises’ information and communication activities are to be run according to the principle of universal design in so far as this is practically and financially possible.
– The Government will grant NOK 30 million to IT-Funk for a project relating to the universal design of ICT-based products and services.
– Telenor has been ordered to ensure various services to persons with a reduced functional ability and to carry out research and development tasks relating to the special adaptation of telecommunications services for persons with function impairments.
– The state administration is to use the Internet as a channel for information and services, among other things so that persons with a reduced functional ability can have easier access.
– Efforts are being made to ensure that public information over the Internet meets the standard requirements of the Web Accessibility Initiative (WAI).

Main challenges and the Government’s objectives

The Government’s objective is for the principle of universal design to be implemented in this area too. Refer to the discussion of standardisation and guidelines for state purchases under the heading “The Government’s objectives, main challenges and all-sector measures” in chapter 6.3.

More details regarding product information for persons with a foodstuff allergy or foodstuff intolerance.

Foodstuff allergies or intolerances are the names of reactions to food that vary in their level of seriousness and their cause. In the most serious cases of food allergy, there are life-threatening reactions to some types of food.

During the period from 1998-2002, the Ministry of Health and Social Affairs collaborated with a number of other ministries and institutions on the implementation of the Plan of Action to prevent asthma, allergies and indoor-climate illnes-
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Summary of measures:

- A strategy for following up this plan of action is to be prepared in 2003.
- Internationally speaking, efforts are being made to change the rules regarding the statement of ingredients, in order to better safeguard the needs of those allergic to foodstuffs. The positive results achieved with regard to this are being incorporated in the EU’s labelling provisions. These will become applicable to Norway at the same time as they come into force in the EU.
- A system for reporting serious allergic reactions to foodstuffs has been established by the Norwegian Institute of Public Health and is starting to become widely known and used.

6.4.5 Culture and leisure time

NOU 2001:22 From User to Citizen – proposal

In NOU 2001:22, the committee states that there are several barriers which prevent participation and in part exclude persons with a reduced functional ability from the cultural and leisure-time sector and religious life.

The main challenges and the Government’s objectives

The Government’s objectives are that:
- The state is to contribute to all persons with a reduced functional ability who so wish having the opportunity to play sports and carry out physical activities in their local environment.
- The state is to improve the access to literature of blind and visually impaired people.
- The state is to improve the opportunities to go to the theatre for persons with a reduced functional ability through such things as performances by the Sign Language Theatre and by the sign-language interpretation of selected performances at the ordinary theatres.
- Persons with a reduced functional ability are to have the opportunity to be outdoors and carry out physical activities there so that they can have a change of environment and experience nature.

More about the culture and leisure-time sector

As stated in relation to Information Technology, the correct use of IT can give persons with function impairments entirely new access to information, education, literature services and cultural experiences. The access to digital services has already drastically changed many people’s everyday lives.

In the culture and leisure-time sector, the UN’s standard rules regarding accessibility are supplemented by separate rules, nos. 10 and 11, which stipulate that the nation states are to ensure that persons with disabilities are to be included and can take part in cultural activities in the same way everyone else. The nation states are to implement measures to ensure that persons with a reduced functional ability have the same opportunities to carry out leisure-time and cultural activities. These challenges are key to the basis for the state’s policy in this area.

The Ministry of Culture and Church Affairs will continue to cooperate with the organisations representing persons with disabilities in order to ensure culture for everyone.

More about sport

The Government’s objective is for all persons with a reduced functional ability who so wish to be given the opportunity to carry out sporting and physical activities in their local environment.

The Ministry of Culture and Church Affairs provides subsidies to sporting measures for persons with a reduced functional ability that are organised by organisations, foundations and public bodies. Persons with a reduced functional ability must be represented in the planning and implementation of the measure.

The Ministry of Culture and Church Affairs also supports the Norwegian Olympic Committee and Confederation of Sports’ work to integrate persons with a reduced functional ability into Norwegian sports.
When ordinary sporting events are being arranged, these should also be made suitable for persons with a reduced functional ability. One tool in this regard is the subsidy given to local sports associations. According to the criteria for this subsidy, persons with a reduced functional ability must also benefit from the subsidy.

**More about the outdoor life**

The Ministry of the Environment has appointed a working group containing representatives of, among others, organisations representing persons with disabilities to take a closer look at specific measures and services that can be developed in order to comply with the demands and wishes of persons with disabilities regarding adaptations and activities in Norwegian nature in general and within our protected areas in particular.

**More about literature**

The Government wishes to improve blind and visually impaired people's access to literature. The Ministry of Culture and Church Affairs would like the scope of general literature – measured by the number of titles – that is made available to blind and visually impaired people in the form of audio books or in Braille to be increased. The Ministry wants the need for study literature of persons who have difficulties seeing or reading to be met better than it has been so far. It must be possible to measure this in the form of a shorter time taken to order such literature.

More and more persons with a reduced functional ability are gaining access to a digital infrastructure and digital services. In many cases, the use of digital solutions in content production will show that the best thing would be to prepare products in a universal digital design that can then be adapted to various users, including visually impaired people and dyslectics, based on their special needs. Equal access to services at the same time is the objective. The digital products and services that disabled persons ask for will also often be the answer to the needs of the dominant user group in society, eg, digital audio books and text-to-speech and speech-to-text systems.

The Norwegian Library of Talking Books and Braille (NLB) produces and lends general literature and study literature to blind and visually impaired people. Other groups with reading difficulties, such as dyslectics, aphasics, etc, may also borrow literature from the NLB.

A key element of the literature service to blind and visually impaired people is the use of CDs adapted to a specially prepared audio book format (Digital Accessible Information System (DAISY)) instead of cassettes.

Culture Net Norway offers cultural experiences and services via the Internet and makes them available to groups that have previously been unable to enjoy them to the same extent. Culture Net Norway has developed a specially adapted text version of its entire web site in sector net, a service for blind and visually impaired people.

**More about travelling**

The Ministry of Trade and Industry and the Ministry of Social Affairs (formerly the Ministry of Health and Social Affairs) have cooperated with travel organisations and organisations representing persons with disabilities for several years.

Both internationally and in Norway, greater attention is now paid to making conditions suitable for persons with a reduced functional ability when travelling. This is due, not least, to the fact that the travel industry sees a growing market.

The Ministry of Trade and Industry will part-finance a project to pave the way for the creation of a common marking system in Norway.

In Denmark, the travel industry has, together with the standardisation bodies, come far in developing a common system that can probably be used to a large extent in other Nordic countries too, including Norway. To the extent that a common Nordic system can be established, it may reduce costs and be simpler for the customers than if each country has its own marking system. The EU is also working on the same issues and will, in connection with the European Year of Peo-

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People with Disabilities publish guidelines for common marking schemes.

The Ministry of Trade and Industry will continue to maintain a contact committee for the travel industry and persons with disabilities as a useful instrument for the exchange of information and for new initiatives. Changes in the committee’s mandate and composition are being considered.

Summary of measures:

– In the White Paper entitled “The cultural school bag” (June 2003), the Ministry of Culture and Church Affairs discusses, among other things, the services offered to children who are mentally retarded or have other function impairments.

– The Ministry of Culture and Church Affairs will continue its collaboration with the organisations representing persons with disabilities in order to ensure culture for everyone.

– The Ministry of Culture and Church Affairs will continue its collaboration with the Norwegian Olympic Committee and Confederation of Sports in order to integrate people with function impairments into sports. The subsidy granted to local sporting associations must also benefit persons with disabilities. There is also a separate subsidy scheme for sporting activities for persons with disabilities.

– Adaptations and activities for persons with function impairments in Norwegian nature in general and protected areas in particular are to be prepared by a Ministry of the Environment working group.

– The Ministry of Culture and Church Affairs is considering reorganising and enhancing the efficiency of the general-literature and study-literature services provided to blind and visually impaired people with the aim of providing better services.

– The Ministry of Trade and Industry is making efforts to introduce a common marking system to show the accessibility for persons with disabilities in the travel industry.

– The Ministry of Trade and Industry will consider a new mandate for the contact committee for the travel industry and persons with disabilities.
7 Services

Many persons with a reduced functional ability often need public services in order to be able to participate in working life and society and to live an active and independent life. This applies to various kinds of health and social services and to the provision of technical aids. It is also crucial that public services and products aimed at the entire population, such as schools and kindergartens, are adapted so that persons with a reduced functional ability can be given equal service.

7.1 Health services

Most persons with a reduced functional ability say their health is reasonably satisfactory. However, many of them have poorer health than the rest of the population. Some function impairments are related to chronic diseases, and having a reduced functional ability may also lead to health problems. For many people with a reduced functional ability, medical treatment and habilitation/rehabilitation are a basic prerequisite for leading a full life and taking part in society.

7.1.1 NOU 2001:22 From User to Citizen – challenges

NOU 2001:22 points out that the various municipalities’ rehabilitation services vary greatly. People with permanent function impairments will often need help with regard to their health over a period of time, and some receive services from various administrative levels and sectors. The committee points out that many people experience the services provided by the public health service to be poorly coordinated and to lack a long-term perspective. This applies, for example, to patients who have been mentally ill for a long time, mentally retarded people and others with an extensive need for rehabilitation/habilitation.

NOU 2001:22 points out that both recruitment and expertise are problems in the child-habilitation service. Other reports have pointed to a lack of cooperation between and overlapping tasks in the child-habilitation service and the special-education support system.

NOU 2001:22 points to barriers faced by hearing impaired people which have been created by society. These barriers are linked, among other things, to the lack of access to information from public bodies or the mass media. The incidence of loneliness, isolation and anxiety is assumed to be higher than in other groups of the population. Other surveys have pointed out that hearing impaired people experience the rehabilitation services as being not very integrated or linked.

As regards mentally retarded people, NOU 2001:22 and other surveys have concluded that the public health service does not give mentally retarded people a satisfactory service. Mentally retarded people will often not be able to present their needs for medical assistance in the same way as the rest of the population, and they therefore need assistance from others. Physical or mental problems may have a different effect on people who cannot themselves interpret and understand the signals, and communication difficulties may make it difficult for others to perceive the affliction or symptoms. The care and health personnel must, therefore, have a high level of expertise.

7.1.2 Main challenges and the Government’s objectives

The Government sees the following challenges related to health services for persons with a reduced functional ability.

- The child-habilitation service does not function well enough with regard to the tasks this service is expected to take care of.
- The services supplied by the specialist health service, including the adult habilitation service, are lacking with regard to the needs that mentally retarded people often have.
- Mentally retarded people who are not themselves capable of asking for health services have their health service needs covered to a lesser extent than other people.
There is insufficient cooperation between municipal services and the specialist health service regarding mentally retarded people with serious behavioural problems and/or mental illnesses and there seems to be a lack of expertise in this area both in the municipalities and in the specialist health service.

The Government has the following health-service objectives for persons with a reduced functional ability, including the mentally retarded:

- Persons with a reduced functional ability are to be given a relevant and integrated health service when they need it. This applies to diagnoses, medical treatment and follow-up, and habilitation/rehabilitation.
- Better habilitation services to children with a reduced functional ability or chronic illness.
- Improved expertise among health personnel and social workers regarding interpreting the signs of health problems in people who cannot themselves present their need for health services.
- Improved expertise among health personnel and social workers regarding mentally retarded people with serious behavioural problems and/or mental illnesses.

### 7.1.3 The municipal health service’s efforts for persons with a reduced functional ability

The municipalities are responsible for providing the necessary health services to all their permanent or temporary residents.

**Permanent general practitioner scheme**

The permanent general practitioner scheme was introduced on 1 June 2001. The permanent general practitioner reform was an important reform for people who need frequent contact with a physician and/or who have a need for a long-term patient/physician relationship. This scheme clarifies the responsibility for following up the individual inhabitant. The general practitioner may represent an important connecting link in the treatment or rehabilitation process. The Research Council of Norway is evaluating the scheme, including the services offered to users who have comprehensive needs for assistance and a need for complex services, among other things in order to see if the scheme functions as intended for persons with a reduced functional ability.

**Habilitation/rehabilitation**

The municipalities are one of the most important players in the work of achieving an integrated, qualitatively good rehabilitation process. A good rehabilitation process, however, requires close cooperation between the municipalities and the specialist health service.

In order to meet the need for greater equality in the municipal rehabilitation services and to contribute to better cooperation between various administration levels and sectors, regulations governing habilitation and rehabilitation have been prepared for the municipalities and specialist health services. These came into force on 1 July 2001. Their aim is to ensure that people who require habilitation and rehabilitation are offered services that may help to stimulate their own learning, motivation and an increased ability to function and master things. The regulations govern the responsibility for establishing specific functions in a rehabilitation enterprise and the duty to ensure the required development in expertise. The regulations make both the municipalities and the regional health authorities responsible for ensuring that actual user participation takes place, both at an individual and a system level. Through the regulations, the municipalities and enterprises are made responsible for establishing coordinating functions and they must ensure that there is a coordinating unit linked to the rehabilitation activities. The municipalities’ role in the rehabilitation process is thus strongly underlined. The regional health authorities are to provide advice and guidance to personnel in the municipal health service, both in general and in connection with individual cases. The Directorate for Health and Social Affairs has been made responsible for assessing the importance of the habilitation/rehabilitation regulations to the prioritisation and development of rehabilitation processes.

**Regarding services to mentally retarded persons**

The Ministry of Health wishes to take a closer look at how mentally retarded people who are not themselves able to ask for medical services can best have their need for necessary medical help met. The general practitioners will have an important role to play here. The Directorate for Health and Social Affairs has been assigned the task of developing suitable routines that can help this group to have a justifiable, good health service. One measure may be an increased emphasis on
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medical follow-up when preparing individual plans for mentally retarded people who have problems stating their own needs. The preparation of individual plans may also lead to the mentally retarded being given a service that is better coordinated between the various services in the municipalities and the specialist health service. The development of guidance material that can improve expertise and cooperation routines will be considered.

Surveys show that municipal personnel need more knowledge of the illnesses and function impairments often experienced by people who are mentally retarded. The Ministry of Health will consider relevant measures to enhance expertise.

7.1.4 The specialist health services’ provisions for persons with a reduced functional ability

Persons with a reduced functional ability are to be offered necessary specialist health services by the regional health authorities in the same way as the rest of the population.

Learning and mastering centres

The training of patients and their families is one of the tasks to be carried out by the regional health authorities. The learning and mastering centre at Aker Hospital in Oslo was opened in September 1997. This has now been approved as a national centre of expertise. Through the Plan of Action for Persons with Disabilities, funds were allocated to encourage an increase in the number of learning and mastering centres. So far, 18 learning and mastering centres have been established linked to the regional health authorities and this number will be increased. The number of centres is expected to reach approx. 30 by the end of 2003. The goal of these centres is that people with chronic illnesses and function impairments and their families are to gain knowledge of their own diagnosis, services and rights in order to be able to live with their situation and master their daily lives. The services offered at the learning and mastering centres have to a large extent been aimed at adults, but, through the Family Project, services are now being developed for families with children who have a reduced functional ability. In 2002, 20 projects were granted funds related to the family project. The centres want to create meeting places where families that have children with a reduced functional ability can meet others in the same situation, come into contact with multidisciplinary expertise, obtain information and advice and have a place that can help them to master their everyday lives. The centres are based on an equal exchange of expertise between experienced users and multidisciplinary personnel. The services are to be developed in close cooperation with the users and user organisations so that these can have an influence on the services to be provided.

User participation

It is the users who have experience of how the services actually work. User participation has therefore been a key area of commitment in the follow-up to the hospital reform.

User participation is safeguarded through separate bodies established for this purpose. Section 35 of the bill (Ot. prp. no. 66 (2000-2001)) entitled Regarding the Regional Health Authorities Act, et seq, states that regional health authorities are to “establish systems for discovering the experience and views of patients and other users”. This is followed up by provisions in the regulations governing the regional health authorities.

The Ministry of Health has re-appointed and expanded a contact committee consisting of the user organisations in the specialist health service. Its main objective is to achieve a mutual exchange of information between users and the Ministry and a discussion of matters that are of great importance to the users.

Financing of the specialist health service

In 2002, a committee was appointed to examine the means-based financing of the specialist health service. This committee submitted its report in December 2002. (NOU 2003:1 Means-based financing of the specialist health service).

This committee has, among other things, pointed out that the present financing scheme may create incentives to turn the use of resources away from activities and services that do not have the same subsidy element as normal somatic services. This applies primarily to the re/habilitation of persons with a reduced functional ability, the treatment of the chronically ill, research, teaching and guidance. The committee is of the opinion
that, so far, no turning away effects have been documented in relation to activities that are not financed per activity. For polyclinic activities, the number of times a rate can be triggered is limited, so that patients who need polyclinic services several times a year may appear to be expense items that result in poor earnings. The committee points out that the treatment of patients with a great need for habilitation or rehabilitation may be given less priority as a result of this. The committee’s report has been the subject of a round of consultations. The Ministry of Health is now considering and following up the proposals made in the committee’s report.

Escalation plan for mental health (1999-2006)
This plan is intended to contribute to better, more connected services in the field of mental health care and municipal services to people with mental problems. Preventative work and health-promoting mental health work, particularly aimed at children and young people, are also to be focused on. The goal is to increase the range of services provided by the specialist health service while also decentralising the services, so that treatment can be to a greater extent offered close to where the user lives. In the municipalities, it is a goal that the services relating to housing, work and leisure time, as well as the home-based services, are to be expanded and offered to persons with mental problems. It is crucial that good cooperation and links are established between the various services offered by the specialist health service and municipalities. This commitment is a general one and will benefit all those with mental health problems.

Plan of action for the rehabilitation of hearing impaired people
Early in 2003, the Ministry of Health and Ministry of Social Affairs presented a plan of action for the rehabilitation of hearing impaired people with the main emphasis on developing and organising the services offered. This plan will be a management tool for the ministries in their work of developing a coordinated, integrated rehabilitation service for hearing impaired people and their families. The Ministry of Health wishes to have a particular focus on the area of integrated hearing care in 2003, and has given the Directorate for Health and Social Affairs the job of following up the plan.

Services offered to the blind and visually impaired
The Ministry of Health has asked the Directorate for Health and Social Affairs to prepare a plan to improve the services offered to the blind and visually impaired in cooperation with relevant departments. The directorate has been asked to assess measures in the health and social welfare sector that can help to improve the services offered to the blind and visually impaired.

Better information
The Directorate for Health and Social Affairs has been asked to examine the opportunities for establishing a wide-ranging information service (e.g., a telephone service, web sites, etc) relating to both health and social services. This service must be easily accessible to the public.

Measures specially aimed at children with a reduced functional ability
The habilitation services are to provide a service to all children with a reduced functional ability who need a multidisciplinary service at a specialised level. Around half of the users of child-habilitation services are children who are mentally retarded. It is difficult to recruit doctors and psychologists for this work. It seems as if children with conditions other that mental retardation and neurological conditions are not followed up well enough (White Paper on Responsibility and Mastering – towards an all-round rehabilitation policy (St. meld. no. 21 (1998-1999). In recent years, there has, among other things, been increased demand for intensive training programmes. The Ministry of Health will present a strategy plan to improve the habilitation services offered to children with a reduced functional ability and their parents in the autumn of 2003. The development of intensive training programmes will be emphasised, as will be the need to take care of the assessment and charting of children who need multidisciplinary services. The information and guidance provided to families and municipalities are an area that is to be improved. The Ministry of Health wishes to encourage more research and professional development in this area.

The Ministry of Health is making efforts to achieve better collaboration and interaction between the child habilitation services and the National Support System for Special Education (Statped), and with other sectors that provide services
to children with a reduced functional ability and their parents/guardians. In October 2002, a working group consisting of representatives of the Ministries of Social Affairs, Health, Children and Family Affairs, and Education and Research presented a report regarding the services supplied by Statped and the child-habilitation services to children and young people under the age of 18 years who have complex learning difficulties. The report refers to the fact that these two services to a great extent provide help to the same user groups. It is also pointed out that this work is not very coordinated and in part overlaps. The report shows that there is a great need to improve the cooperation between these two services.

The Ministry of Health, in cooperation with the Ministry of Education and Research, intends to establish a model experiment based on cooperation between relevant special-education expertise centres and the child-habilitation services. The objective of the model experiment will be to arrive at forms of cooperation and routines that are suitable for creating uniform, coordinated services for children and young people under the age of 18 years who have complex learning difficulties and a reduced functional ability. They also want to prepare a “guide for parents” which will present the various services available to these groups. The Ministries of Health, Education and Research, Social Affairs, and Children and Family Affairs also intend to prepare a joint circular on cooperation between the services to children and young people under the age of 18 years who have a reduced functional ability.

Measures specially aimed at mentally retarded persons

In the specialist health sector, a lot of the services for the mentally retarded are carried out by the adult-habilitation service. It is now ten years since the reform relating to mentally retarded people was implemented. The development of health services for this group and the cooperation between departments and service levels are still posing challenges. The Ministry of Health therefore proposes starting work in 2004 to review the health services offered to the mentally retarded and the relationship with cooperating bodies. The Ministry of Health wishes to review the adult-habilitation service. In this review, the content, expertise and capacity in the adult-habilitation service and the way in which it cooperates with other parts of the specialist health service and the rest of the help system will be looked at. This review is presumed to form the basis for further follow-up. It has been decided that no special care service is to be developed for mentally retarded people with serious behavioural problems and/or mental illnesses.

A report from the Norwegian Board of Health particularly points out the need to improve the cooperation between the various parts of the specialist health service and municipal services when it comes to following up mentally retarded people with serious behavioural problems and/or mental illnesses, and the need for better guidance and expertise transfer from the specialist health service to personnel in the municipalities’ health and social services. Enhancing the expertise at a municipal level is a tool in the work of improving the services offered to this group. The Directorate for Health and Social Affairs has been asked to assess and implement measures to ensure that the municipalities’ health and social services have the necessary expertise on the target group. This may be seen in connection with other education and expertise measures carried out by the Directorate for Health and Social Affairs.

Summary of measures – health services:

– The Directorate for Health and Social Affairs has been assigned the task of evaluating the regulations governing habilitation and rehabilitation in order to assess the importance these regulations have had for the priority given to, and development of, the habilitation and rehabilitation field.

– The Ministry of Health will present a strategy plan to strengthen the child-habilitation service, with a focus on intensive training programmes and research and professional development in this field.

– The Ministry of Health will, in cooperation with the Ministry of Education and Research, aim to establish a model experiment based on cooperation with relevant special-education expertise centres and child-habilitation centres. The objective of the model experiment will be to arrive at forms of cooperation and suitable routines for achieving an integrated, coordinated service to children and young people under the age of 18 years who have complex learning difficulties and a reduced functional ability.

– The Ministry of Health intends to prepare a “guide for parents”. This guide will present the various services available to children and young people under the age of 18 years who
have complex learning difficulties and a reduced functional ability.

- The Ministries of Health, Education and Research, Social Affairs, and Children and Family Affairs are aiming to prepare a joint circular on cooperation between the services provided to children and young people under the age of 18 years who have function impairments.

- The Ministry of Health will expand the establishment of user committees in all regional health authorities to also include the individual health authorities.

- The Ministry of Health will initiate a review of the adult-habilitation service. This review will clarify how the service works at present with regard to user groups, contents, expertise, capacity and cooperation with other parts of the specialist health service and the rest of the help system. The review is expected to form the basis for further follow-up work.

- The Ministry of Health will consider measures that can help ensure the necessary expertise of the personnel in municipal health and social services who provide services to mentally retarded people that are incapable of asking for medical services when they need them.

- The permanent general practitioner scheme is to be evaluated, among other things with regard to how this scheme functions for persons with function impairments and chronic illnesses.

7.2 Nursing and care services

The municipalities’ nursing and care services comprise community nursing and practical assistance, nursing homes, personal assistance managed by the user, social support/contact persons and relief care. For many persons with a reduced functional ability, access to sufficient and qualitatively good nursing and care services is a basic prerequisite for being able to live independently and have an active, safe and meaningful life together with others. The reform relating to the mentally retarded, the reduction in county council institutional places for persons with physical function impairments, the escalation plan for mental health and changes in hospital discharge routines have all helped to shift the responsibility for the housing and services offered over to the municipalities. This has given the municipalities’ nursing and care services a far more heterogeneous user group, with complex needs and varying preferences. Statistics Norway’s nursing and care statistics show that the number of users between 0-66 years is increasing. Although this age group only accounts for 22 per cent of the number of users, it accounted for around 33 per cent of the services in the home in 1998. This reflects the fact that there are many younger people with a complex and extensive need for assistance who receive a lot of assistance.

7.2.1 NOU 2001:22 – Challenges and proposals

NOU 2001:22 points out that the fact that the scope of the services is too restricted and the way in which the services are designed prevent some persons with a reduced functional ability from living an active, independent life. The report refers to the fact that persons with a reduced functional ability experience problems in completing their education, being at work or taking part in social activities because the municipality does not provide the right service at the right time.

According to the committee, the lack of individual adaptation is expressed, among other things, by the many communal living solutions and grouped sheltered housing. The committee is critical of the fact that the services provided are to too great an extent linked to specific housing solutions, and believes that this involves a restriction on the freedom of choice. Many users with extensive needs for assistance have to relate to various parts of the service system. Coordinating the various services and the fact that many users have to relate to many different assistance-providers are perceived to be major problems.

The need for training and more knowledge of the work regulations and prevailing circulars/guidelines is also pointed out. Weaknesses have been revealed in the municipalities’ casework procedures, for example that no individual administrative decisions have been reached or that these decisions are too generally formulated. The training must also include making people aware of the situation of persons with a reduced functional ability and placing emphasis on attitudes and ethical guidelines.

Both NOU 2001:22 and the summary of the reform of conditions for the mentally retarded point out that the lack of stability, continuity and expertise among personnel is a problem. The personnel have a great need for greater expertise in various professional areas, among other things because they often work in small professional
environments and have users who belong to several diagnosis groups.

NOU 2001:22 points out three measures in particular that should be given priority:

- Mandatory training of public administration caseworkers in how to apply the legislation.
- There is a greater need for the recipients to have a legal right to services of such a nature, scope and quality that the individual has the opportunity to lead an independent, active life. The committee believes that clear requirements as to quality and scope should be formulated, and that the individual should be given a greater right to decide on the type of help measures.
- A review and strengthening of the financing system relating to persons with a reduced functional ability who require extensive, costly help.

### 7.2.2 Main challenges and the Government’s objectives

The Government believes the main challenges relating to the nursing and care services given to persons with a reduced functional ability are to recruit more personnel and improve their expertise. Another important challenge involves achieving better coordination of the various part-services that are provided to users who have major needs for assistance across sector boundaries and administrative levels.

The Government’s objective for its welfare policy is that people with extensive needs for assistance must in so far as possible be given help to live independently and be an active member of a family and society throughout their lives.

The Government’s policy aims for everyone, in so far as possible

- to receive services that are adapted to the individual’s needs and choices
- to participate in the design of the services
- to be offered integrated services
- to be able to keep informed of his/her rights
- to be able to exercise his/her rights through good procedures and efficient complaints procedures.

The Government particularly wants to focus on the user-experienced quality, freedom of choice and individual adaptation of the services offered. An individual adaptation of the services offered means that each individual user is to have his/her service requirements assessed and the service system is to try to find solutions adapted to the individual’s needs, capabilities and desires. The user participation is to be strengthened through both the examination of needs and the design of the services.

The services should be designed so that they comprise a whole, and so that the user and his/her family do not have too many bodies to relate to. Matters must be arranged in such a way that all parts of the service system accept responsibility for the user and so that refusal to accept responsibility is prevented. The goal is for the users to be well informed of their rights and for these rights to be safeguarded through the administration’s work and efficient complaints procedures.

The Government wants the users, in so far as this is expedient, to have equal access to services irrespective of how they live, and wants the measures implemented to be assessed on the basis of the user’s needs and not where the person concerned lives.

The Government is going to present a White Paper on the quality of the nursing and care services. This will deal with the Government’s overall goals for the nursing and care services and describe the strategies and measures that the Government will implement to improve quality. That White Paper’s main focus is on the elderly. In this White Paper, we primarily wish to discuss strategies and measures that are particularly aimed at younger persons with a reduced functional ability. The measures in this White Paper must be seen in connection with strategies and measures in the other White Paper.

### 7.2.3 Housing

The Government’s objective is to arrange matters so that all those who so wish can live in their own dwelling and receive the necessary services there. Persons with a reduced functional ability, including mentally retarded people, must in so far as possible be able to choose where and how they live based on their own needs and desires.

There is little documentation of the experiences that people with reduced functional ability have of various housing solutions. Some surveys have been carried out, among other things linked to mentally retarded people’s housing conditions.

The Ministry of Local Government and Regional Development will take the initiative to conduct a survey on the housing that is offered to the mentally retarded, the municipalities’ and users’ experiences of this, and the financial costs relating to the houses and services offered. This sur-
vey will provide a better basis for the state’s guidance and information on the development of good housing services. There is also a need for more knowledge of how people with function impairments live and their experience of various housing solutions.

The responsibility for finding somewhere to live primarily rests with the individual. It is important that persons with a reduced functional ability can be made capable of finding housing on their own. Section 3-4 of the Norwegian Social Services Act states that the social services are to help acquire housing for people who cannot themselves take care of their interests in the housing market. In circular U-2/2002 “Housing social work – help in mastering living arrangements”, the municipalities’ responsibility to participate is defined in further detail.

This can be taken care of as follows:
- Arrange contact between a private lessor and a person looking for housing.
- Give a loan and grant towards the purchase of housing.
- Allocate housing which is at the municipality’s disposal.

For the Government, it is an important goal that the individual is ensured the offer of individually adapted housing. The Norwegian State Housing Bank has a number of means-tested schemes so that individuals can acquire housing. Individuals can find out more about these schemes by making enquiries to the municipality. There are schemes offering both loans and grants for purchasing or building housing. By utilising these opportunities better, more persons with a reduced functional ability, including the mentally retarded, will be able to own their own homes. The municipalities can also raise loans and be given grants to purchase, for instance, dwellings in housing cooperatives or co-owned properties or to build/modify rental properties. In order for more people to be able to own or rent, the social services have a responsibility to provide advice and guidance. The Government believes it is important to improve the advice persons with a reduced functional ability receive.

The Ministry of Local Government and Regional Development will review all of the Norwegian State Housing Bank’s tools in a White Paper to be introduced in the autumn of 2003.

If persons with a reduced functional ability and their families do not manage to find housing on their own, the municipality is responsible for helping to find them housing in the same way as it is for other people. The Ministry of Local Government and Regional Development, Ministry of Social Affairs, Norwegian State Housing Bank and regional public administration have encouraged the municipalities to take the needs for personal adaptation, integration and a social life into consideration when planning and locating housing intended for persons with a reduced functional ability.

The Government wishes to make matters suitable so that municipalities can exchange their experiences of adapting housing for people with an extensive need for assistance. This may be done through, for instance, the municipal networks which have been established. These are intended to allow municipalities to exchange their experiences of developing solutions that are both cost effective and qualitatively good from the user’s point of view.

### 7.2.4 Individually adapted services

In order to achieve the Government’s objective of more individually adapted services, the municipalities are to be given greater freedom to develop a range of services adapted to their inhabitants’ wishes and the municipality’s capabilities. Through their proximity to the services that are to be provided, the municipalities are better able than the state to prioritise their resources in accordance with local needs and conditions. The Government believes that a good quality of service will be better achieved through a dialogue between the state and municipality than through detailed standard requirements.

Many municipalities make active efforts to develop the services provided to persons with a reduced functional ability in line with the individual needs of each user, and are innovative with regard to how the services can be organised and shaped. The Government wants to encourage the systematic spread of the experiences gained in such development work. The exchange of experience and dissemination of information can take place through various arenas and measures.

The Ministry proposes implementing a two-year commitment that will include conferences, seminars and information to nursing and care managers and municipal caseworkers who are particularly involved in preparing the services to be offered to children with a reduced functional ability and their families. This commitment is intended to help spread “good examples” and con-
tribute to the exchange of experience in developing the municipal services. The experiences gained from the model experiment involving a caregiver wage should be included in this project.

The Government will also cooperate with the Norwegian Association of Local and Regional Authorities (KS) to develop the municipal nursing and care services included in the services to persons with a reduced functional ability and their families. This is to take place through improved casework, organisation, management, and staff training and a strengthening of the work on professional ethics, attitudes and work performance. The municipal networks for renewal and efficiency enhancement, the dissemination of information via new technology, and the presentation of "best practices" may be important arenas and tools in the work of developing the quality of the municipal services.

The Directorate for Health and Social Affairs has been asked to develop a new overall quality strategy for the health and social services. Emphasis is to be placed on encouraging integrated chains of measures, in which the health service’s and social services’ efforts are to be coordinated. The directorate is also to implement and operate the system of quality indicators and further develop national quality registers. As part of the quality work, the directorate is to support and help to coordinate the county governors’ work of providing advice and guidance to the municipalities in the nursing and care sector, with particular emphasis on management, improvements to quality and procedures. These measures will be discussed in greater detail in the White Paper on quality in the nursing and care services.

Experience of personal assistance managed by the user (BPA)

Various surveys have shown that the scheme involving personal assistance managed by the user leads to greater self-determination and equality and a higher quality of life for the users. The scheme has resulted in a more individually designed service that the user can to a large extent control himself/herself.

This scheme started in 1994 when the Ministry of Health and Social Affairs established a temporary scheme involving state subsidies to municipalities that offered personal assistance managed by the user (BPA).

This scheme was made statutory in 2000. Personal assistance managed by the user is a service that the municipalities are obliged to provide in accordance with the Social Services Act.

The idea behind the scheme is that persons with a reduced functional ability are themselves the ones that can best assess how the service is to be organised. The scheme is primarily defined as a service to persons who have extensive functional impairments but who can at the same time act as a supervisor.

According to surveys conducted, nine out of ten users are extremely or quite satisfied with the scheme. As regards satisfaction, the relationships with the assistants are what score the highest, ie, the opportunity to choose one’s own assistants and to have fewer helpers. Next comes how the scheme is practised, which includes flexibility, predictability and user-control. The recruitment of assistants is what is experienced to be the most problematic aspect of this scheme.

In 2001, 16 mentally retarded people who had been granted a place in the personal assistance managed by the user scheme took part in a study. None of them was a supervisor alone, and the study was carried out before the statutory provision came into force. The study concludes that the scheme provides a greater degree of flexibility and predictability in the services, and that the potential for user participation is far greater in this scheme than in the ordinary service system, including for mentally retarded people. For mentally retarded people, it is especially important that the assistance is provided by a limited number of people and that the stability and continuity in the services make the user feel more secure. However, there is the question of how a scheme that is based on the user-management principle can be adapted to a target group that cannot take care of the user-management aspect on their own.

The present circular (I-20/2000 to the Social Services Act) allows minors and mentally retarded people to be allocated personal assistance managed by the user even if they are not fully capable of carrying out the supervisor role. These groups’ positive experience of this scheme, in which the families to a large extent take care of the user-management aspect, indicates that the municipalities should to a greater extent consider allocating personal assistance managed by the user to these groups.

The experience of the user-managed personal assistance scheme indicates that it should be possi-
The experience gained from the project shows that the new method of organisation gave the families more room in their everyday lives to care for their family members and for activities outside the home. The model experiments show that it is possible to develop services that are more flexible and adapted to the families’ needs, but that this requires an extra effort on the part of the municipality. It was pointed out that the scheme involving “family helpers” is a way of organising assistance that is very similar to personal assistance managed by the user (BPA). Within agreed limits, it is a family and not an individual who administers the assistant, and much of the same flexibility as in the user-managed personal assistance scheme is achieved.

Help to families with children who have a reduced functional ability

The Ministry of Social Affairs will ask the Directorate for Health and Social Affairs to help inform other municipalities of the good results of the model experiments. It will be important to assess how the experience gained can be used to develop more flexible, integrated services for families that have children with a reduced functional ability. The Ministry of Social Affairs will initiate a two-year commitment involving courses and information to nursing and care managers and municipal caseworkers in which the experience gained from these experiments should be incorporated. The Directorate for Health and Social Affairs will be asked to prepare a training programme aimed at caseworkers in the municipalities who have a lot of contact with families that have children with a reduced functional ability. The goal of the training programme is to give the caseworkers special expertise in, and an insight into, the families’ situations, to enable the caseworker to provide good information and advice on services and rights, and to ensure that the casework is of a high quality.
The training is intended to support the work of an integrated approach to the families. This training must be seen in relation to other training measures intended for caseworkers in the municipality.

The Government wishes to have a more all-round review of the current regulations and tools with the aim of shaping them in a way that is more in line with the objectives of the Government’s welfare policy. In that regard, it wants to assess cash benefits, ie, the ordinary supplementary benefit scheme and the care-giver wage scheme. A cash benefit may be given for use in several ways, combined with the preparation of an individual plan and the creation of “care packages”. The question of the ordinary supplementary benefit scheme combined with care-giver wages is to be examined together with an overall review of the welfare schemes. Refer to the discussion on this in the White Paper on the quality of the nursing and care services.

Young people with a reduced functional ability must be removed from institutions for the elderly

Some young people with a reduced functional ability still live in institutions that primarily house elderly people. All young people with a reduced functional ability who so wish must be able to move out of these institutions and be given individually adapted housing and other services. It is unacceptable that young people with a reduced functional ability who do not want to do so live in institutions. Everyone is entitled to live an independent, active life irrespective of his/her need for assistance. From 1996-2000, subsidies were granted so that 301 young people with a reduced functional ability could be discharged from institutions. In connection with the National Budget for 2002, the Norwegian Storting asked the Government to prepare, in cooperation with the user organisations, a plan of action so that all young people with a reduced functional ability who so wanted to would be removed from institutions for the elderly by 2005.

In order to obtain more knowledge of the individual user’s wishes and to assess the measures to be chosen, the Ministry, with the help of the county governors, charted the number of young people with a reduced functional ability living in nursing homes in the spring of 2003. In this work, both users and their families were asked. The survey showed that a total of 125 people under the age of 50 years live in nursing homes. A move in the relatively near future is being considered or is planned for 22 of these. Just under 40 of them say they do not want to live somewhere else. This means that, nationwide, there are around 65 people who currently live in nursing homes and for whom it may be relevant to arrange for different housing. The Ministry will, in cooperation with the user organisations, discuss which measures are to be implemented in order to offer different housing to those who require this. The Directorate for Health and Social Affairs will be responsible for following up these measures.

Top-up financing for users that require a lot of resources

During the past few years, the municipalities have been made responsible for various user groups that include costly individual users. In 1988, the municipalities were made responsible for the nursing homes, and in 1991 the reform relating to mentally retarded people was implemented. When this reform was implemented, municipalities that had many mentally retarded people had to be compensated through specially earmarked discretionary funds and contributions over the Ministry of Social Affairs’ budget. As from 2000, it was decided to provide compensation from the Ministry of Local Government and Regional Administration’s discretionary funds to municipalities with especially costly users irrespective of their diagnosis. The Norwegian Storting has asked the Government to examine and present proposals regarding a new top-up financing scheme for costly users.

A working group was appointed in November 2001 to examine alternative models and assess the administrative and financial costs of a new financing scheme. Comments on the working group’s report were invited in the autumn of 2002. In its municipality bill for 2004, the Government has proposed that a top-up financing scheme for costly users be introduced as from 1 January 2004. This scheme will cover some of the municipalities’ costs when the services exceed a specific cost level per user. This model is beneficial to municipalities which have large expenses compared to their number of inhabitants. The Government proposes establishing the top-up financing scheme as a separate item in the Ministry of Local Government and Regional Administration’s budget (chapter 571 Block Grant to the municipalities). In addition to NOK 650 million which is to be withdrawn from the discretionary funds and transferred to a separate item, the Government
will propose granting a further NOK 300 million to the new top-up financing scheme in the National Budget for 2004.

Refer to the municipality bill for 2004 for a more detailed description of the new scheme.

7.2.5 Expertise

One of the greatest challenges facing the care services in the future will be recruiting and taking care of personnel and enhancing their expertise. The Government has implemented a number of measures to increase the supply of health and social welfare personnel. In its draft budget for 2003, the Government presented a Recruitment Plan for Health and Social Welfare Personnel 2003-2006, Recruitment for Better Quality. This recruitment plan is particularly aimed at the municipalities’ health and social services. The measures target the capacity and quality of the education and professional training.

The main goals of the recruitment plan include:

- Reducing the number of unskilled workers and increasing the numbers of state enrolled nurses and care workers in the municipal health and social services.
- Encouraging enhanced expertise and a more stable personnel situation through the further education of college-educated personnel and of state enrolled nurses and care workers.

In order to carry this plan out, emphasis is placed on continuing the cooperation with the municipalities/employers, educational institutions and vocational organisations, both nationally and regionally, through the county governors. Improving the expertise of personnel who provide services to mentally retarded people is a particular challenge. The measures stated in the recruitment plan for health and social welfare personnel are intended to contribute to greater expertise in these services too.

Recruitment and expertise measures will be discussed in greater detail in the White Paper on Quality in the Nursing and Care Services. Below, we will particularly discuss special expertise-enhancing measures aimed at persons with a reduced functional ability who have a great need for help, including mentally retarded people.

Expertise environments and networks in the mental retardation sector

NOU 1994:8 The Development of Expertise in the Work for Mentally Retarded People pointed out that the starting point for care work for the mentally retarded must be the individual’s wishes for how he or she is to have a good life. The report pointed out that environmental workers may stand in the way of mentally retarded people by putting too great a focus on objectives and structures and due to their great eagerness to help. Other parts of the municipalities’ services are to a large extent characterised by a nursing ideology. The report stated that there is a need for a different type of expertise and that this must be developed in interaction between the educational system and the service locations. The evaluation of the reform relating to mentally retarded people also points out the need for further developments in the exercise of the profession. The need for a professional “support structure” is pointed out and the report proposes creating a professionally organised development programme that would ensure systematic documentation and knowledge development at a national level. The Norwegian State Council on Disability has pointed to the need to develop expertise at colleges in cooperation with the professional environments. The Council recommends creating an arena for multidisciplinary service development in a collaboration between colleges, user environments and those working in this field.

The Ministry of Social Affairs proposes establishing an expertise environment, with national professional-development and information tasks, in the mental retardation sector. This environment is to help develop the professional basis for creating good living conditions for mentally retarded people, including the health and social services. The environment will be established through a collaboration between the educational institutions and those working in this field. Personnel in the individual municipalities will, through this expertise environment, be able to benefit from experience gained in other municipalities, from professional guidance in a network, and from access to research and professional development work at colleges and universities.

The development of expertise relating to the aging of persons with a reduced functional ability

There are two main groups of elderly persons with a reduced functional ability. One group comprises those who have a reduced functional ability due to old age. The other consists of those who have lived their entire life, or much of it, with one or more
function impairment and who are now growing old. As a result of improvements in their living conditions and lives, medical developments and improved access to health services, the number of elderly people with a function impairment that is congenital or was acquired at an early stage in their lives is increasing. Knowledge of the aging process in these groups is limited.

Through the Plan of Action for persons with disabilities (1998-2002), a project was initiated to obtain more knowledge of the aging process in persons with a reduced functional ability. This project was carried out by the Norwegian Centre for Dementia Research and was later made permanent. The project resulted in publications on the living conditions, lives, health, wishes and needs of persons with a reduced functional ability. Two studies have particularly focused on knowledge of how municipalities with many aging mentally-retarded people can better plan and arrange a good range of services for mentally retarded people when they grow old.

Based on the increasing number of elderly mentally-retarded people and the acknowledgement of the professional challenges represented by these developments, a major three-year commitment to expertise-enhancing measures relating to aging and mental retardation will be implemented. The main objective of this is to improve the expertise of service providers who work with elderly mentally-retarded people. The Norwegian Centre for Dementia Research has been made responsible for this commitment, which will be developed in cooperation with the Directorate for Health and Social Affairs, the Association of Host Municipalities (former host municipalities for institutions covered by the Public Health Service for Mentally Retarded Persons (HVPU)) and the Norwegian Centre for Telemedicine, among others.

This commitment includes a number of R&D projects to achieve more knowledge in this field, the development of teaching aids/course materials, and the implementation of specific training measures. Initially, the training measures will be intended for employees of the former host municipalities.

Information and communication technology (ICT) and expertise development

The professional environments in the individual municipalities are often small and there is a high turnover of employees. ICT provides opportunities for trying out new kinds of expertise-enhancement measures that can be tailor-made to the individual employee’s or employer’s needs. ICT-based expertise-enhancement measures are often easier to combine with work than traditional expertise-enhancement measures. For the past few years, the Norwegian Centre for Telemedicine has been given state project funds to develop, in collaboration with various expertise environments, an ICT-based teaching, guidance and network service aimed at employees in the nursing and care sector. So far, the focus has been on employees who work with people who are autistic or have dementia.

The work on ICT-based teaching and guidance will be further developed in the future and may be extended to other target groups. Consideration will be given to whether this work is to be permanently carried out by the Norwegian Centre for Telemedicine through an annual basic grant in order to safeguard the functions related to the development of a more coordinated ICT-based teaching, guidance and network service aimed at employees in the nursing and care sector.

Greater knowledge of casework

The Storting’s ombudsman and the supervisory authorities have conducted several surveys and inspections which show that, in many cases, no individual administrative decision has been reached, or that the administrative decisions are not good enough as regards charting needs, user participation or the content of or reasons for the decision. As from 1999, a new system for registering mentally handicapped people has been developed for use in the income system, and this requires individual administrative decisions to be reached. The Ministry is of the opinion that this has contributed to more individual administrative decisions being reached, but it is still a challenge to ensure that these are formulated in accordance with legislation and safeguard the legal protection afforded by law to the recipient. The Public Administration Act’s provisions regarding casework require the user’s needs to be examined thoroughly. Reasons must be given for the administrative decisions so that it is clear that they are adapted to the individual user’s needs. This ensures good casework which leads to clear decisions that can be re-examined. In order to safeguard the protection afforded to applicants by the law, the Government believes the municipalities must have good knowledge of casework procedures. The Directorate for Health and Social Affairs has prepared a guide for casework procedures in accor-
dance with the Municipal Health Services Act and the Social Services Act. This guide must be followed up by advice and guidance from the regional public administration to the municipalities. Both the county governors' own experiences and feedback from the municipalities on the follow-up of the casework procedures are to be referred to in the county governors' annual reports. A conference will be held in the spring of 2004 at which the county governors, among others, will provide feedback on the use of the guides and the development of casework expertise in the municipalities.

7.2.6 Common regulations and greater protection afforded by the law

There are several laws which regulate the help services that a person with a reduced functional ability may require. This is reflected in the corresponding splitting up of the administration system. NOU 2001:22 emphasises the need for more coordinated and harmonised regulations, with a corresponding coordination of the help services, help system and administration system.

The state tools should, in the Ministry’s view, be arranged so that the municipal health and social welfare sector is looked at as one. The Government has initiated various measures to contribute to more coordinated regulations and rules that will help ensure that the services are of a high quality.

The regulations governing quality

The current regulations governing quality in the nursing and care services apply to services provided pursuant to the Municipal Health Services Act. The Ministry of Social Welfare proposes the introduction of new common regulations governing services provided pursuant to the Municipal Health Services Act and chapter 4 of the Social Services Act. The aim of this is primarily to harmonise the regulations applicable to the health and social services. These regulations are to help ensure the quality of the services provided to each individual user, irrespective of where the user lives or his/her age and function impairment. The regulations apply both in and outside institutions. The regulations point to the importance of adapting the services so that the users can have a normal daily rhythm. The regulations also place emphasis on safeguarding the users' participation, independence and control over their own lives. The importance of the users getting the services they need at the right time and in accordance with an individual plan when this exists is also underlined.

The Directorate for Health and Social Welfare will prepare a new guide to the regulations in 2004. In this new version, the directorate will place emphasis on trying, through example and specification, to safeguard the needs of all those with a reduced functional ability, irrespective of their age or situation in life.

Commission to harmonise the health and social welfare legislation

The harmonisation and better coordination of the Municipal Health Services Act and Social Services Act are, in the Ministry’s opinion, important for ensuring an integrated range of services and an integrated approach to the users’ needs. The Government has therefore appointed a committee to examine and propose measures to better harmonise the municipal health and social welfare legislation. The commission’s work is based on the assumptions that the municipalities are to have a great deal of freedom in how they organise their services, that the dividing line between services in and outside institutions is to be erased, and that the individual's right to services is to be linked to individual needs and not his/her form of housing.

The objective of the harmonisation is to:
- ensure the uniform regulation of similar services
- ensure integrated services to users with complex needs and to improve the municipalities' opportunity to implement this
- prevent the services and sectors from disclaiming responsibility
- simplify the regulations applying to users, service providers and municipalities.

According to its mandate, the commission will publish its report in the spring of 2004.

Greater supervision and internal controls

In the Act no. 91 of 15 June 2001 relating to amendments to the Social Services Act, et seq, the Norwegian Parliament agreed to introduce a duty of internal controls for the municipalities’ operations pursuant to chapters 4 and 6A, and to extend the County Governor's supervision of these services. A new section 4-6 was also adopted, allowing for regulations governing require-
ments as to the contents of services pursuant to chapter 4. The above amendments came into force on 1 January 2003 and the new internal control regulations came into force on the same date. The amendment to the law means that the state supervision of the municipalities’ social services has been increased at the same time as the municipalities have been given greater responsibility for controlling their own operations. The Norwegian Board of Health has been made responsible for the overall supervision of the social services. For persons with a reduced functional ability, the fact that the supervision now covers all housing and services and is not limited to institutions is especially important. This change may contribute to better services for the users and improve the protection afforded by the law to the users. The development of the supervision is discussed in greater detail in the White Paper on the quality of the nursing and care services.

Requirement of a police certificate of good conduct (criminal record certificate) in social services

Children are entitled to be protected against sexual assault by adults. The fact that children receiving social services do not have the same protection as children in kindergartens or primary/secondary schools or children covered by the child welfare authorities is unsatisfactory. It should therefore be possible to require a police certificate of good conduct from those who are to provide services to children pursuant to the Social Services Act. This applies to people such as relief-care providers, social support/contact persons and personal assistants who provide services to persons with a reduced functional ability and chronically ill children.

Together with the Ministry of Social Affairs, the Ministry of Justice and the Police has held a round of consultations on a proposal to amend the regulation governing the register of criminal convictions so as to authorise the municipalities to require a police certificate of good conduct when employing people who are to provide services to children pursuant to the Social Services Act. This applies to the employment of relief-care givers, social support/contact persons and persons providing practical assistance and training, including personal assistance managed by the user and persons who are to work in dwellings where 24-hour care is provided. The regulation came into force on 1 June. The intention is to follow this up by the requirement of a police certificate of good conduct being incorporated into the Social Services Act, among other things on the basis of the Police Register Committee’s recommendations, which are expected to be presented in the summer of 2003.

Summary of measures – the nursing and care services

A summary of the measures relating to the adaptation of the services:

- The Ministry of Local Government and Regional Development will take the initiative to ensure that a survey of mentally retarded people’s housing conditions, experience of various housing solutions and preferences is carried out in 2004. This survey will also include the municipalities’ experiences and preferences. The goal of the survey will be to provide a better basis for the guidance and information provided by the state, with the aim of improving the housing services offered to the mentally retarded.

- The Ministry of Social Affairs will take the initiative to chart the situation regarding the provision of homes for children with disabilities.

- The Directorate for Health and Social Affairs will contribute to municipalities systematically exchanging “good examples” of new ways to organise the services provided to younger persons with a reduced functional ability.

- The Directorate for Health and Social Affairs will be asked to implement a two-year commitment to conferences, seminars and information measures aimed at nursing and care managers and municipal caseworkers who particularly help to prepare services for families with children who have a reduced functional ability. This should include such things as the experience gained from the model experiments involving care-giver wages.

- On the basis of the survey of the number of younger persons with a reduced functional ability that live in institutions for the elderly, the Ministry of Social Affairs will invite the user organisations to discuss the measures that should be implemented to achieve the goal that all those who so wish should be removed from these institutions by 2005.

- The Directorate for Health and Social Affairs will be asked to develop a training programme aimed at caseworkers in the municipalities who have a lot of contact with families with children who have a reduced functional ability.
This measure must be seen in connection with other training measures aimed at municipal caseworkers.

- A new top-up financing scheme is to be introduced for costly users.

Summary of measures relating to expertise:

- The Ministry of Social Affairs will establish a national expertise environment, with national professional-development and information tasks in the mental retardation sector. This environment will have the overall responsibility for developing the professional basis for creating better living conditions and services for mentally retarded people.

- A training programme relating to aging and mental retardation is to be developed for employees in the host municipalities. The Norwegian Centre for Dementia will cooperate with the Association of Host Municipalities on such a programme. This programme will, among other things, cover the development of teaching aids/course materials that all the municipalities will gradually be able to make use of, for instance through using new technology.

- The focus on ICT-based teaching and guidance will be further strengthened in the future and may be extended to other professional areas.

- A new guide for casework pursuant to the Municipal Health Services Act and the Social Services Act has been prepared. This guide is to be followed up by training and guidance from the regional public administration services, and a conference to discuss the experience of this will be held in the spring of 2004.

- In connection with the preparation of a new guide to the quality regulations, emphasis will be placed on work on values and attitudes.

Summary of measures relating to regulations and the protection afforded by the law

- The Ministry of Social Affairs has proposed new common quality regulations for the Social Services Act and the Municipal Health Services Act.

- A commission has been appointed to look into how to harmonise the Social Services Act and the Municipal Health Services Act.

- The common supervision of the services provided pursuant to the Municipal Health Services Act and the Social Services Act has been established.

- Legal authority for the municipalities to require a police certificate of good conduct from those who are to provide services to children pursuant to the Social Services Act is to be introduced.

### 7.3 Coordination of various services

Persons with a reduced functional ability and their families mention the lack of integration and coordination of the services offered as one of the major weaknesses of the current system. These people often experience that they themselves have to administer and coordinate the measures. This takes time and resources and is felt to be an additional burden.

Several municipalities have tested various models in order to achieve a better coordination of services for users who require assistance from various parts of the municipal service system and services from other sectors and administrative levels too. The Hellerud district in Oslo has tested a model involving area organisation and a recipient team. The recipient teams are to assess needs and develop packages of measures across professional and service boundaries, in close cooperation with the user. The measures are anchored in an “individual plan”, in which the objectives, measures and division of responsibilities are specified. This helps to coordinate the services across professional and service areas and gives the users as integrated a service as possible.

Some municipalities have tried out various models in order to achieve a better coordination of the services provided to persons with a reduced functional ability. The Ministry will contribute to these municipalities’ experiences being spread to other municipalities. This will be discussed in further detail in the White Paper on quality in the nursing and care services.

The social security services have also made efforts to achieve greater coordination of the services both within the social security services and between these services and other bodies. On the basis of the good results of the Vestfold project, the scheme is to be extended nationwide. 13 counties have already introduced, or are about to introduce, a scheme involving a coordinator for all social security cases involving families who have children with a reduced functional ability.

Work has also been started on various other measures to improve coordination, including public service offices, and to coordinate the services supplied by the Norwegian Directorate of Labour, the social security services and the social
welfare services (SATS). At public service offices, users will be able to go to one location in the municipality to find representatives of the public services gathered, obtain information and be referred to more specialised services. The offices are also to carry out simple casework procedures. These offices are an arena where the goal is for different parts of the municipality and various services to develop common work methods and attitudes to the users.

Individual plans
The Patients’ Rights Act gives patients who require long-term, coordinated services the right to have an individual plan prepared in accordance with the provisions of the Municipal Health Service Act and the Specialist Health Service Act. In a parliamentary bill (Ot. prp no. 54 (2002-2003)), the Government has proposed adding a provision to the Social Services Act equivalent to that stated in the health legislation. An individual plan is a tool for cooperation between different administration levels and between various services and sectors, and is a tool for improving the collaboration between service providers, users and possible relatives. The individual plan is to specify the individual’s need for services and state how the needs are to be covered and who is responsible for providing the services. This basis in law will give the social services in the municipalities a duty to cooperate with other service providers regarding the plan. There is also an assumption that a common individual plan is to be prepared to cover services pursuant to the Municipal Health Service Act, the Specialist Health Service Act, the Mental Health Protection Act and the Social Services Act. The users’ influence and participation are key to the development and implementation of the plan. This means that the users are to be regarded as equal partners and play a key role in the design of the services and measures. The individual plan is to be based on good casework procedures and individual administrative decisions regarding various types of services that the municipality has agreed to give the user.

A guide has been prepared to aid the work on the individual plans. This places particular emphasis on the cooperation between bodies and the significance of user participation.

The Directorate for Health and Social Affairs will continue to focus on individual plans in 2003, and to obtain knowledge of the use of this tool and people’s experiences of using the individual plans, seen from both the users’ and the help system’s viewpoint. The directorate will continue to contribute to disseminating knowledge of individual plans with the aim of ensuring that this tool is made use of by all municipalities and regional health authorities by the end of 2003.

7.4 Patient ombudsman scheme

Background
Various reports show that users of public services often feel they receive poor information and service and experience shortcomings in the casework procedures and the coordination of the various services. The bodies providing the services are the ones that have the main responsibility for improving them.

A number of measures have been implemented to improve the public services, including increased supervision, public service offices, service declarations, user surveys, user participation, etc. Although the services are being improved, there will in a number of situations be a need for bodies that can help the users in their interaction with the help system.

A number of projects and experimental schemes have raised the question of the needs, scope and organisation of bodies that are to help the users in their meeting with the help system.

The patient ombudsman scheme was made statutory when the Patients’ Rights Act came into force. The patient ombudsman is to work to safeguard patients’ needs, interests and legal protection in relation to the specialist health services, and work to improve the quality of these services.

The statutory patient ombudsman scheme came into force on 2 July 1999. The Patients’ Rights Act (Ot. prp. no. 12 (1998-99)) states that, in the longer term, the intention is for the patient ombudsman scheme to also apply to the municipal health services.

John I. Alvheim and Harald T. Nesvik, two MPs representing Norway’s Progress Party (Fremskrittsparti), presented a proposal in Doc. no. 8:70 (2000-2001) to amend the Patients’ Rights Act so that the patient ombudsmen’s responsibilities were extended to also cover the primary health services. In a Report to the Norwegian Parliament (Innst. S. no. 272 (2000-2001)), the committee’s recommendations are as follows:

“The Norwegian Parliament asks the Government to, in a suitable manner, present a study showing the results of on-going trials relating to
the care services, and in that connection make proposals to possibly extend the patient ombudsman scheme to also cover the municipal health services and the social welfare sector.”

Ombudsmen for the elderly and for care services
In 1999, a four-year trial scheme involving ombudsmen for the elderly and for care services was established in some municipalities. The aim of the scheme was to safeguard the users’ rights with regard to the services and administration system, increase the users’ co-determination rights, influence and legal protection, and help to improve the quality of the services.

An ombudsman for the elderly project was tried out in Bergen and as an inter-municipal solution involving five municipalities in the county of Vest-Agder. An ombudsman for care services project was tested in Bodø and Porsanger. Experience has shown that the ombudsman has helped to improve the rights afforded by the law to users in the administration system, and that the ombudsman has filled a need for information in the municipalities and has helped bring important feedback into the service system. The projects refer, among other things, to the fact that municipal ombudsman schemes are dependent on the population being of a certain size.

A trial scheme involving a user office in a district of Oslo
A trial scheme involving a user office in a district of Oslo started in August 2000, run by the Ministry of Health and Social Affairs and the Ministry of Labour and Administration. The user-office scheme was initiated by the Voksenåsen Declaration in the autumn of 1997 in order to encourage cooperation between various public departments and voluntary forces so that the services offered to those with complex needs could be improved. The objective of the user office was to improve access to various help measures for users with extensive needs for help, to ensure more coordinated efforts on the part of the various bodies and services, and to systematise and analyse the users’ experiences of the help system. The evaluation report from the Norwegian Institute for Urban and Regional Research (NIBR) shows that the inquiries received have to a large extent been related to financial benefits, housing questions, health and employment. The report points out that there is a need for an independent body where the users can discuss their cases and obtain assistance to apply for benefits or services and make complaints. The report also points out that there may be a need for a common centre for the social welfare services, the Norwegian Directorate of Labour and the social security offices in each city district, but an office that has both the function of an ombudsman and a coordinating function is not recommended.

Project to improve the user guidance given to persons with a reduced functional ability
In connection with the Plan of Action for persons with disabilities (1998-2002), a trial project was initiated in 1999 to provide improved user guidance to persons with a reduced functional ability at some locations in Norway. The aim of this project was to give individuals correct and sufficient information and guidance on their rights and on public measures and services.

This was a three-year project involving guidance services provided at some locations in Norway. It was organised as two sub-projects, with the Norwegian Federation of Organisations of Disabled People (FFO) and the Norwegian Association of the Disabled (NHF) each being responsible for one part. The FFO established a rights centre in Oslo and an information and guidance centre in the counties of Møre og Romsdal and Finnmark. The NHF improved its local voluntary guidance groups in the counties of Rogaland and Buskerud, and employed a lawyer at its head office to provide assistance to the local offices.

These projects have received many inquiries. Most of these are related to social security benefit questions, especially in relation to cars, technical aids, and basic and supplementary disability benefit. These are followed by questions regarding housing and municipal health and social services. The inquiries indicate that many people experience a need for more information and many are uncertain of where to go to get answers to their questions.

The user centre in Løten
The user centre in Løten was opened in the autumn of 2001 as a trial scheme, funded by the Ministry of Health and Social Affairs, Løten municipality and the Norwegian Cancer Society, which is also responsible for running this trial scheme. The overall goal of the User Centre is to safeguard the users’ interests and, if necessary, act as a
spokesperson in relation to the public help system and others. The centre is to listen to the users’ experiences and arrange contact with the public authorities. Most of the inquiries are related to health, social welfare, social security and education. The steering group believes the user centre has met a need at a municipal level, but that a one-man local office is too vulnerable.

Summary of experiences
The evaluation reports on the projects relating to the ombudsmen for the elderly and for the care services, the user office in Oslo, the project regarding improved user guidance and the user centre in Løten show that there is a need for a body outside the service system where the users can obtain information, guidance, assistance to make complaints and help in their meeting with the service system. There is also a need to better systematise the problems users experience when they come into contact with the service system. However, the projects draw no clear conclusions as regards how such a body is to be organised. It is pointed out that a body must be able to reach a large part of the population, that a statutory body is required and that the body should have a wide-ranging mandate across administrative-unit and administrative-level boundaries.

Expansion of the current patient ombudsman scheme
At present, a patient ombudsman is linked to the specialist health services. The Municipal Health Services Act and the Social Services Act have no equivalent ombudsman. The main reasons for considering expanding today’s scheme are:

- Many of the inquiries to the patient ombudsmen are about cases relating to the municipal health service or the social services.
- The current boundaries seem unreasonable and incomprehensible to patients.
- A fragmented and not very coordinated “ombudsman system” must be avoided. An expansion of the current patient ombudsman scheme will lead to simplification compared to a development involving various types of ombudsman schemes for various user groups.

An expansion of the patient ombudsman scheme will be able to take care of many of the needs that the various trial schemes have covered. An expanded patient ombudsman scheme will be able to safeguard the users’ needs, interests and protection afforded by the law as regards the health and social services. The patient ombudsman can act as a broker between the social and health services and the patient, and help the users in their contact with the services by, among other things, formulating complaints. The ombudsman will also be able to provide information, advice and guidance on rights and services that come under the ombudsman’s scope of work. An important part of the ombudsman’s tasks will be to provide feedback to the service system in order to improve the quality of the services.

An expansion of the current patient ombudsman scheme so that it also applies to the municipal health service and the service part of the social services will probably be the best tool for safeguarding the needs that the various trial schemes have attempted to cover.

Any expansion of the patient ombudsman scheme will require changes to the law and there will be a need to examine practical factors relating to the changes, including the financial and administrative consequences. The Government will continue to look into these questions. Any bill will have to be the subject of a round of consultations.

7.5 The provision of technical aids
The municipalities are the ones with the first-line responsibility when it comes to providing technical aids. The Assistive Technology Centres are to have the overall, coordinating responsibility for technical aids for persons with a reduced functional ability, and are to be a resource and expertise centre for public bodies and also have a technical-aids advisory and guidance function with regard to the health service in the municipalities and county councils. The National Insurance Administration’s nationwide services relating to technical aids are to help the Assistive Technology Centres in complicated cases.

7.5.1 NOU 2001:22 – challenges and proposals
NOU 2001:22 refers to the fact that the Assishire Technology Centres have helped a large number of persons with a reduced functional ability to solve their practical problems. Modern technology has provided new opportunities and many people have solved problems that were believed to be unsolvable only a few years ago. The Norwe-
gian system regarding people’s rights to technical aids and the provision of technical aids is good, especially compared to other European countries.

However, the commission refers to the fact that the system functions differently from county to county. The quality of the services can be improved. Decisions on and the handing over of certain groups of technical aids take too long. This particularly applies to very technically complicated aids and some technical aids for children. Many people complain about the limited opportunities to test these out and the lack of training, and would like to see quick repairs when important technical aids break down. The user representatives are also looking for greater proximity to the services. The strong emphasis on the municipalities’ first-line responsibility for providing technical aids has, in many people’s opinions, led to the professional quality of the provision services being impaired. Municipal personnel often do not have the necessary knowledge to help the user to find the technical aid that is appropriate, and they often do not have the necessary prerequisites for providing training in the use of the aid. Users report great variations as regards their influence over their own case and opportunity to have an influence at a system level.

NOU 2001:22 proposes the following measures related to the provision of technical aids:

- Users must not have to pay any amount themselves for the technical aids. The committee wants to remove restricting conditions linked to the scope of various technical aids.
- The right to emergency repairs should be ensured for everyone.
- A guaranteed period for the provision of technical aids (from application to handover date) should be introduced.
- A review of the grant and subsidy schemes for housing benefit and housing adaptation should be conducted: the boundaries drawn between the Norwegian State Housing Bank’s and the National Insurance Scheme’s areas of responsibility should be looked at in particular.
- There is a need for the right to user participation at an individual and system level in relation to the provision of technical aids to be established by law more clearly and strongly than is the case in current legislation.

7.5.2 The Government’s objectives

The Government has the following objectives for the technical aids sector:

- The user must be given the right solution at the right time.
- The user must be met by professionals who have satisfactory expertise, and receive the same service irrespective of where he/she lives.
- The municipality is to have the main responsibility for providing technical aids, and be the most important coordinating party in this work. The municipalities are to receive assistance from the Assistive Technology Centres with regard to sectors where they do not have sufficient expertise.

7.5.3 Measures

Expertise-enhancement measures and information

In order to improve the quality of the technical aids services, the technical aids centres have held more than 500 different courses and training measures for the municipalities each year in both 2001 and 2002. This is still a prioritised area for the next few years. For the technical aids centres, the challenge is to develop specialist expertise in areas where the municipalities will require assistance.

The work of improving the professional expertise of the technical aids centres will be continued in 2003 through various seminars being held for the centres and the continuation of the work in the national groups. In addition to groups for the “sitting positions” and “aids in dwellings” sectors, national groups for “children and technical aids” and “Vision ICT” (computer solutions for the blind and visually impaired) were established in 2002. A national group for aids for the workplace will also be established in 2003. These groups are to help improve the expertise in carrying out examinations, tests and adaptations related to the user’s needs and to develop experience of possible solutions and products. These groups are also to gather, systematise and document experiences and develop methodology in their areas, disseminate knowledge throughout the provision system and contribute to a more equal service to users irrespective of where they live.

The creation of municipal agreements that specify the division of responsibilities and tasks between the technical aids centres and the municipalities has contributed to greater expertise in the provision of technical aids and the correct division of tasks and costs between the various levels of the provision system. There are still a few municipalities that have not entered into agre-
User participation

The Government places great emphasis on active user participation. Both the National Insurance Administration and the Assistive Technology Centres have established their own user committees in relation to technical aids. Reference groups which include user representatives provide advice on choosing Norway’s selection from the various technical aid groups on which prices are negotiated. Correspondingly, user representatives are invited to help choose the range of technical aids to be available at the individual technical aids centres. The user organisations are to a great extent involved in various reports on the technical aids sector.

In 2003, a model experiment is to be initiated to find an expedient way of handling cases where the user wants to be responsible for more of the investigation and provision of the technical aids himself/herself, especially when other help bodies are not very involved or it is not natural to involve them. This experiment is to be organised with the participation of the user organisations, four Assistive Technology Centres and relevant municipalities. The project will also review how the technical aids centres solve tasks and focus on their advisory and guidance functions.

The National Insurance Administration has taken the initiative to establish a project entitled “Solving problems and active user participation in the technical aids sector”. The Norwegian Federation of Organisations of Disabled People (FFO), the Norwegian Association of the Disabled (NHF) and the Norwegian Association for the Blind will take part in this project. The National Insurance Administration’s user surveys show that 80 per cent of the users are pleased with the services provided in the technical aids sector. This project intends to take a closer look at the 20 per cent who are not pleased and initiate processes to find solutions to the problems experienced by many users.

The delivery time is to be reduced

NOU 2001:22 refers to the fact that some user groups must wait for more than the standardised periods stipulated by the social security services, and that particularly children who are growing and developing are dependent on aids being allocated quickly. For the users, it is the total waiting period that is important, i.e., the time taken from a need arising to this need being met by the aid being taken into use.

In the summer of 2002, a simplified application procedure was established according to which the municipalities can more quickly be given reasonable technical aids that have been fully investigated by the municipalities. This scheme applies to simple aids in accordance with section 10-6 of the National Insurance Act, up to a value of 10 per cent of the National Insurance Scheme’s basic amount (G) (approx. NOK 5,400), within a list of price-negotiated products or clearly definable groups of aids. This scheme has led to less duplication of work. The delivery time in most counties has already been cut to 4-5 days. In 2002, the Assistive Technology Centres also introduced a scheme according to which individual plans can replace individual applications for aids. This scheme is intended to contribute to simpler casework procedures and better collaboration on users with complex needs.

A number of measures are planned to bring about the more rapid provision of technical aids for children. In 2003, a guide on children/young people and technical aids will be published for employees of the technical aids centres, municipalities, users and parents of children with a reduced functional ability. A seminar will be held in 2003 as part of the work of enhancing the expertise of all employees of the technical aids centres who work with technical aids for children. The Assishire Technology Centres will also conduct a survey to reveal the time spent in the various parts of the chain of measures in 2003. The results of this survey are to form the basis for implementing measures at each technical aids centre. The aim is to give greater priority to cases involving children in all parts of the process. The National Insurance Administration will monitor the centres’ work on this through meetings held every four months. Various kinds of user survey have also been conducted in ten counties in 2002. Several of these deal with children and technical aids. The results of these surveys will be used in the work of developing technical-aid services for

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children. In cases involving children, a contact person/coordinator will be appointed at the social security offices so that the parents of children with a reduced functional ability will have one person to relate to in order to get the necessary help and assistance and find their way in the public system.

The Ministry of Social Affairs believes it is important to continue following up the routines at the individual Assistive Technology Centres and in relation to the municipalities.

Emergency repairs

NOU 2001:22 refers to the fact that users are asking for quick repairs when important aids break down. The scheme involving emergency repairs introduced in the autumn of 1998 offers an agreement scheme for users who are entirely dependent on their aids and who will not be able to function in everyday life if these break down. An emergency-repair agreement is only given in those cases where waiting until the next business day to have the aid repaired will have unreasonable consequences for the user. The scheme applies to selected groups of aids: electrical wheelchairs, electrical beds, aids to control the surrounding environment, wheelchair lifts for cars, platform lifts, stair gliders and patient lifts (treatment aids were transferred to the regional health authorities as from 1 January 2003). At the end of 2002, 400 users were covered by this scheme, but the number of inquiries to the technical aids centres is growing rapidly.

One of the challenges relating to the rapid repair of technical aids is the geographical distance from the service partner or technical aids centre. It will therefore be assessed whether a double set of aids or an agreement to carry out repairs within 24 hours is the most favourable scheme for the individual user. It is important that the emergency-repairs agreement function well. This may help persons with a reduced functional ability who are in employment to better carry out their work, and may help children, young people and students to avoid lengthy interruptions to their schooling, studies and work due to faults in a technical aid.

The agreement scheme has now been evaluated and a preliminary report shows that not all the counties had established a fully satisfactory scheme. In connection with this, the National Insurance Administration asked four Assistive Technology Centres to present a plan of action to improve the measures for users who are entitled to this service by the end of 2002. Two of these counties have not yet presented a report and will have to make active efforts to establish the scheme in the first part of 2003. The Assistive Technology Centres must also distribute new information material so that more people can find out about the scheme and how it is organised.

Some Assistive Technology Centres have been given the opportunity in 2003 to introduce resting standby duty at home outside ordinary opening hours in some counties in order to be able to carry out emergency repairs. The Government will expand this scheme to apply nationwide. This will be an alternative to agreements with external service partners. The Assistive Technology Centres are themselves to assess what provides the most cost-effective and best solution for the users. The scheme involving a resting standby duty at home will be monitored closely and systematic user surveys will be conducted.

The removal of some of the limitations on the number of hours and the expansion of the age group that is entitled to some aids

NOU 2001:22 proposes removing some regulations that limit the right to aids to only apply up to specific benefit amounts, up to a specific number of hours or to only certain age groups. Since the committee’s recommendations were published, a number of changes that expand the right to aids have been agreed to. In the Revised National Budget for 2002, the limit on the number of hours that users could have an interpreter for everyday tasks was removed. In the National Budget for 2003, the age limit for aids related to training, stimulation and activation was raised from 18 years to 26 years. Blind and visually impaired people have also had the limit on the number of hours they are entitled to reading and secretarial help in their working lives removed. The Revised National Budget for 2003 proposes removing the ceiling on the number of hours hearing impaired, deaf and blind people can have an interpreter in working life as from 1 July 2003.

Summary of measures – the technical aids sector:

- The social security services are to strengthen the technical expertise of the technical aids centres through seminars and the creation of new national technical groups.
- The social security services are in the process of establishing a project called “Solving Tasks
and Active User Participation in the Technical Aids Sector”.
- The social security services will implement model experiments to find an appropriate way to deal with cases where the user wishes to take greater responsibility for the investigation and provision of the aids.
- The social security services have initiated various measures to bring about the more rapid allocation of children’s aids, including expertise-enhancement measures and the expansion of a guidance booklet.
- The Ministry of Social Affairs will extend the scheme involving a resting standby duty at home outside ordinary opening hours to apply nationwide where waiting until the next business day to have the aid repaired would have unreasonable consequences for the user.
- The ceiling on interpreter hours has been removed and the age limit for some aids has been raised from 18 years to 26 years. Blind and visually impaired people have had the ceiling on the number of hours they are entitled to have reading and secretarial help in their working lives removed.

7.6 Leisure time and holidays

7.6.1 NOU 2001:22 – Challenges

NOU 2001:22 refers to a survey conducted by SINTEF Unimed that sums up the results of the living-conditions surveys Statistics Norway carried out in 1987, 1991 and 1995. This survey shows that persons with a reduced functional ability participate in leisure and cultural activities to a lesser extent than other people. Apart from participation at church services and religious meetings, persons with a reduced functional ability participate much less than other people in leisure and cultural activities. The survey also shows that persons with a reduced functional ability are gradually increasing their participation in various activities.

NOU 2001:22 points out that there are a number of barriers that prevent participation and, in part, exclude persons with a reduced functional ability from the cultural and leisure-time sector and religious life. The committee believes that, if the goal that everyone is to have the opportunity to participate is to be achieved, more effort must be put into improving knowledge, regulating matters by law, financial subsidy schemes and targeted funding. It must also be considered whether there is sufficient opportunity to impose sanctions when monitoring breaches of accessibility provisions and the adaptations for persons with a reduced functional ability. The committee also proposes individual prioritised measures in this area. These involve training cultural and leisure-time workers to create an inclusive environment and activities that include everyone, subsidies to leisure-time assistants employed by the municipalities, a scheme covering companions for disabled persons to be offered by all municipalities, and free access to municipal events for the companions of disabled persons.

The Government’s objectives

The Government wishes to make conditions suitable for the individual to experience and take part in life. Persons with a reduced functional ability are to have real opportunities to participate in cultural life in a wide sense in the same way as other people. Culture is a tool for integration into society, and it is a goal that everyone is to have the same right to participate and have influence, to express himself/herself culturally and to practise his/her religious faith. The sports policy has sport for everyone as its main goal. As many people as possible must have the opportunity to play sports in their local environment, according to their capabilities, desires and needs. Cooperation with organised sport is essential to reach this goal.

The lack of access to buildings and outdoor areas is a problem in the cultural and leisure-time sector too. Refer to further discussion on this elsewhere in this White Paper.

Social support/contact persons, leisure-time assistants and leisure-time activities

Social support, relief care and leisure-time assistance are important in the preventative work in that relatives and users achieve a better leisure time and expand their social network. The social support/contact person’s most important tasks are usually to help the individual have a meaningful leisure time. Relief-care measures for persons and families with particularly onerous care work are to give the care provider the necessary, regular leisure time and holidays. Reports from the municipalities show that the use of social support/contact persons was more or less stable from 1995 to 1999, while the total number of man-labour years relating to leisure-time assistants has
fallen slightly. Many municipalities report that it is difficult to recruit social support/contact persons and relief-care providers and difficult to keep them for any length of time.

Some municipalities have made active efforts to create good leisure-time activities and mobilise the volunteer sector in this work – among other things some municipalities have worked on a new way of organising the leisure-time activities. Because some persons with a reduced functional ability require helpers to have special qualifications, several municipalities have, in part to replace social support/contact persons and relief-care providers, hired employees full-time or part-time on an hourly paid basis to provide leisure-time assistance or relief care.

The Ministry of Social Affairs will make the Directorate for Health and Social Affairs responsible for arranging for municipalities to exchange experience on measures to improve the recruitment and expertise of social support/contact persons and relief-care providers. As part of this work, the directorate will assess the need for gathering examples, for updating and re-launching existing training and guidance materials and for preparing new materials. The directorate will also look more closely at how volunteers can be mobilised, among other things by using the volunteer centres when recruiting and in the work of developing and improving these schemes.

As a follow-up to the Plan of Action for persons with disabilities, a further education scheme has been established at Bergen University College for caseworkers in the municipalities who are responsible for social support/contact persons and relief-care providers. As part of this work, the directorate will assess the need for gathering examples, for updating and re-launching existing training and guidance materials and for preparing new materials. The directorate will also look more closely at how volunteers can be mobilised, among other things by using the volunteer centres when recruiting and in the work of developing and improving these schemes.

As a follow-up to the Plan of Action for persons with disabilities, a further education scheme has been established at Bergen University College for caseworkers in the municipalities who are responsible for social support/contact persons and relief-care providers. Through this education scheme, caseworkers will be better able to recruit, and to organise a training and guidance scheme for, social support/contact persons and relief-care providers. The first students took their exams in the spring of 2003. Emphasis will also be placed on building a network to prevent “professional loneliness” among the municipal caseworkers.

The Directorate for Health and Social Affairs will, in cooperation with Bergen University College, look more closely at how this scheme can be further developed, among other things by the creation of an ICT-based course with the same curriculum. Through ICT-based teaching, caseworkers from all over Norway will find it easier to take this course.

### Companion certificate

The companion scheme is an important tool for increasing the opportunity of persons with a reduced functional ability to participate. Many municipalities have adopted this scheme. A number of municipalities have also arranged for free access for companions to municipal events.

Since 2001, the Ministry of Culture and Church Affairs has stipulated as a condition for providing grants to companies that sell tickets for cultural events that the holders of certificates proving they are companions to persons with a reduced functional ability who buy full-price tickets for an exhibition or event are to be entitled to a free ticket. The new board of the Norwegian Olympic Committee and Confederation of Sports passed a resolution in 1999 stating that: “The Norwegian Olympic Committee and Confederation of Sports agree that certificates proving that someone is a companion for a person with a reduced functional ability who requires assistance may be used at all sporting events arranged by organisations who are members of the Norwegian Olympic Committee and Confederation of Sports.” This scheme came into force on 1 January 2000.

### Holidays

Many people have pointed out the problem that persons who require a great deal of assistance incur major expenses when they go on holiday trips. If, in addition to his/her own expenses, the user also has to pay a salary and/or travel and accommodation expenses for those providing assistance during the holiday trip, this is often extremely expensive. These are costs that are difficult to pay for those who only have a disability pension to live on. The costs can be reduced to a certain extent if special holiday destinations with qualified personnel are used. However, many people will be dependent on assistance during the trip and on assistance providers who know them being present during their stay. There are no special state schemes for financing holidays for persons who require assistance. Some municipalities cover the salary and travel/accommodation expenses of staff during the users’ holidays. Section 5-2 of the Social Services Act regarding benefit in special cases may authorise the payment of a benefit so that a necessary companion can accompany a person with a reduced functional ability on holiday.

The Ministry of Social Affairs will take the initiative to chart the number of municipalities that
have schemes which reduce holiday costs. It may be relevant to look more closely at measures and models that enable persons with a reduced functional ability who require a lot of assistance to go on holiday at a price that is reasonable in relation to their financial situation.

Summary of measures – holidays and leisure time:
- The Directorate for Health and Social Affairs will be made responsible for arranging for the dissemination of experience from municipalities that have good experience of new ways of organising leisure-time activities for persons with a reduced functional ability. The directorate must also arrange for the exchange of experience between municipalities relating to measures to increase recruitment and improve the expertise of social support/contact persons and relief-care providers.
- NOK 5 million has been set aside in 2003 to improve teaching in relation to christenings, in which measures for children and young people with special needs are given priority.
- A survey will be initiated to take a closer look at measures and models that enable persons who require a lot of assistance to go on holiday at a reasonable price.

7.7 Kindergartens

Children with a reduced functional ability can easily become isolated from other people. This may be due to the fact that the actual function impairment reduces the child's opportunities to have contact, or it may be that the help the child needs has a socially isolating effect. Being together with other children and social training in kindergartens therefore become especially important for these children. Children with a reduced functional ability have priority when new children are being admitted to kindergartens provided the child can benefit from this, cf section 9 of the Kindergarten Act. Kindergarten buildings and outdoor environments are to be organised in accordance with the building regulations' provisions regarding accessibility, so that the children can benefit from their pre-emptive right to a kindergarten place.

The Ministry of Children and Family Affairs provides a subsidy to the municipalities for adaptations to kindergartens for children with a reduced functional ability. This subsidy currently comprises 10 per cent of the ordinary state operating subsidy and is transferred to the municipalities together with this. Children with a reduced functional ability may be entitled to special-education help in the kindergartens, pursuant to section 5-7 of the Education Act. The municipalities are responsible for providing special-education help to children with a reduced functional ability who so require.

The framework plan for kindergartens underlines that there must be good cooperation between the school and kindergarten when it comes to preparing the school start for children with a reduced functional ability. This cooperation should start three or four years before the child is to start school if the schooling is to be adapted by the time the child starts school.

7.7.1 NOU 2001:22 Challenges and proposals

NOU 2001:22 states that the main impression is that pre-school children with a reduced functional ability have places in kindergartens. The exception to this is deaf children who need training in sign language, where it is felt that this can best be given in larger sign-language communities. The report points out various surveys which register a positive trend as regards cooperation with the Psychological Pedagogical Service (PPT), access to extra help, guidance and parent contact. The Delta Centre's survey, carried out in 1999, shows that kindergarten personnel believe they have too little special-education knowledge and that the follow-up on the part of the municipality is not good enough in this area. The main challenges are pointed out to be the transition from kindergarten to school and the importance of starting to plan early on.

7.7.2 The Government's objectives

The Government has the following objectives:
- Increased accessibility for children with a reduced functional ability, in both private and municipal kindergartens.
- A real choice with regard to a kindergarten place for parents of children with a reduced functional ability.

7.7.3 Measures

Children with a reduced functional ability are very rarely refused a place in a kindergarten. It therefore seems as if the pre-emptive right to a kindergarten place for children with a reduced functional ability, cf section 9 of the Kindergarten Act,
functions as intended. In addition, the number of kindergarten places available is often sufficient, so that children with a disability are given a place without having to exercise their pre-emptive right.

**Subsidy for measures for children with a reduced functional ability in kindergartens and funds for special-education measures**

A subsidy is given for measures for children with a reduced functional ability in kindergartens. In addition, funds are granted from the municipalities' disposable revenues for special-education help to children with a reduced functional ability in kindergartens. The subsidy for measures for children with a reduced functional ability in kindergartens is the responsibility of the Ministry of Children and Family Affairs. This subsidy may be used for such things as increasing the number of staff at the kindergarten, reducing the size of the group of children, purchasing materials or financing improvements to the kindergarten's premises or outdoor areas that are necessary in order to provide a good service to the child or children with a reduced functional ability.

In the White Paper on Kindergartens (St. meld. no 24 (2002–2003) and the municipality bill for 2004, the Government has proposed incorporating the subsidy for children with a reduced functional ability in kindergartens together with the ordinary state operating subsidy in the income system as from 2004. This is in order to give the municipalities a more integrated responsibility. Incorporating this into the municipalities' income system will result in a more equal distribution of funds to children with a reduced functional ability. The reason for the proposal is primarily that today's allocation criteria lead to a considerable difference in the amounts distributed to the various municipalities. Since the subsidy is linked to the ordinary operating subsidy, municipalities with a high kindergarten coverage are allocated far more for adaptation measures than municipalities that have a low kindergarten coverage. However, the pre-emptive right means that municipalities with a low kindergarten coverage usually have a higher proportion of children with a reduced functional ability in their kindergartens.

With the current kindergarten coverage, it is no longer expedient to maintain the link to the operating subsidy. Due to their pre-emptive right, most children with a reduced functional ability now obtain a place in a kindergarten. An increased kindergarten coverage will therefore not lead to any significant increase in the number of children with a reduced functional ability in kindergartens.

Today's two regulations relating to the subsidy for measures for children with a reduced functional ability in kindergartens and funds for special-education help may in some cases overlap. This may lead to differing interpretations by the municipalities and make it difficult for the children to get a service that is adapted in the best possible way. An inter-ministerial working group has been appointed to consider the preparation of a common circular on collaboration on services to children and young people with complex learning difficulties/diminished functional abilities and their parents, so that the users of the various services avoid going from pillar to post in the system. A review of the regulations governing the two aforementioned schemes has been announced as a relevant part of this work.

Framework financing of the subsidy to children with a reduced functional ability in kindergartens will mean that the funding for adaptation work and for special-education help can be looked at as one.

**Private and municipal kindergartens – coordinated admission**

78 per cent of all children with a reduced functional ability currently attend municipal kindergartens. The Government's objective is to improve the integration of children with a reduced functional ability in private kindergartens too. The Government recently introduced a parliamentary bill that proposes amending the Kindergarten Act with regard to coordinated admission to kindergartens. This bill involves the municipalities arranging a coordinated admission process. In this process, great emphasis is to be placed on the users' wishes and the equal treatment of children in municipal and private kindergartens is to be ensured. For children with special needs, a coordinated admissions process should provide greater opportunities for them to obtain a kindergarten place in their local environment. The municipalities will have a certain opportunity to influence this. A crucial factor will often be which kindergartens are already adapted for this type of function impairment, or that personnel with special expertise are already linked to one special kindergarten. The bill means that the municipalities' control opportunities should, in so far as this is justifiable, comply with the local coordination rules. A coordinated admissions process will thus,
over time, be able to contribute to a more even distribution of children with special needs.

Providing medication

The Norwegian Federation of Organisations of Disabled People (FFO) has raised the problem of medicating children and young people with a reduced functional ability and chronically ill children in kindergartens. A working group has been appointed by the Directorate for Health and Social Affairs to examine the need to regulate how medicines are handled in schools and kindergartens. The objective is to ensure that medicines are handled in a proper and appropriate manner. The Ministry of Education and Research and the Ministry of Children and Family Affairs are represented in this working group. The FFO will be invited to take part in the work.

7.8 Sami people

7.8.1 NOU 2001:22

In its report, the committee states that it has been documented that Sami people with a reduced functional ability face language and cultural barriers that reinforce their problems and make education, diagnoses, nursing, rehabilitation and user information difficult. A plan of action involving increased funding is proposed in order to increase knowledge of Sami culture and ensure there are Sami-speaking professionals in the areas where the Sami language is spoken. The committee also proposes a quicker, more comprehensive development of the special-education centres and Sami education administration, among other things with the aim of providing active information on their rights and relevant assistance measures to Sami with a reduced functional ability.

7.8.2 Objectives

As an indigenous people, Sami are entitled to real equality with other Norwegian citizens. The Government’s objective is for this right to be realised for Sami with a reduced functional ability too.

7.8.3 Further details on various measures

The Government assumes that language and cultural barriers reinforce the barriers faced by all persons with a reduced functional ability. The Ministry of Local Government and Regional Administration is working on a project involving the Sami language and information. The Government wishes to pave the way for a more active use of the Sami language and to counteract negative attitudes to Sami people.

This project involves the following measures:
- making conditions suitable for the use of the Sami language in IT contexts
- contributing to the increased use of the Sami language in public administration
- in cooperation with the Sami Assembly, preparing strategies and measures to counteract negative attitudes to Sami people and to disseminate information on Sami conditions.

On the basis of NOU 1995:6 A health and social welfare plan for the Sami people, the then Ministry of Health and Social Affairs presented the Plan of Action on Diversity and Equality 2002-2005 in 2001. The Government is continuing the work relating to this plan.

7.9 Immigrants

7.9.1 NOU 2001:22

The report reveals that problems faced by all persons with a reduced functional ability are greater for immigrants due to language and cultural differences that make information and communication difficult. Greater access to information and adapted information is thus essential. For many immigrants, oral information is necessary and the use of an interpreter a prerequisite for the communication and dialogue with health personnel functioning. Immigrants with a reduced functional ability are more than normally exposed to discrimination both because of their skin colour or religious, ethnic or cultural background and because of their reduced functional ability.

The committee points out that there is a need to develop local and national expertise regarding immigrants with a reduced functional ability, and to develop courses for bilingual, bicultural resource persons with the aim of establishing a resource bank at a municipal/regional level. The committee also believes that knowledge of the challenges involved when dealing with immigrants and refugees with a reduced functional ability and their families must be included in the curricula of courses in the teaching and health and social welfare sectors.

For many people with an immigrant background, having a child with a reduced functional
ability is a shameful thing. It is therefore important that health personnel have a good dialogue with the family in order to deal with these feelings and thus improve the family’s ability to provide care. There are therefore great challenges involved in making arrangements for improved services to this group, and in helping people with an immigrant background to make better use of the services available. It is important to train and enhance the expertise of health personnel so that they can help persons with an immigrant background who have a reduced functional ability and their families and ensure that they receive the same services as the rest of the population.

7.9.2 Objectives
The Government’s aim is for immigrants with a reduced functional ability to be able to participate in society and obtain the same services as other people with a reduced functional ability.

7.9.3 Various measures
There is little research-based knowledge of immigrants with a reduced functional ability. There is a need for research and development work to clarify this group’s special challenges and needs. This will, among other things, be a relevant issue in the new commitment to research relating to persons with a reduced functional ability to be carried out by the Research Council of Norway.

The Government agrees with the committee’s view that there is a need to develop local and national expertise on immigrants with a reduced functional ability and courses for bilingual and bicultural resource persons with the aim of establishing a resource bank at a municipal/regional level.

In the spring of 2003, an expertise unit dealing in the somatic and mental health of and care for persons with an immigrant background was opened at Ullevål Hospital. The Government believes that it is natural to gather expertise on the health of and care for persons with an immigrant background in one place. The expertise unit at Ullevål Hospital will therefore develop expertise on immigrants with a reduced functional ability and their special needs. This expertise unit will also develop courses for the first-line service and other relevant resource persons.
8 The reform relating to mentally retarded persons

8.1 Objectives and results

The reform relating to mentally retarded persons was initiated in January 1991 and meant that the municipalities were made responsible for the housing and services offered to mentally retarded persons who had been given services under the Public Health Service for Mentally Retarded People (HVPU).

A publicly appointed committee (the Lossius Committee), which was appointed to examine the programme, concluded in NOU 1985:34 The Living Conditions of Mentally Retarded Persons that: "extensive inspections show that the lives and living conditions of mentally retarded persons in institutions are, from a humane, social and cultural viewpoint, unacceptable". There was a huge gap between the goals stated in public documents relating to mentally retarded people’s living conditions and their actual lives. The committee believed that the development of necessary services outside institutions would result in a far better service.

The White Paper on Responsibility for Measures and Services for Mentally Retarded Persons (St. meld. no. 67 (1986-87) and White Paper on Implementing the Reform relating to Mentally Retarded Persons (St. meld. no. 47 (1989-90) outlined the objectives and how the reform was to be carried out. A parliamentary bill entitled Temporary Act relating to the winding up of institutions and contracts regarding private nursing under the county council public health service for mentally retarded persons (Ot. prp. no. 49 (1987-88) provided the legal authority to wind up the institutions.

The goal of the reform was to wind up the institutionalised care given to persons who are mentally retarded. The reform was based on the normalisation principle. This means that mentally retarded persons are to have the opportunity to live a life that is as close to a “normal” one as possible. One of the reform’s important assumptions was that the services were to be based on the individual’s needs. The services were to be provided in the local environment and by the ordinary service providers. This was regarded as a prerequisite for mentally retarded people being looked upon as, and looking upon themselves as, fully equal members of society.

The implementation of the reform regarding mentally retarded persons has been subject to extensive research activity on the part of the Research Council of Norway. Projects have been carried out regarding living conditions, changes to living conditions, finances, law, service provision in the municipalities and the implementation of the reform, among other things. As one of the measures in the Plan of Action for mentally retarded persons (1998-2002), a comprehensive study of mentally retarded people’s living conditions was initiated ten years after the reform.

8.2 Housing

Around 5,250 mentally retarded persons were living in institutions when White Paper no. 67 (1986-87) was presented. In 2002, there were six people who still lived in former HVPU institutions (institutions that are being wound up). All the others have moved out of institutions, mostly to their own homes. In addition, many have moved from living with their families into their own homes. An overview as at 1 January 1999, which is the most recent overview, shows that 10,177 people lived independently, while 7,856 lived with their families. Of the latter, 2,400 were adults above the age of 21 years.

The goal of the housing reform was for as many people as possible to be allowed to own or rent their own home and for their home to have the same design, standard and location as homes for other people. Flexible housing was to be created, either in the form of individual dwellings or various kinds of housing communes and shared dwellings. Dwellings for mentally retarded persons with an extensive need for measures and services were to be designed, in so far as possible, such that they did not look like institutions (White Paper no. 67 (1986-87)).

The survey of the living conditions 10 years
after the reform shows that most people now have their own homes and that these have a good standard. The trend is towards less and less use of housing communes and a corresponding greater use of independent dwellings. Two-thirds of the flats meet the requirements as to a “serviceable” dwelling (50 sq m). Most of the flats under 50 sq m are part of housing communes. Just over 40 per cent of those surveyed (N=527) live in dwellings where there are several flats in the same house and common areas. Five per cent live in housing communes (not independent dwellings and where common rooms comprise a necessary part of the living space). The rest live in their own homes with no common areas. Most of the dwellings are terraced houses or houses surrounding a courtyard, or are houses that are divided into two or four flats. 65 per cent of the dwellings have one or more characteristics that distinguish them from ordinary houses: they are located in a former institutional area, in an area with sheltered housing or they are distinctive due to their size or architectural style. In 2001, just under 20 per cent of the dwellings were located on the site of, or near to, a former HVPU institution.

The study of living conditions shows that decisions relating to the mentally retarded person’s own dwelling were often reached without the participation of the person concerned as regards issues relating to, for example, where to live and with whom. Many state that they have a friend among those they live with, but quite a lot also have quite a lot of conflicts with the people with whom they live.

8.3 Adult mentally retarded persons who live with their families

According to the municipalities’ annual reports to the Ministry of Health and Social Affairs, there are around 13,000 mentally retarded persons above the age of 20 years in Norway. Most of these live independently, but around 2,400 (19 per cent) of adult mentally retarded people live at home with their families. In connection with the reform, many of those who lived at home with their families were offered their own dwellings. The number of mentally retarded persons living with their families fell by around 750 between 1996 and 1999, which is the last time this was charted nationally. A survey carried out in 2002 indicates that many adult mentally retarded persons have not yet moved out, but that many want to move out in due time. 26 per cent of the families would like them to move out quickly, 38 per cent would like them to move out in a few years, while 36 per cent want the mentally retarded person to remain living at home. Calculations carried out during the survey estimate that there is a need to provide housing quickly to around 500 mentally retarded persons who live at home. Even more wish to move out in a few years’ time, and new generations of adult mentally retarded people will be asking for housing in the future. The need to procure housing will therefore be a long-lasting requirement for the municipalities in the years to come.

8.4 Schools

In 1987, the Ministry of Education and Church Affairs proposed amendments to the Norwegian constitution with its proposal that all children should be enrolled at the school closest to where they live. The objective of this proposal was to ensure that the school does what is possible to establish a satisfactory education for pupils with special needs too. White Paper no. 67 (1986-87) underlined that the development of the school services should aim at mentally retarded pupils receiving their education at the normal primary/ lower secondary schools, so that state-owned special schools and other special institutions could be closed down. The teaching was to be equal to that given to other children and young people as regards scope, time and content, and was to be adapted to the needs and capabilities of the individual pupil.

The majority of pupils with special needs can receive extra support and help through a differentiation of the teaching given in ordinary classes. This takes place through the use of ordinary resource frameworks and by, for example, division into groups and a two-teacher system. Pupils who are not given satisfactorily adapted teaching through such frameworks have a statutory individual right to special teaching based on an individual administrative decision and following a professional evaluation by experts. On average, just over six per cent of the pupils in Norwegian primary/lower secondary schools receive special education following an individual administrative decision. 50,000-55,000 children, young people and adults who receive such specially adapted teaching following an individual administrative decision are taught in their local school or kindergarten. Just under 3,500 pupils are taught in
municipal or county council special schools or special classes outside normal schools.

8.5 Services

Nursing and care services

In White Paper no. 67 (1986-87), the Ministry of Health and Social Affairs underlined that transferring the responsibility for the housing and other services offered to mentally retarded people to the municipalities must not lead to a separate municipal care system being developed for mentally retarded persons. The increase in personnel should not take place by a separate service being established, but by a general increase in the municipalities’ personnel in all sectors. The Ministry meant that some guidelines should be laid for the way in which this was to be organised (White Paper no. 47 (1989-90)):

- Home-based services for mentally retarded persons should be incorporated into the municipality’s other home-based services.
- The service providers should not be linked to a special dwelling. They should be employed by the municipality and the services should be provided to each individual following an assessment of the individual’s capabilities and needs.
- The services should be organised so that the user had permanent, stable personnel around him/her.

By incorporating the services to mentally retarded persons in the other home-based services, mentally retarded people were not distinguished as a separate group. This was and is a key aspect of the normalisation principle. The White Paper states that linking the services to people and not the dwelling will be a tool to stop the institutional way of thinking.

As at 1 January 2002, just under 19,000 mentally retarded persons were registered. The number of hours of home-based services each receives has increased, and the number who receive a lot of help has increased, which indicates that the need for help among those who live in their own home is in many cases huge.

Expertise

White Paper no. 47 (1989-1990) stated that one of the biggest problems with the Public Health Service for Mentally Retarded Persons (HVPU) was the lack of qualified personnel. A training scheme for unskilled staff from the Public Health Service for Mentally Retarded Persons ought to be implemented quickly and personnel who were already employed by the municipalities would require new knowledge. The White Paper pointed out that there was also a need for “ethical expertise” and that the attitudes of the personnel would be crucial to the quality of the care provided.

Experience and various surveys show that the municipalities have had problems recruiting enough qualified personnel. Since 1995, the municipalities have reported that they do not have sufficient expertise with regard to multi-handicapped people and behavioural problems. NOU 1994:8 estimated that before the reform (in 1989) unskilled staff made up almost 57 per cent of all the permanent employees in the public health and social services. In 2001, the corresponding figure was 23 per cent (Recruitment plan for health and social welfare personnel 2003-2006).

A survey carried out for the Norwegian Board of Health in 1999, in which the respondents were those who were administratively responsible for the services, pointed out, among other things, that the municipalities experienced a considerable lack of expertise, experience and stability in the personnel who provide services to these users. A working environment survey carried out in Trondheim municipality in 2002 among the personnel who provide services to mentally retarded persons with serious behavioural problems produced a different result. This showed that only 10 per cent were unskilled and that the recruitment situation was good. In their reports on the follow-up of how the municipalities practise chapter 6A of the Social Services Act, the county governors point out that the municipalities’ general high use of part-time positions in the services provided to the mentally retarded is unfortunate both as regards stability for the users and the development of expertise. The advisory group (the Council) which monitored how chapter 6A of the Social Services Act was practised in 1999-2000 was also of the opinion that the shift schemes that had been established in some places led to service recipients having very many service providers to relate to.

The survey of living conditions 10 years after the reform shows that around 60 per cent of respondents believed that too little guidance was given with regard to the services. The survey states this may indicate that the professional struc-
ture is too “flat” and that it is impossible to create challenges for employees or allow them to develop professionally. The survey points out the need to create professional superstructures and support structures. This work must be organised in such a way that these are not too remote from the everyday provision of services.

**Limitation on force in the services provided to mentally retarded persons**

In connection with the reform, a great deal of attention was paid to the protection afforded by the law to mentally retarded persons. The Røkke Committee (NOU 1991:20), which reported on The Protection Afforded by the Law to Mentally Retarded Persons, pointed out, among other things, the need for a more precise legal regulation of the use of force in such care. The Ministry obtained information on the force that took place in the nursing and care services and found that there was a need to regulate the use of force by law, cf parliamentar y bill (Ot. prp.) no. 57 (1995-96). This bill was passed on 19 July 1996. The Norwegian Storting asked the Government to submit a White Paper on more detailed guidelines for how to practise the law. The Norwegian Storting debated White Paper no. 26 (1997-98) in 1998 and the Act came into force on 1 January 1999. When debating the bill, the Norwegian Storting decided that the rules were to have a time limit of three years (extended in 2001 by two years to 31 December 2003), and that an advisory group (the Council) was to monitor how the law was practised and compare this practice to the question of legal protection and professional developments.

The application of chapter 6A of the Social Services Act has shown that the regulations have functioned as intended. The county governors, the Council and several others believe that the regulations have helped to put the focus on measures other than the use of power and force, and that the regulations, combined with other measures, have helped to develop the professional and expertise aspects of the services. In bill (Ot. prp.) no. 55 (2002-2003), the Ministry proposes on the whole continuing the current regulations in a new, permanent set of regulations.

**Health services**

An over-frequency of various illnesses has been documented among mentally retarded persons, especially neurological diseases, sensory defects and mental disorders. The reform documents placed emphasis on the fact that the municipal health services had to be provided with knowledge of these conditions, and that good follow-up routines had to be developed, since the mentally retarded persons themselves could not be expected to visit physicians or other health personnel. Particular emphasis was placed on the fact that the specialist health services were to be responsible for the patients in cooperation with the municipal health services when the patient required specialist health services, and that specialist help could be given in the individual’s local environment.

A survey of the county council’s specialist health services offered to mentally retarded people with serious behavioural problems and/or mental disorders revealed major shortcomings in the habilitation services. Many mentally retarded persons had not been satisfactorily examined or diagnosed. Only a few had had a treatment and/or habilitation plan prepared for them. Shortcomings related to the cooperation between the habilitation services and the mental health services were also pointed out, as was the lack of mental health services. A survey to compare the situation before and after the reform concludes that mentally retarded persons do not receive satisfactory health services.

Based on the existing documentation, it can be concluded that the health services do not function satisfactorily as regards mentally retarded persons. Previous White Papers (the White Paper on Equalisation no. 50 (1998-99)) have also pointed to the need to improve the municipal health services given to those who are not themselves capable of asking the health services for help. The development of expertise, both among the local personnel and in the specialist health service and municipal health service, relating to somatic and mental disorders in mentally retarded persons will be crucial to improving the quality of the health services.

### 8.6 Work and activation

White Paper no. 67 (1986-87) stated that the employment policy for mentally retarded people was the responsibility of the Norwegian Directorate of Labour, that efforts should be made to achieve the highest possible level of integration of mentally retarded people in ordinary work and ordinary labour-market measures, and that a range of work and training services should be
established to reflect the variation in mentally retarded people’s capabilities and development prospects.

The survey of living conditions conducted 10 years after the reform shows that the percentage of mentally retarded people who are in normal jobs or participating in measures to integrate them into working life has decreased, while the percentage that is in permanently sheltered work has risen sharply, from 15 per cent in 1989 to around 30 per cent in 2001. In total, there are more mentally retarded people who have jobs (including sheltered jobs) in 2001 than in 1989. The percentage attending day centres is relatively stable, while the percentage that is studying has fallen considerably.

The survey shows that very few mentally retarded people are covered by the type of labour-market measures that are intended to integrate people who are restricted in their choice of occupation into the labour market – only four per cent. 80 per cent of the mentally retarded people who are restricted in their choice of occupation that take part in labour-market measures participate in the measure called Permanently Adapted Work. The greatest decline in the number of participants is to be found in the measures called ‘Work Experience in Ordinary Companies’ and ‘Integration Subsidy’.

The survey shows that the day centres are the backbone of the daytime services offered to mentally retarded people, although sheltered employment also plays a major role. The activities at the day centres are split into production and activation. The survey also shows that the percentage receiving no daytime services is increasing. The Ministry’s status reports show the same thing. The reason for this is reported to be that fewer want such services. This may be linked to, for example, the fact that the percentage of elderly mentally retarded people is increasing.

8.7 Self-determination

One of the goals of the reform was that mentally retarded people should be able to live independently and decide over their own lives in so far as possible. In the welfare sector in general, there has been an increasing focus on the users, their participation, mastery and self-determination. This is a change that, on the ideological level, also includes mentally retarded people. The survey of living conditions 10 years after the reform has looked at the level of self-determination enjoyed by mentally retarded people. When they were removed from the institutions, the trend was in favour of a higher level of self-determination. This was to a large extent linked to a reduction in obstacles connected to organisational factors in the institutions. No corresponding developments have taken place since 1994, when the last survey was conducted. The survey of living conditions shows that quite a lot of mentally retarded people have some influence over everyday tasks. When it comes to major decisions, such as those relating to housing, the individual has few opportunities to influence these.

In Norway, there is little tradition of working to ensure self-determination for mentally retarded people. Since 1999, the Coordination Council (SOR) has run a project entitled ‘User Participation for Mentally Retarded Persons’.

8.8 Social network

There are no major differences between mentally retarded persons and other people when it comes to contact with their parents and siblings, and the contact with parents is particularly similar. As regards other relationships, there are greater differences. Very few mentally retarded people live with a partner, and hardly any have their own children. Around half say they have no friends and few have any relationships with their neighbours apart from saying hello to them. At the same time, mentally retarded persons have elements in their networks that are unusual for other people – those who live with them and the staff. When it is said that a mentally retarded person’s network is poor, this is compared with people in general. Some mentally retarded people lack important prerequisites for entering into chosen/achieved relationships, and there will always be differences in some mentally retarded people’s networks compared to those of others. After the reform, their networks have improved. Mentally retarded people have slightly more contact with their parents. A few more have friends, and more have a live-in partner or boyfriend/girlfriend. There is a slightly positive trend with regard to neighbours and a clear improvement in their relationships with those with whom they live. The reduction in the number of those that have a problematic and difficult relationship with people they live with is particularly important. The survey also shows that the percentage stating that they have ‘too little social contact’ and are ‘isolated’ has fallen
from 60 per cent in 1989 to 40 per cent in 2001. The picture drawn is of a network that has improved over these 12 years. However, there is no doubt that the work of developing the network side of the care provided to mentally retarded people still poses a challenge.

8.9 Culture and leisure-time

White Paper no. 47 (1989-90) states the following objectives for the cultural and leisure-time services offered to mentally retarded people:

- Mentally retarded people must be offered the same cultural and leisure-time activities as those provided for the general population.
- Mentally retarded people must, in so far as possible, be offered integrated leisure-time activities.

The survey of living conditions 10 years after the reform shows that, in 2001, 42 per cent stated that their leisure-time is monotonous/boring or not varied enough, compared to 35 per cent in 1989. Participation in leisure-time activities has fallen since 1989. However, the picture is not unambiguous. Mentally retarded people do not have a more passive leisure-time than other people. The study underlines the problems of comparison with the general population. Mentally retarded persons are often more dependent on activities to have a satisfactory leisure-time. The study also shows that the overall level of participation in leisure-time activities has been low since 1989 and up to the present day, and that, in 2001, there were fewer taking part in leisure-time activities than there were in the HVPU institutions. Other surveys also conclude that there has been little success in achieving an integrated leisure-time situation for mentally retarded people. However, it is also pointed out that many mentally retarded people are satisfied with the leisure-time activities offered to them, and feel these are adapted to their own needs.

8.10 Summary of the reform

The survey of living conditions shows that mentally retarded people who live in their own home, attend an ordinary kindergarten or school in the local community or take part in work/daytime activities, receive services from the municipal service system, and take part in various leisure-time activities in the local community have had their lives normalised and their living conditions improved. The survey shows that mentally retarded people who used to live in institutions now have their own good-standard dwellings. The evaluation of the reform shows that many live in dwellings that are to a varying extent like communes, and many of the dwellings are different to ordinary dwellings. Many mentally retarded people who formerly lived with their families now have a new home. There are still many adult mentally retarded people who live with their families but who would like to be offered their own home. The service providers’ expertise has improved considerably, but improving it further is a challenge. The statutory provisions stipulated in chapter 6A of the Social Services Act have contributed to control using force and power, and to a reduced use of force when providing the services. It seems as if more people have a wider social network, but many still have a weak network around them. Once the institutions had been closed down, there was a trend towards more self-determination, but mentally retarded people still have little right to determine key areas of their lives. As regards leisure-time activities, the situation that existed prior to the reform seems to have worsened. The institutions had established a comprehensive range of leisure-time activities that the municipalities have not managed to follow up. However, the reduction in leisure-time activities after the closing down of the institutions has to a certain extent been compensated for by an increase in daytime activities. Mentally retarded people do not participate to any great extent in ordinary work or leisure-time activities. It is also worth mentioning that the resistance to the reform among the families seems in general to have declined as the reform was implemented. Only a minority of families with family members in the HVPU institutions welcomed the reform. The evaluation shows that around 75 per cent later meant that conditions had improved.

8.11 Future challenges and objectives

The same values and goals that apply to the policy for persons with a reduced functional ability also apply to mentally retarded persons. The goal is for mentally retarded persons to be able to utilise their abilities to the full and to live a life that is as close to a normal one as possible, with the highest possible level of self-determination. One of the main principles in the design of housing and ser-
Dismantling of Disabling Barriers

There has been a considerable public commitment to improving the services provided to and living conditions of mentally retarded people. However, we are still facing major challenges. It is challenging to make conditions suitable so that mentally retarded people who live with their families can move into their own homes when they reach adulthood. In the years to come, the development of a varied, qualitatively good range of measures and services in the municipalities will be one of the most important tools for improving the living conditions of mentally retarded people and others with a reduced functional ability. One of the greatest challenges is to increase the recruitment and expertise of those who provide services to mentally retarded people in the municipalities. It is important that knowledge of how the living conditions and services can be improved reaches the planners and service providers. The Government regards it as important to create a good range of services to mentally retarded people who suffer from mental disorders and/or serious behavioural problems. It is also important to safeguard the need for user-participation and individually adapted services, including for mentally retarded persons. We are also facing challenges relating to mentally retarded people's social lives and networks. Although their networks have improved since the reform, many mentally retarded people feel isolated and have too poor a network. Important challenges are involved in creating a more active, varied leisure-time and making sure that mentally retarded people who are capable of this are allowed to take part in ordinary working life.

The reform relating to mentally retarded people was implemented 12 years ago. It is important that a great deal of attention continues to be paid to the living conditions and lives of mentally retarded people. The Ministry of Social Affairs wants to encourage the creation of national arenas, in which users, families, service providers, municipal managers, politicians and researchers can take part in socio-political debates on the goals, tools and further development of local communities that, in a good way, also safeguard the needs of mentally retarded people.

Summary of measures – mentally retarded persons

The main measures outlined in the White Paper to improve the living conditions and lives of mentally retarded persons are listed below. The individual measures are discussed in greater detail in the various chapters.

- The Ministry of Local Government and Regional Administration will in 2004 conduct a survey into the types of housing that are offered to mentally retarded persons and the municipalities’ and users' experiences and costs relating to the various types of housing offered. This survey will provide a better basis for state follow-up in the form of guidance and information. An account has been given in this White Paper of the various measures aimed at ensuring that persons with a reduced functional ability, including mentally retarded persons, will be able to obtain housing, including better advice and guidance in the municipalities and measures to improve the accessibility of the existing and future housing available. These measures will also make it easier for adult mentally retarded people who live with their families to obtain their own homes.

- The Ministry of Social Affairs will implement measures to reinforce the professional basis for improving living conditions and the quality of the services provided to mentally retarded persons. One important measure will be the creation of an expertise environment responsible for national professional development and information assignments related to mentally retarded persons.

- A comprehensive programme will be implemented to improve the expertise of employees working with elderly mentally retarded persons.

- The work on ICT-based teaching, guidance and professional-network building is to be strengthened. The aim is to improve the expertise of employees who work closely with the users by new technology being implemented to improve the contact between the specialist health service and the municipalities, and between the professional environments at a municipal level.

- Making an individual plan a part of the Social Services Act too will contribute to users with extensive needs, including many mentally retarded persons, receiving a more integrated, coordinated range of services.

- The Ministry of Health is to present a strategy plan to improve the child-habilitation service.

- The Ministry of Health is to review the adult-habilitation service. This review is to clarify the contents, expertise and capacity of this service.
The review is presumed to form a basis for further follow-up work.

- The Ministry of Health will assess how persons who are not themselves able to ask for health services when they require them, including many mentally retarded persons, can best be assured the necessary health assistance. In this connection, the Ministry will assess routines and expertise-enhancement measures to improve the health services offered.

- The Government will consider increasing the places offered under the labour-market project entitled Permanently Adapted Work. Active efforts must be made to discover whether several of those attending day centres can start to carry out sheltered work or ordinary jobs. In those municipalities where a large percentage of the mentally retarded persons have neither work nor a place at the day centres, active efforts must be made to discover whether there is a need to obtain work or a place at a day centre for more of these.

- The scope of the problems relating to holidays for persons with a reduced functional ability who have a great need for assistance is to be charted with the aim of finding schemes and models that can help to reduce the financial costs associated with holidays.

- The Directorate for Health and Social Affairs will be asked to encourage the systematic exchange of experience between municipalities linked to the “good examples”, ie, so that the municipalities can draw on the good experiences of other municipalities as regards the organisation and design of municipal services, such as practical assistance, social support/contact persons and relief care, including services to mentally retarded persons.

- The Ministry of Social Affairs regards it as important to develop methods and ways of increasing mentally retarded people’s right of self-determination, and to make efforts to ensure that the views of mentally retarded persons are heard. It is important to develop projects that can provide the municipalities with knowledge of how to pave the way for a greater degree of self-determination for mentally retarded people and to improve the expertise of personnel who work with mentally retarded people as regards encouraging mentally retarded people to decide over their own lives. The Directorate for Health and Social Affairs will be assigned the task of encouraging the development of such projects.

- The Ministry of Social Affairs will help to ensure long-term financing for the operations of the Coordination Council (SOR), which has been the most important player in paving the way for a socio-political debate on the living conditions of, and services for, mentally retarded people.
9 Children with a reduced functional ability and their families

9.1 A description of the situation

This chapter describes the situation for families that have children with a reduced functional ability, and an overview of measures that have been or will be implemented to ease the situation for these families.

The organisation of the help system/coordination of the services

Children with a reduced functional ability often require assistance from various parts of the public help system. Some have extensive and complex needs for assistance. Many families that have children with a reduced functional ability will need measures and services in several areas: health services in the form of medical help, psychosocial support, physiotherapy, technical aids, social services (relief care, social support/contact persons, etc), special-education help, kindergarten and school services, financial support schemes, transport, etc. This means that the families have to be in contact with many parts of the help system.

Parents and the organisations that represent and consist of persons with a reduced functional ability mention the lack of coordination of the services as one of the major weaknesses of today’s system. Families often experience that they themselves have to administer and coordinate the measures relating to the child. This takes time and resources and is often experienced as an extra burden on the families.

Recent research under the Welfare Programme shows that the parents of children with a reduced functional ability are not on the whole dissatisfied with the services they receive, but that they have to face a time-consuming process and many barriers to get the help they need. Most believe that the help they have received is a result of their own initiative and efforts.

The need for information and the expertise available in the help system

Many parents who have children with a reduced functional ability experience that the child’s condition is diagnosed at a late stage. The strain of having a child with a reduced functional ability is greater when the parents feel unsure, and when they do not know the child’s prognosis, treatment opportunities, rights, etc. The parents want earlier assistance relating to diagnoses and advice on medical treatment and educational measures. Diagnosis is important in order to provide a habilitation service that is as integrated as possible, but may also be crucial for achieving social security rights. It is also of major importance that the help system has sufficient expertise in and knowledge of various illnesses, conditions and function impairments, and how these can be treated. Many people point out shortcomings in the information on financial support schemes and the opportunities for practical help during an early phase. Obtaining thorough information at the right time helps to prevent the family from being worn out. Being able to exchange experiences with others in the same situation is felt to be valuable.

Mental and social consequences for the family

A child’s development and situation depend to a great extent on the security, care and encouragement provided by his/her family. Research results seem to indicate that this applies to an even greater extent to children with a reduced functional ability. Measures that can improve the parents’ situation will thus also have positive consequences for the child. The families often face so many practical challenges that they do not have the opportunity to deal with their reactions to having a child with a reduced functional ability. Having a child with extensive function impairments affects the entire family and the strain on the parents’ relationship can be great.

Health services

Children with a reduced functional ability need wide-ranging, planned, coordinated, long-term habilitation services. The municipal health service is responsible for medical services at the pri-
mary-health level and for referrals to necessary specialist services. Special departments in the specialist health service, including the hospitals’ paediatric departments, are an important resource as regards making diagnoses and providing treatment and habilitation. A close collaboration between the specialist health service and the municipal health service is often crucial. The habilitation service for children is a specialist health service that has been developed for children with serious function impairments and chronic illnesses. The habilitation service is a relatively new service and still seems to have shortcomings as regards many of the tasks that it has been assigned. In recent years, there has been increased demand for intensive training services, among other things.

An inter-ministerial report published in the autumn of 2002 points out that the National Support System for Special Education (Statped) and child habilitation service to a great extent provide help to the same user groups, that the cooperation between the two services is not very coordinated and that the services in part overlap.

9.2 Challenges, objectives and measures

The objective of providing services to families that have children with a reduced functional ability is that they are to receive services which are coordinated and adapted to the families’ needs, so that the families are made capable of caring for the child. Another objective is that the families, through the measures, are to have the opportunity to be able to take part in working life and have a social life outside the family. Most of the measures discussed in this section are described in greater detail under the chapter entitled Services.

Better coordination

Through the habilitation/rehabilitation regulations, the inclusion of the right to an individual plan in the health legislation and the extension of this to also apply to the Social Services Act, families that have children with a reduced functional ability will be able to receive a more coordinated range of services across sector and various service-system boundaries. The aim is also to implement a model experiment to develop a more coordinated range of services from relevant special-education expertise centres and the child habilitation service. The experience gained from the social security services trial scheme involving a permanent coordinator for social security cases (the Vestfold model) will be expanded to apply nationwide. Refer also to the description of SATS (the coordination of the Norwegian Directorate of Labour, the social security services and the social welfare services) and public service offices above.

Flexible services

Developing more flexible and individually adapted services is a major challenge, not least with regard to relief care and practical assistance. The Government will encourage the systematic exchange of experience between municipalities so that good experience of new ways to shape the services offered to families that have children with a reduced functional ability can be disseminated. A two-year commitment to conferences, seminars and information measures aimed at nursing and care managers and municipal caseworkers will be implemented, particularly linked to the adaptation of the municipal services to children with a reduced functional ability and their families. This commitment should include the experiences gained from the model experiments involving care-giver wages and from new ways of organising practical assistance, relief care and social support/contact. A training programme aimed at caseworkers who have a lot of contact with families that have children with a reduced functional ability is also to be prepared. This must be viewed in connection with other training measures for caseworkers.

Better information and expertise in the help system

The Government sees the need to develop better information and guidance on both the rights of and services available to families that have children with a reduced functional ability, and to improve the expertise of the help system in order to help the families to function in the best possible way.

The Learning and Mastering Centres throughout Norway are currently developing a programme for families that have children with a reduced functional ability. The aim is to create meeting places at these centres at which families can meet others in the same situation, obtain multidisciplinary expertise and information on treatments, rights and services, and learn more about
ways of tackling everyday life. A further education system has also been established for physicians and other health personnel regarding how to inform families that have children with a reduced functional ability of this diagnosis.

New information material will be prepared and updated, including a “parent guide” with an overview of all the services available to children and young people under the age of 18 years who have complex learning difficulties and a reduced functional ability. The Ministry of Social Affairs will also contribute to updating the information booklet entitled “disabled children’s rights” which may form part of the municipalities’ and specialist health services’ information material aimed at families that have children with a reduced functional ability.

**The families’ social and mental situation**

In order to ease the families’ social situation, a nationwide marriage/partner guidance service is now being established for the parents of children with a reduced functional ability. This is to be provided by selected family welfare offices. The project is also intended to contribute to the help system having an increased focus on and expertise in families in general, and the parents’ relationship in particular, as regards families that have children with a reduced functional ability.

The Escalation Plan for Mental Health has initiated a project involving “family centres” in six municipalities. These family centres are to be a low-threshold service and a meeting place that provides services such as preventative child welfare, preventative educational-psychological services, a child health clinic and family advisory services. An open kindergarten is to be at the heart of these centres. The aim is, among other things, to offer parental support and help to vulnerable groups of parents. Families that have children with a reduced functional ability who feel the need for support and assistance in a difficult situation in life will also be able to make use of these centres. A need has been pointed out for parents who have a child with serious function impairments to be offered the chance to talk to a social worker or other professional immediately, for example in the maternity ward. The regulations governing children’s stays in health institutions make it mandatory for health institutions to offer parents contact with a social worker, psychologist and other support personnel (§6) in such circumstances.

**Improved health service**

A strategy plan for the child-habilitation services will be presented in the autumn of 2003. This aims to improve the intensive training services offered and increase research and professional development in this field, among other things. The Ministry of Health will also consider how people who are not themselves capable of asking for health services when they need them, including mentally retarded children, can best be ensured the necessary health assistance. The Ministry will consider routines and expertise-enhancing measures to improve the health services offered. The Ministry of Health will submit a strategy plan for children and young people’s mental health in the autumn of 2003. This plan has been prepared through collaboration between six ministries. Through this plan, the Government wishes to focus on measures to prevent children and young people in the risk zone from developing mental disorders and on measures to improve conditions for those children and young people who do have mental disorders.

**Improved provision of technical aids**

In 2003, a number of measures will be implemented with the aim of providing technical aids for children more quickly and in a better way. A guide on children/young people and technical aids will be published for use by employees of the technical aids centres, users and parents of children with a reduced functional ability. As part of the work of enhancing the expertise in this field, a seminar is to be held for all employees that work with children’s aids in the technical aids centres. A separate national group working on children and technical aids is to be established within the technical aids administration system.

The technical aids centres are to conduct a survey in 2003 to reveal the time spent in the various parts of the chain of measures. This survey is to form the basis for implementing measures so that cases involving children are given greater priority in all parts of the process. The scheme of resting standby duty outside ordinary working hours to improve the emergency repair scheme will be extended to apply nationwide. This will also benefit children with a reduced functional ability who need special technical aids.

**Summary of measures – children with a reduced functional ability and their families:**
- The expansion of the legal authority for an individual plan.
- The Ministry of Health and Ministry of Education and Research are aiming to develop a model experiment to achieve a better coordination of the services offered by the special-education expertise centres and the child-habilitation service.
- The social security services will extend the scheme involving a permanent coordinator for families that have children with a reduced functional ability to apply nationwide.
- The Government is working on coordinating the welfare services through the SATS project.
- The Ministry of Social Affairs proposes implementing a two-year commitment involving conferences, seminars and information measures aimed at nursing and care managers and municipal caseworkers especially linked to the adaptation of services offered by municipalities to children with a reduced functional ability and their families.
- The Directorate for Health and Social Affairs will be asked to prepare a teaching programme aimed at caseworkers in municipal administration who have a lot of contact with families that have children with a reduced functional ability.
- Services for families that have children with a reduced functional ability are to be established by the Learning and Mastering Centres throughout Norway.
- A nationwide marriage/partner guidance service is to be established for parents that have children with a reduced functional ability.
- The various information and guidance materials aimed at these families will be updated and expanded.

- The Ministry of Health will present a strategy plan for the child-habilitation service in the autumn of 2003.
- The Ministry of Health will implement various measures to improve the health services offered to mentally retarded people, including children who are mentally retarded.
- The social security services will implement a number of measures so that child technical aids are distributed to the families in a better, quicker way, including extending the scheme of a resting standby duty at home outside ordinary working hours in order to improve the emergency repair scheme.
- The Ministry of Social Affairs will take the initiative to chart the situation regarding homes for children with disabilities to examine whether there is an increase in the number of children in such homes and to look at the services that are provided.
- The penal registration regulations were amended in May 2003 to allow municipalities to require a police certificate of good conduct (criminal record certificate) when employing people to provide services to minors pursuant to the Social Services Act. The Ministry of Justice and the Police is making efforts to achieve permanent statutory regulation of these matters.
- The Directorate for Health and Social Affairs has prepared a casework guide for use in municipal administration. The guide is to be followed up by advice and guidance from the regional public administration.
10 Administrative and financial consequences

The objective of the White Paper is to create a superstructure and provide a direction for the policy relating to persons with a reduced functional ability that covers most sectors of society. The policy relating to persons with a reduced functional ability is based on sector responsibility, which makes clear the frameworks for administering and financing tools and measures. Sector responsibility involves a clear responsibility and financing principle, which means that each ministry is to take the interests of persons with a reduced functional ability into consideration in its planning and budget work.

The White Paper refers in many contexts to reports and work on White Papers that are not yet completed. Some of the measures are the subject of on-going reports. In some cases, such reports may lead to proposals regarding increased costs. The Government will consider any need for funds in excess of existing limits in connection with the work on the individual White Papers. Any proposals regarding a change in priorities, etc, within existing limits in order to implement the proposals made in this White Paper will be submitted in Norwegian parliamentary bill (St. prp.) no. 1 for 2004.

*The Ministry of Social Affairs recommends:*
That the recommendation of the Ministry of Social Affairs dated 13 June 2003 to dismantle disabling barriers should be sent to the Norwegian Storting.