

Report on the social inclusion and social protection of disabled people in European countries

Country: Italy

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Background:

The [Academic Network of European Disability experts](#) (ANED) was established by the European Commission in 2008 to provide scientific support and advice to its Disability Policy Unit. In particular, the activities of the Network will support the future development of the EU Disability Action Plan and practical implementation of the United Nations Convention on the Rights of Disabled People.

This country report has been prepared as input for the *Thematic report on the implementation of EU Social Inclusion and Social Protection Strategies in European countries with reference to equality for disabled people*.

The purpose of the report ([Terms of Reference](#)) is to review national implementation of the open method of coordination in social inclusion and social protection, and in particular the National Strategic Reports of Member States from a disability equality perspective, and to provide the Commission with useful evidence in supporting disability policy mainstreaming.



Summary of changes since 2008

Housing and homelessness

In the last year, there have been no changes in the policies about housing. In general, people in need, including persons with disabilities, have a priority for a public housing. Responsibility in this area is devolved to subsidiary authorities. In the regional responses:

Veneto: A survey of homeless people in 2006/7 revealed the presence of 'psychiatric distress' (254 persons out of 1,691 in the sample) and 222 persons with 'health problems'.

Marche: there is a general commitment to guarantee every person rights through services accessible to all, to accompany and support the social reintegration of those at risk of exclusion, such as migrants, disabled people, ethnic minorities, the homeless, older people living alone, the unemployed, single-income families, etc;

Trento: General support services are provided (Family and Social Policy Division) for groups at risk of homelessness, including disabled people.

New strategies and actions for the inclusion of disabled people

The law No. 46, May 7th 2009, provides people with severe mobility impairments with the opportunity to vote from home, extending this beyond people who use electro-medical devices.

On August 4th 2009, the Ministry for Education, University and Research passed Guidelines on integrated education of students with disabilities. This measure aims to raise quality of teaching interventions for disabled students in primary and high schools.

New strategies and actions for inclusion are being developed; they are based on the biopsychosocial model and ICF and they aim to create an integrated network to provide fundamental services: at school or in employment, at home, for leisure, etc.

New changes in incomes, benefits and pensions

An important change in pensions deals with non-EU citizens; the Constitutional Court has established that Regions and Provinces cannot deny non-EU citizens pensions and other benefits on the basis that they do not have long-term permits to stay.

The Ministry for Health, the National Association of Italian Dentists (ANDI) and the Association of Italian Catholic Dentists (OIC) have signed an agreement fixing favourable prices for dental treatment, targeted at certain categories of citizens, including people with disabilities.

Additionally, in 2008, tax breaks for electricity and gas were established for poor families and for persons with disability who use electro-medical devices.

There are important changes to disability certification. From January 1st 2010, the INPS (National Institute for Welfare) will be included in the processing of disability certification. People with disability will submit requests for certification to INPS, which will be presented to the medical committee. This reform is contained in the law No. 102/09.

New changes in long-term care and support

In the last year, several projects about "Dopo di Noi" (After Us – After the Parents) and Independent Living have been initiated.

The situation is very varied in the whole territory of Italy. In fact, the Regions have a large degree of autonomy, with some areas more wealthy than others.

The only official reference to Independent Living is the proposal of law No. 1978 (December 3rd 2008) *“Disposizioni per il finanziamento di progetti di assistenza personale autogestita in favore delle persone con disabilità grave”*, in the field of severe disability and self managed personal assistance, which interprets the commitment of the National Movement for Independent Living.

Implications of the economic crisis

The only act brought into force, as a consequence of the crisis, is the decree-law No. 78, July 1st 2009, which became law No. 102, August 3rd 2009, called “anti-crisis”.

It is too early to say what this law means for social protection and inclusion of people with disabilities; it mainly aims to cut profligacy of public resources; for instance, a section of this law ratifies the simplification of some procedures for disability certification.

Social services have been cut because of the crisis and the non-self sufficiency fund is much too small and inadequate to respond to the needs of persons with disabilities.

PART ONE: SOCIAL INCLUSION PLANS (GENERAL)

1.1 Published plans for social inclusion and protection and major actions

Generally we can assert that people with disabilities do not have equal access to resources, rights and services. These services are very often lacking. The political process does not fully include disabled people; sector organisations and associations have advisory power but never the authority to make decisions. Art. 5 of Act no. 328 of 2000 obliges agreement between stakeholders, local authorities and social organisations like associations and cooperatives, but is currently not applied. At local level there have been some cases where various bodies have succeeded in realising a common policy, such as the case of educational inclusion for which there is collaboration among the ASL (Local Health Authority), the Ministry of Public Education (concerning teaching), local public transport companies, social services, etc.

The National Strategic Report on social protection and social inclusion for 2008-2010¹ seeks to 'consolidate a system of universal, selective and personalised social protection' in which equal opportunity for people with disabilities is one objective. There is some evidence of a positive trend in employment but also some concern that the number of disabled people employed is not high. It is reported that '712 424 people with disabilities were registered in the employment list in 2007 (9% more than 2006), and 31 535 disabled people held training for work contracts (13% more than in 2006). 51 out of 100 contracts were fixed term, and 26% were part-time' (p22). There have been some developments in targeted employment and some simplification of the administration of documentation required for support.

The act to ratify the UN Convention also included a provision to establish a new National Observatory on the Conditions of Individuals with Disabilities as a joint body for dialogue between central and local government institutions, disabled people, their families and associations, supported by research centres. It will promote implementation of the UN Convention, and plan a biennial action programme on rights and social integration. It will also collect statistics, promote research and report on progress. The new two-year action plan on disability rights and policies will assist in focusing priorities.

Act No. 46 of 7 May 2009 provides people with severe mobility impairments with the opportunity to vote from home, extending this beyond people who use electro-medical devices. On 4 August 2009, the Ministry for Education, Universities and Research published guidelines on the integrated education of students with disabilities. This measure aims to raise the quality of teaching interventions for disabled students in primary and high schools. There has been some attempt to mainstream non-discrimination and equality for disabled people in the National Strategy for use of the European Social Fund. There have been no developments in policies on housing. In general, people in need, including persons with disabilities, have priority for public housing.

New strategies and actions for inclusion are being developed based on the bio-psycho-social model and the World Health Organization's International Classification of Functioning, Disability and Health (ICF) and aim to create an integrated network providing fundamental services: at school or at work, at home, for leisure, etc. There has been a growing interest in using the ICF to inform assessments of need for services and support (based on national criteria for assessing self-sufficiency and personal circumstances). The issues of disability and self-sufficiency have been a considerable concern in the Government's proposals on the future of welfare.

¹ <http://ec.europa.eu/social/BlobServlet?docId=2550&langId=en>, see also the Fourth Report to the Parliament on the implementation of Act no. 68 of 12 March 1999, "Provisions for the right to work of people with disabilities", submitted by the Ministry of Labour, Health and Social Policy in 2008.

Other recent measures include a “non self-sufficiency fund”, to fund regional/provincial government to provide and improve care services (initially EUR 400m in 2009). Measures were introduced for housing to protect some vulnerable social groups from eviction (including people with disability assessed at 66% or more). However, welfare within the family is seen as a priority (p24), including development of temporary respite care in residential homes (p71).

The only act brought into force as a consequence of the economic crisis is Decree-Law No. 78 of 1 July 2009, which became Act No. 102 of 3 August 2009, known as the “anti-crisis” law. It is too early to say what this law means for social protection and inclusion of people with disabilities. It mainly aims to cut profligate use of public resources; for instance, a section of this law ratifies the simplification of some procedures for disability certification. However, social services have been cut, and the non self-sufficiency fund is much too small and inadequate to respond to the needs of persons with disabilities.

1.2 Research about disabled people’s equality and social inclusion

There are numerous publications on social equality and inclusion both on paper and available electronically. These include publications by the Erickson Study Centre², which works on the themes of the social rehabilitation and social inclusion of disabled people. It is involved in research, consultancy, and training of workers and administrators of social and educational services. Its publications (books, magazines, educational software and on-line services) particularly concern the integration of disabled people, learning difficulties, psychology and social work.

Another important centre for study, research and experimentation which works on education, the welfare system and personal services is the Emanuela Zancan Foundation³. This foundation has been operating for over 40 years and carries out its activities thanks to the collaboration of many Italian and foreign scholars and experts. It collaborates with state bodies, regions, provinces, health agencies, municipalities, universities, Italian and international study centres and private individuals. The books in the “Social Service Documentation” collection are very relevant; they are published periodically and deal with various topics, such as the employment and social position of people with disabilities, social services, operative instruments, local health agencies services, education, civil protection and voluntary service, integration of domestic help, integration of professionals, civil service, and welfare continuity.

Overall, these publications confirm a tendency towards a policy of increasing mainstreaming and towards better social inclusion in the community, especially concerning schooling (with Act 517/77) and the work environment (with Acts 68/99 and 104/92).

Another important aspect is double discrimination, where a person is discriminated against both on the basis of his/her disability and on the basis of other factors (gender, age, sexual orientation, origin, religion, etc.). However, this is often difficult to quantify because of the lack of words for expressing and denouncing it. In regards to this, some actions have been taken by the association DPI (Disabled People International).

Projects financed by the European Daphne Programme on measures to combat violence against children, young people and women have highlighted the problems of multiple discrimination, most notably the dual discrimination of being disabled and also a woman. DPI Italy has in recent years taken part in initiatives and organised activities to promote the education and advocacy of disabled women.

² <http://www.erickson.it/erickson/contentView.do;jsessionid=0569F693567A9C9A4E81D5E86D10F865?categoryId=27>

³ <http://www.fondazionezancan.it/>

One of the main developments of the last year that supports both social and workplace inclusion is the scientific approach of ICF that describes and measures health and disability worldwide. In Italy we find many examples this valuable tool being used, although its use is still patchy from a geographic point of view. The experience of the Piedmont region (in the north of Italy), and the provinces of Turin and Cuneo in particular, is important in this respect. Here several training courses for workers of educational, health and social services have been started. This tool has also been used to carry out many projects that support people with serious and very serious disability, in particular where home care services are present, both in private houses and in assisted housing and residential homes, in order to allow people with severe disabilities to improve their social integration. On 27 July 2008, the Regional Council of Piedmont adopted guidelines for projects already implemented and for testing new ones through Regional Council Decision No. 48.

In recent years the Ministry of Labour and Welfare has established more services with funding provided under Act 104/92. In 2009 EUR 10 861 692.42 was allocated (nearly twice as much as five years previously).

This year Decree-Law No. 78 of 1 July 2009, converted into Act No. 102 of 3 August 2009, will try to simplify some procedures for disability certification. From 1 January 2010, the INPS (National Institute for Welfare) also will be represented within the medical committee that establishes invalidity; persons with disabilities can apply directly to the INPS which works in connection with local health agencies in establishing the invalidity in order to save time and public money.

There is more positive news from the Piedmont region, which recently collected data on the certification of disability and disability through an information system called "Skills Passport". This information system collects various certifications in order to facilitate access to services by people with disabilities through simplification of administrative paths within healthcare local agencies and other bodies.

PART TWO: INCOMES, PENSIONS AND BENEFITS

2.1 Research publications (key points)

Italia Lavoro S.p.A. operates as a public instrument of the Ministry of Welfare for the promotion and management of actions in labour, occupation and social inclusion policies. According to the International Labour Organization's 2008 report, *The right to decent work of persons with disabilities*, published on the occasion of the international day of disabled people, disabled people (as a group) feel the effects of disproportionate levels of poverty and unemployment. It is necessary to understand that promoting the rights and dignity of people with disabilities means enriching individuals, society and the economy. In the reality of daily work, disabled people have to face difficulties of various kinds and degrees: low skilled and low income jobs and failure to achieve top positions in their chosen career. People with disabilities also face several logistic difficulties: in transportation (to reach their workplace) and in the office (prejudices among colleagues and the paradoxical risk of losing some benefits, such as disability allowance, as soon as they start the job).

The sixth report published by Caritas and the Zancan Foundation is entitled *Vite fragili, Rapporto 2006 su povertà ed esclusione sociale in Italia (Fragile life, 2006 report on poverty and social exclusion in Italy)*. This report focuses on the themes of social disadvantage and alienation in Italy. It focuses on the precarious situation and social vulnerability of children in their earliest years and of their families, focusing particularly on specific disadvantages (difficulties linked to originating from a different country, disability, school integration, etc.). The report analyses the current state of services and, for every problem examined, it presents proposals and solutions based on public involvement.

New changes in incomes, benefits and pensions

An important change in pensions affects non-EU citizens; the Constitutional Court has established that Regions and Provinces cannot deny non-EU citizens pensions and other benefits on the basis that they do not have long-term residence permits.

The Ministry for Health, the National Association of Italian Dentists (ANDI) and the Association of Italian Catholic Dentists (OIC) have signed an agreement fixing favourable prices for dental treatment, targeted at certain categories of citizens, including people with disabilities.

Additionally, in 2008 tax breaks for electricity and gas were established for poor families and for persons with disabilities who use electro-medical devices.

There are important changes in disability certification. From 1 January 2010, the INPS (National Institute for Welfare) will be included in the disability certification process. People with disabilities will submit requests for certification to the INPS, which will be presented to the medical committee that establishes invalidity. In the medical committee INPS is represented by a doctor. This reform is contained in Act No. 102/09.

2.2 Type and level of benefits (key points and examples)

There are different forms of pensions and benefits:

Monthly benefit (allowance):

This was instituted by article 13 of Act no. 118 of 30 March 1971 and successively re-defined by article 9 of Decree-law no. 509 of 23 November 1988). In 2008, the amount was EUR 246.73 per month paid 13 times a year.



Conditions of entitlement:

- between 18 and 65 years of age;
- being an Italian citizen living in Italy or a foreigner with a residence permit;
- having a certified degree of disability between 74% and 99%;
- having an annual income not exceeding EUR 4 238.26
- being unemployed.

The allowance cannot be paid if other invalidity allowances are supplied by other institutions, nor can it be paid if the disabled person is in receipt of war, work and service allowances.

By 31 March each year, recipients have to submit a periodic declaration relating to legal requirements for receipt of this benefit.

Attendance allowance:

This was instituted by Act no. 289 of 11 October 1990 to help minors. The amount for 2008 was EUR 246.73 per month.

Conditions of entitlement:

- up to 18 years of age;
- being an Italian citizen living in Italy or a foreigner with a residence permit;
- recognition as a “minor with persistent difficulties in carrying out functions typical of his/her age” (Act 289/90) or a “minor with a hearing loss of more than 60 decibels in the best ear”;
- attendance of any type or level of an educational establishment;
- attendance of a rehabilitation or vocational training centre, sheltered employment centre
- having a personal income of less than EUR 4 238.26 per year.

This allowance is provided for the entire length of attendance at a course, school or rehabilitation programme, and cannot be paid at the same time as the accompaniment allowance (see below).

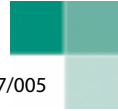
Accompaniment allowance:

Instituted by Act no. 18 of 11 February 1980. The amount in 2008 was EUR 465.09 per month, paid 12 times a year.

Conditions of entitlement:

- supplied independently of age;
- being an Italian citizen living in Italy or a foreigner with a residence permit;
- certified total invalidity, not being able to walk independently or without the help of a companion, or inability to perform the activities of daily living independently;
- not resident in an institution with the fee paid by the State.

The accompaniment allowance cannot be paid if the person is employed. It is provided for disability, regardless of income or age.



By 31 March of every year, recipients have to submit a periodic declaration relating to the legal requirements for receipt of this benefit.

Invalidity allowance:

Instituted by art. 12 of Act no. 118 of 30 March 1971. The amount for 2008 was EUR 246.73 per month paid 13 times a year. The only exception concerns totally blind people, for whom the invalidity allowance is EUR 266.83.

Conditions of entitlement:

- age between 18 and 65 years;
- being an Italian citizen living in Italy or a foreigner with a residence permit;
- having a recognised degree of invalidity of 100%;
- having a personal annual income of less than EUR 14 466.67.

This benefit may be paid at the same time as the accompaniment allowance to civilian invalids who are not able to walk or not able to perform the activities of daily living; but it is cannot be paid at the same time as other allowances granted for the same handicap caused by war, service or work.

Social allowance:

Instituted by Act 355/1995. The amount in 2008 was EUR 395.59 per month paid 13 times a year. When a disabled person reaches 65, the invalidity allowance is exchanged for the social allowance.

Besides the allowances above, people with disabilities benefit from tax relief for purchases and adaptations of goods such as vehicles; technical and technological information and computer assistance; housing adaptations; and for the elimination of physical barriers etc.

The approximate number of recipients is about 11-12% of the Italian population.

More detailed information can be found at:

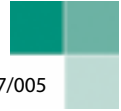
- www.handylex.org collects and explains every act regarding allowances and benefits due to disability
- www.inps.it: through its circulars, this government agency makes annual adjustments, where necessary, to the amounts of monthly allowances.

2.3 Policy and practice (summary)

Earning money and benefits for disabled people are not important political issues - they are very marginal. The annual Finance Act often simply reduces or limits budgets in these areas. However, a national fund has recently been instituted for non self-sufficiency (although the fund has a very limited budget).

There have been important cultural and political changes and modernisations introduced through policies, EU directives and the UN convention. These changes and modernisations vary from region to region, depending on decisions made locally.

The Government is working towards mainstreaming disability so that specific acts do not have to be passed for disabled people, but instead laws apply to everyone.



In general, there is no encouragement for disabled people to have a job; people with disabilities are regarded more as an expense than a resource for the community.

Today, allowance and benefits provided by law do not permit disabled people to live independently. Recently there has been discussion in Parliament about an act which could grant an increase of invalidity allowances, to about EUR 580 per month.

The financial system cannot cope with potential increases in the number of disabled people or the level of pensions.



PART THREE: CARE AND SUPPORT

3.1 Recent research publications (key points)

The project run by the Agenzia per la Vita Indipendente (Agency for an Independent Life) in the region of Lazio is very important. It was started after the implementation of Act 162/98, which permits assistance services to be self-managed by disabled people, through projects agreed in advance with the local municipality and the ASL (local health authority). The law's main intention is to encourage the development of an integrated system of services to non self-sufficient disabled people and to their families. This kind of system aims to realise synergies among all the parties involved, a system which provides different types of assistance to disabled people. It is intended to be a unitary system whose ultimate intention is to promote a culture of active and responsible citizenship of disabled people by their progressive involvement in designing their way of life.

The project runned training activities which aimed to qualify and re-qualify ten social workers (care assistant and volunteer). Other relevant activities were carried out in the areas of management analysis and re-organising services, in line with internal needs (employee and people satisfaction) and with market demand (client and social worker/care assistant satisfaction; disabled people/employer).

The project underlined the centrality of the disabled person, who can independently decide his/her life path and the allocation of essential services.

3.2 Types of care and support (key points and examples)

Nowadays the situation is defined by Act no. 328 of 2000, which marked a great cultural change in policies for people with disabilities. According to the current law, services to a disabled person should be provided in line with an individual life plan written by an integrated evaluation unit made up of the ASL (the local health agency), the municipality of residence, care assistant and the disabled person, on the basis of their residual abilities, evaluated according to the ICF and taking into consideration environmental factors.

The evaluation units work in the whole territory in order to provide complete, integrated services which take into account the real need of each disabled person.

Normally the disabled person should have the chance to choose personal assistance at home, rehabilitation services at home, or to use special structures such as RSAs (*residenze sanitarie assistite*) (assisted health residences) in which he/she can obtain specific services suitable for his/her kind of disability. Other structures are provided by the *Dopo di Noi* foundation under Act no. 162 of 1998 which modified Act no. 104/92, which a disabled person may use when no relatives can directly care for him/her.

Services provided differ between regions, which freely set their guidelines, but in general, according to national law, the Municipality office should supply services to everyone in accordance with its budget.

When specific types of services are not available but are specified by the individual life-plan, the Municipality office provides a budget to the disabled person so that he/she can pay the necessary amount.

The current system of care and support limit disabled people's choices about where they live. Some care services can be supplied only by fixed modalities different from region to region. This is especially due to the autonomous powers granted to the regions under Italian law.

In theory, disabled people can choose to manage their own finance for care and support. However, the general practice is for the Municipality office to supply services to the disabled person; the disabled person can freely choose how they spend their budget on these services. By way of exception, disabled people may buy in services when the service cannot be supplied by the same Municipality office or in case of experimental projects.

Quality of care and support depends a great deal on the financial resources of the individual disabled person or their family because the allowances and benefits provided by the current Finance Act are not enough to cover the expenses that a disabled person must cover.

In the last year, several projects have been initiated by *Dopo di Noi* (After Us – i.e. after parents) and Agency for Independent Living.

The situation varies across Italy. In fact, the regions have a large degree of autonomy, with some areas more wealthy than others.

The only official reference to Independent Living is Bill no. 1978 (3 December 2008) *Disposizioni per il finanziamento di progetti di assistenza personale autogestita in favore delle persone con disabilità grave*, on self-managed personal assistance for the severely disabled, which sets out the responsibilities of the National Movement for Independent Living.



PART FOUR: SUMMARY INFORMATION

4.1 Conclusions and recommendations (summary)

The situation has improved over recent years thanks to the implementation of Act no. 328/00, in which, for the first time, we find the concept of the personal life plan. This Act puts the person with a disability and his/her family at the centre of service planning and of the needs evaluation process. The disabled person becomes an active subject who decides what he/she needs and plays a central role in drawing up his/her own life plan.

However, services still need to be integrated in order to avoid problems with external coordination when putting the life plan into practice.

At the moment, the most commonly experienced problem is almost certainly multiple discrimination, which affects disabled people because of their disability and being women, immigrants, homosexual, Muslims and so on.

The entire community and policymakers must still work to produce necessary and urgently needed changes. The disabled person and his/her family have to be put at the centre of social and welfare policies, to be seen as active subjects in society, making an enriching contribution to society.

Moreover, it is necessary to give more protection and support to specific groups of people, such as those affected by multiple discrimination and particularly women with disabilities, who are still not visible enough in their daily life and who do not enjoy the same opportunities as other women and disabled men. The presence of deeply rooted prejudices that see them as “unsuccessful women” ignites violent actions towards disabled women without cause (for further reading on this important theme, see DPI Italia’s research in *Gender Identity and Disability*).

4.2 One example of best practice (brief details)

An important experience for Italy in the field of social inclusion is represented by the project *Consulenza alla Pari: un metodo per progettare una vita autonoma* (Peer Consultancy: a method for planning an autonomous life). It was financed by European Union under the programme *Action to favour peer opportunities of disabled people*. This project aimed to build the skills of people with disabilities working in Information and Documentation Centres on Disability or at the information desks of public Institutions. Contact with other disabled people in these contexts had revealed the need to provide a service that responded to the complex need for autonomy. The project was based on the belief that it is very important for the person to revise his/her views of disability in order to develop his/her life autonomously. The project involved in a training activity 24 disabled people (20 students and 4 tutors) from four regions in central and southern Italy (Lazio, Campania, Calabria and Sicily). The participants came from areas where disabled people face a high degree of discrimination and social exclusion, where the non-existence or shortage of services makes it very difficult for a disabled people to have a chance to experiment with self-sufficiency and independent living. The aim of the project was to build empowerment through peer consultancy in order to support autonomous and independent living by people with disabilities.

Not all students reached the skill level required to become a “peer counsellor”; in fact only 50% of them obtained certification. However, all of them drew up an individual autonomous life plan.

For several years DPI Italia has promoted this methodology to organisations of disabled people and their relatives and to bodies and services providing career advice and employment placement for people with disabilities. Their methodology has also been disseminated in universities.

The most significant example of best practice, and perhaps also the most unique, is at the University of Calabria, where peer consultancy has been included among services for disabled students for several years, as provided by Act 17/99. Through this service the University continually aims to increase students' social inclusion, paying close attention to their potential, transforming every limit into a stimulus to reveal and enhance individual capacities.

4.3 References

Websites with general information and specific publications on disability:

www.erickson.it
www.superando.it
www.disabili.com
www.superabile.it

www.fondazionezancan.it
www.italialavoro.it
www.unicef.it

Websites with examples of good practice, including in the sector of disability:

www.osservatorionazionalefamiglie.it
www.abcsardegna.org
www.lechiavidiscuola.it

Websites of organisations of disabled people which publish real-life stories:

www.dpitalia.org

Barbuto R., Ferrarese V., Griffo G., Napolitano E. and Spinuso G. (2006) *Consulenza alla pari. Da vittime della storia a protagonisti della vita*. Comunità Edizioni.

www.vitaindipendente.net

Law web sites:

www.handylex.org
www.inps.it
www.lavoro.gov.it