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PRINCIPLES
Preliminary remarks

Since 26 March 2009, the UN Convention on the Rights of Persons with Disabilities (UN CRPD) has been enshrined in German law. It pursues the objective of equality for persons with disabilities by formulating and specifying human rights applicable to all persons.

The UN CRPD sets out binding rules governing participation by persons with disabilities. This group of persons also extends to those injured in occupational and commuting accidents or affected by occupational diseases. In Germany, the German Social Accident Insurance is responsible for this group.

Besides state authorities, certain bodies in Germany incorporated under public law, such as the German Social Accident Insurance Institutions, are also required to implement the UN CRPD. These bodies are among those with a particular responsibility for assuring welfare and health. The German government draws attention to this fact in its memorandum on the UN Convention on the Rights of Persons with Disabilities (BT Drs. 16/10808, p. 59).

Action plans with concrete targets, measures and campaigns have the purpose of translating the spirit and provisions of the UN CRPD into specific and binding action. On 15 June 2011, the German government adopted a National Action Plan for implementation of the UN CRPD. The plan was developed under the overall responsibility of the Federal Ministry of Labour and Social Affairs (BMAS) and is to be implemented within a timeframe of ten years. The Action Plan is linked at several points to the German Social Accident Insurance.

The German Social Accident Insurance (DGUV), the umbrella association of Germany’s statutory accident insurance institutions, has drawn up an Action Plan of its own in close co-operation with the BMAS. The DGUV Action Plan serves as a mandate for anyone involved in implementation of the UN CRPD. The DGUV will launch and implement this Action Plan. It is however conscious that not all objectives will be attainable.

Part 1 (Principles) describes the relevance, approach and structure of the DGUV Action Plan. Part 2 (Issues, targets and measures) elaborates upon the plan. Part 2 formulates 73 campaigns, measures and projects, which are assigned in turn to 12 targets within five issues. Building upon this, Part 3 (Implementation of the Action Plan) contains the main principles for implementation of the DGUV Action Plan, i.e. the responsibilities, schedule and evaluation.

This philosophy is reflected in its activities, both internal and external. The purpose of the UN Convention on the Rights of Persons with Disabilities is therefore consistent with this guiding concept, and the DGUV Action Plan builds upon an approach that has already proved effective. At the same time, it would be premature to assume that the core principles of the UN CRPD are already reflected in the day-to-day work of the parties to the German Social Accident Insurance.

With this Action Plan for implementation of the UN CRPD, the DGUV is paving the way for an even more progressive social insurance. It addresses the individual accident insurance institutions, their facilities and their partners. All of these, including funding bodies and service providers, and whether involved in prevention, rehabilitation or compensation, are able to learn from each other. Furthermore, they should learn in their day-to-day activities for example from persons with disabilities, who are the de-facto experts in the issues concerning them. This method of participation will further strengthen the competence of the German Social Accident Insurance.

With its Action Plan, the German Social Accident Insurance aims to make a sustainable contribution of its own to achieving an inclusive society. Its guiding concept has always been that of placing the focus upon human beings.

The Action Plan puts the UN Convention on the Rights of Persons with Disabilities in the spotlight for the German Social Accident Insurance during the latter’s daily work. The measures build upon existing structures. The DGUV Action Plan thus contributes to a change in attitude through which as many people as possible regard implementation of the UN CRPD in their day-to-day work as a continual process of change towards an inclusive society. With its Action Plan, the DGUV aims to raise awareness and give appropriate consideration to diversity among persons with disabilities.

The UN CRPD promotes a paradigm shift with a legal basis. It gives new impetus to the assurance of equality – whether social, legal or ethical – for persons with disabilities. The DGUV intends to exploit this impetus for its Action Plan. It seeks to keep its social insurance services in step with the times. As an employer of some 15,000 people in total, this naturally involves inclusive thought and action.

3) Partners of the German Social Accident Insurance include contractual partners, service providers such as accident insurance consultants, and partners in joint activities, such as the Federal Working Group for Rehabilitation (BAR).
In recent years, public policy has increasingly taken up the demands of the disability movement for normalization, self-determination and participation. The focus now increasingly lies upon the self-determination of insured individuals. The DGUV Action Plan draws attention to this development and offers a reliable framework by which it can be consolidated. The UN Convention on the Rights of Persons with Disabilities places the legitimate demands of persons with disabilities in the wider sphere of human rights. Its implementation is a long process and builds upon the groundwork already completed.

**Progress already made ...**

With introduction of the ninth German Social Code (SGB IX), enacted in 2001, Germany formulated legislation for the first time according persons with disabilities a right to participation in social life. In other areas, too, much is changing. For thirty years, measures have been taken to remove physical barriers, lower kerbs, install ramps or lifts, and equip pedestrian crossings with signals for the blind and visually impaired, in order to provide mobility for people with visual or mobility impairments. More and more local public transport services are now accessible to these people. Under the new concept, it is the environment that must change, and not the individuals with disabilities.

**... and what still needs to be done**

However, persons with disabilities continue to be excluded from society, and their participation is not taken for granted. They are still insufficiently involved in planning and decision-making. Many persons with disabilities find it difficult to find a job on the primary labour market. Working life in Germany is not yet structured such that persons with disabilities are automatically included in it. Workplace organization is part of the problem. These, and other barriers, are familiar to the German Social Accident Insurance, not least through its activities for vocational re-integration following an occupational or commuting accident. Barriers are not only physical in nature, however. Non-disabled people continue to regard a life with a disability in the first instance as one of suffering and to focus upon the deficits, rather than considering persons with disabilities as part of human diversity and with potential to contribute. A long and difficult road must be followed before the requirements of the UN Convention on the Rights of Persons with Disabilities are implemented.
Guiding principles of the UN Convention on the Rights of Persons with Disabilities

The UN CRPD does not contain a conclusive definition of disability, such as that found in Section 2 of the SGB IX. Instead, it makes full, effective and equal participation the measure of the concept of disability.

People are disabled when the interaction between their long-term physical, mental, intellectual or sensory impairments and various barriers hinders their participation. The comprehensive definition of disability formulated in the UN CRPD extends beyond the legal definition: it includes the sick, those needing care, in early retirement, and the aged (Schmidt-Ohlemann 2010), and shifts the focus to the physical barriers and those caused by attitudes in the non-disabled environment. This concept corresponds to the “biological/psychological/social” model of the World Health Organization’s International Classification of Functioning, Disability and Health (ICF) (WHO 2004). Individual and environmental aspects are to be accorded the same prominence as the medical aspects.

The UN CRPD provides information, first on how environmental barriers can be removed, and second on how greater recognition can be given to persons with disabilities, irrespective of their ability. It aims to contribute to something being achieved which should in fact be taken as a given: persons with disabilities being respected with their full potential as a valuable part of society. The UN CRPD regards persons with disabilities as a normal part of human diversity and an enrichment to our society. In order to establish this attitude in human minds and actions, clichés and prejudices must be broken down.

Important elements of the UN CRPD are approaches such as inclusion, universal design, and disability mainstreaming:

- With the terms inclusion and inclusive society, the UN CRPD pursues its objective of largely avoiding special systems for persons with disabilities. Inclusion means full participation and involvement in society, and participation in processes from the outset. Inclusion primarily requires efforts by society to adapt (Kohte 2011). Exclusion is avoided from the outset. In order for this principle to be accorded full importance in development of the DGUV Action Plan, the DGUV formed a Participation Advisory Committee at the preparatory stage. Persons with disabilities and their associations enjoy equal representation on this committee.

- Inclusion means organizing the underlying conditions in such a way that people with and without disabilities are able to participate in sports together. In a school context, inclusion means changing the school system, rather than schoolchildren with disabilities having to adapt to the existing system. Within the scope of the services that it provides, the German Social Accident Insurance is able to promote inclusive approaches, and together with its partners, to reinforce and support efforts for inclusion.

- A further important aspect of the UN Convention on the Rights of Persons with Disabilities lies in the promotion of universal design. Universal design means that products, buildings, forms of transport, etc. are designed such that they can meet the most diverse requirements possible. This is frequently to everyone’s advantage. When buses or trams are suitable for use by wheelchair users, for example, they are also easier to use by people pushing prams, or by older people who have difficulty walking. The same principle applies to the design of workplaces and schools. The German Social Accident Insurance and the corresponding state institutions are to be exert a not inconsiderable influence here.

A third important aspect and one running throughout the UN CRPD is that of disability mainstreaming. It is important not only to identify the needs common to people with and without disabilities, but also to create a perspective on disability at points where up until now, no such perspective has existed. This means extending awareness of the UN Convention on the Rights of Persons with Disabilities beyond people who are familiar with the topic of disability. In relation to the German Social Accident Insurance, this means that the work conducted successfully to date, for example in rehabilitation or in support for the Paralympic Games, must be continued, but that more far-reaching efforts must also be made. For example, persons with disabilities are to be involved in the future, for instance in prevention campaigns, and the principles of the UN CRPD are to be considered in training courses for employers, doctors and safety experts.

4) (i) A person is disabled when a high probability exists of their physical function, mental faculties or mental health deviating from the norm for their age for longer than six months, and of their integration into the community being impaired as a result. Should this impairment be anticipated, they face the prospect of disability (unofficial translation).
Towards the Action Plan

The guiding principles of the UN Convention on the Rights of Persons with Disabilities as referred to above illustrate the need for action in many areas of life. At the end of 2010, the Governing Committee of the DGUV issued a mandate to the administration to develop a DGUV Action Plan for implementation of the UN CRPD.

The Action Plan was to be tailored to the scope of the DGUV and was to give consideration from the outset to the perspective of persons with disabilities. The IMEW (Institut Mensch, Ethik und Wissenschaft) and the Institute of Work and Health (IAG) of the DGUV supported the process.

At the beginning of development of the DGUV Action Plan, the individual accident insurance institutions and in particular the clinics of the German Social Accident Insurance Institutions for trade and industry were first consulted at the end of October 2010 regarding the state of implementation of the UN CRPD and their proposals for campaigns and measures. The responses from the German Social Accident Insurance (DGUV; German Social Accident Insurance Institutions for trade and industry and for the public sector; institutes; clinics) were encouraging, and varied widely. Many of these institutions already have examples of good practice and projects for implementation of the UN CRPD’s targets, and have no shortage of ideas for improving the existing structures and projects.

For preparation of a workshop held in Dresden on 8 February 2011, civil society was then consulted in the form of welfare and disabled people’s associations. The motto “Nothing about us without us” had already become the leitmotif during development of the DGUV Action Plan. Besides the service providers, associations of persons with disabilities and chronic diseases were therefore consulted in particular. They too contributed ideas for issues to be addressed by a DGUV Action Plan.

Funding bodies, service providers and people with particular expertise in the area of disability – whether through their experience with their own disabilities and/or their scientific or policy work in this area – then discussed the DGUV Action Plan at the workshop in Dresden. In five working groups set up for the various issues, the measures and campaigns proposed by the German Social Accident Insurance were discussed specifically.

In May 2011, the Governing Committee of the DGUV released the draft of the DGUV Action Plan for internal discussion. The measures listed in the second part of the Action Plan were then substantiated, prioritized and declared binding by the responsible bodies at the DGUV. For substantiation of the measures, a standard form was used on which the measures and the relevant competencies were clearly formulated and set out in order to make target attainment verifiable.

5) The IMEW is an independent research institute which gives particular consideration to the perspectives of persons with disabilities and chronic illnesses. Its vision is for these perspectives to be routinely adopted universally: in research, policymaking and society.

6) For details of the substantiation phase, see 3.2.
Structure of the Action Plan

The German Social Accident Insurance has many ideas and considerable potential for implementing the UN Convention on the Rights of Persons with Disabilities. This has been shown not least by the feedback received in recent months.

Analysis of the proposals made by the DGUV and by welfare and disabled people's associations suggested that dividing them into five issues would be advantageous. These issues are those of awareness-raising, access, participation, individualization and diversity, and life environments and inclusion. On the one hand, these issues cover essential targets of the UN CRPD; on the other, they offer a strategy for thinking beyond the individual competencies of the DGUV (prevention, rehabilitation, compensation, communication). The synthesis of these competencies, created through their delivery “from a single source”, which enjoys a high priority at the German Social Accident Insurance, is thereby promoted.

In Part 2, at the heart of the DGUV Action Plan, the German Social Accident Insurance set itself two to three targets for each issue. It will not be able to attain all targets on its own, but will frequently need partners and allies. The 12 targets are summarized in Annex 1. The campaigns, measures and projects listed in Part 2 include some degree of overlap, and the catalogue of 73 proposals derived from the field work of the accident insurance institutions and the welfare and disabled persons’ associations will require review of its feasibility and prioritization in the implementation phase. This will be the task of the DGUV bodies and the individual accident insurance institutions within the three-year timeline of the Action Plan. The catalogue of issues, targets and measures forms the basis of the DGUV Action Plan.

Criteria for the Action Plan and its implementation

The DGUV Action Plan is geared in its procedure, structure and measures to the recommendations of the body responsible for monitoring implementation of the UN CRPD in Germany. This body is maintained at the German Institute for Human Rights. The monitoring body has been mandated by parliament to observe the process of the UN CRPD’s implementation.7

- In order to permit evaluation of the progress made as a result of the Action Plan, a status review (description of the problem and examples of good practice) is to be conducted at the beginning of the individual measures.
- Within the specific competencies in the German Social Accident Insurance, a comprehensive approach will be adopted.
- The planned evaluation will enable implementation of the Action Plan to be reviewed, and ways in which it can be developed further will be identified.

ISSUES, TARGETS AND MEASURES
Accordingly, the DGUV Action Plan aims to create a bridge between the spirit and content of the UN CRPD and the parties active within the German Social Accident Insurance. It therefore contains numerous proposals for measures by which awareness of the UN CRPD can be raised within the DGUV, and the paradigm shift thereby accelerated for participation by persons with disabilities on equal terms. The mandate for awareness-raising is also enshrined in the UN CRPD itself.

Respecting and enhancing the dignity and social esteem of persons with disabilities are core aspects of the UN CRPD. With its ratification of the convention, Germany has undertaken to eliminate clichés and prejudices regarding persons with disabilities. The UN CRPD does not regard disability as a negative or defective deviation from normality; instead, persons with disabilities are regarded as a part of human diversity and valued as a cultural enrichment. This means for example presenting persons with disabilities as routinely as possible in the media; they should not be presented solely in relation to their disabilities or to the subject of disabilities in general. In addition, it is crucial to this attitude towards disability to explain clearly the interaction between impairment and the environment which gives rise to it. A wide range of activities are required in order for awareness to be created of the abilities, rights and dignity of persons with disabilities, and to break down prejudices. The UN CRPD makes reference to campaigns and training in this context. With its general objective of developing an inclusive society, it also has the effect of raising awareness.

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The targets in the issue of awareness-raising

Two targets in particular arise for the German Social Accident Insurance in relation to the issue of awareness-raising:

1. The content and targets of the UN Convention on the Rights of Persons with Disabilities are communicated by the German Social Accident Insurance in all areas of the organization, both for its staff, and for its institutes and partners.

2. It is perfectly natural for persons with disabilities to be presented in public-relations and communication activity.
Issue 2: Accessibility

Reflecting the experience that has been gained repeatedly by the German Social Accident Insurance in the adaptation of workplaces, access plays an important part in the DGUV Action Plan. Both the environment and communications must be readily accessible for persons with disabilities.

In this context, it is important to consider different forms of impairment. Buildings must be accessible for people in wheelchairs or with impaired vision. Accessible communication does not mean merely that websites are accessible; it also means publications, in clearly comprehensible language, relevant to the target group concerned.

The mandate for barrier-free organization of the world of work is also enshrined in the UN CRPD. As a signatory to the UN CRPD, Germany has undertaken to create equality of access for all people to the physical environment, transportation, information, communications, education and training, and work. Access is not only beneficial to persons with disabilities. People pushing prams, carrying heavy luggage, or with the impaired mobility of old age frequently also face barriers. Accessibility is not limited to access for wheelchair users to buildings via ramps and lifts. Barriers take many forms, ranging from steps, through a lack of sign-language interpreters, to lifts without announcement of the floor number. In other words, the implementation of accessibility must consider the interests of people with sensory impairments just as much as those of people with cognitive and physical disabilities.

The targets in the issue of accessibility

Two targets in particular arise for the German Social Accident insurance in relation to the issue of accessibility:

3. Barrier-free communication for people with various disabilities is progressively developed further.

4. A barrier-free environment (working premises, educational establishments, own buildings, infrastructure, etc.) is created progressively for the employees of the statutorily insured companies and institutions, their insured individuals, and their partners.

Further development of barrier-free communication

In line with the UN CRPD, the German Social Accident insurance aims in its internal and external communications and also in conjunction with its contractual partners to develop accessibility further. This particularly entails:

- The development of guidelines for barrier-free communication within the DGUV and its member institutions, with a particular focus upon the diversity of individual disabilities.
- Accessibility of the DGUV’s website and of those of its member institutions, with particular consideration for the diverse interests of all persons with disabilities.

Organization of an accessible environment

In accordance with the UN CRPD, the German Social Accident Insurance organizes accessible extension and conversion of its own buildings, those of service suppliers, in the world of work, in the education sector (children’s daycare facilities, schools, vocational colleges, universities, etc.). Prevention and rehabilitation go hand in hand. They contribute to workplaces on the primary labour market being accessible to the largest possible group of people. In accordance with the UN CRPD, the German Social Accident insurance will, within the scope of its responsibilities, endeavour to ensure that roads, paths, squares, forms of transport, and leisure facilities are constructed or converted so as to be accessible. In particular:

- Consideration is given to accessibility standards during new construction and conversion work by the DGUV and its member institutions.
- The UN Convention on the Rights of Persons with Disabilities is to be integrated into public-relations activity
- Information is produced and disseminated on the implementation of various aspects of accessibility (workplace design, event planning, etc.) in the member companies of the German Social Accident Insurance, and related advice is provided.
The German Social Accident Insurance is dependent upon persons with disabilities, and their associations, as experts in the subject. It is for example important for the DGUV and its member institutions to know that the efforts they make for individuals insured against accidents are actually in the latter’s interests.

Customer surveys are therefore growing in importance. However, in order to ensure that such surveys cover the aspects of importance to the insured individuals, the latter are to be involved in developing the questionnaires. This is a form of participation.

Encouraging approaches are already emerging in co-operation between the German Social Accident insurance and persons with disabilities. This is also confirmed by the feedback. Persons with disabilities are invited on a case-by-case basis to speak at further training events, and groups representing severely disabled persons are involved systematically. This is participation in action. Much still remains to be done, however. The slogan “Nothing about us without us” is not yet a universal reality, and persons with disabilities are by no means automatically involved in decision-making processes.

During creation of the UN Convention on the Rights of Persons with Disabilities, an aspect was implemented that has since become one of its core principles: participation by persons with disabilities. For the first time in the history of the UN conventions on human rights, civil society, and in particular persons with disabilities and their associations, were closely involved in the development of a convention in all phases and at all levels. The UN CRPD is to replace a policy of paternalism with one of participation and self-determination.

Accordingly, frequent reference is made within the UN Convention on the Rights of Persons with Disabilities to the concept of participation: in relation to the right to live independently and to be included in the community (Article 19), in education (Article 24), in the retention of good health (Article 25), in habilitation and rehabilitation (Article 26), in participation in political and public life (Article 29) and in cultural life (Article 30). One important principle is that of reinforcing self-determination.

Participation may take many forms. Some of the articles of the UN CRPD referred to above, such as Article 26, refer to peer support, i.e. the supporting of persons with disabilities by other people with disabilities. As peers, persons with disabilities are particularly important to others in the same situation. For people confined to a wheelchair after an accident, personal contact with others who have already been through this experience is very important. Doctors and nurses are not fully able to understand the situation’s impact upon an individual. In the past, persons with disabilities were rarely involved as peers in the German Social Accident Insurance; this is to change.

The targets in the issue of participation

Promotion of participation for persons with disabilities gives rise to three targets in particular for the German Social Accident Insurance:

5. Participation in processes by persons with disabilities is reinforced. This is achieved by the involvement of self-help groups, representatives of severely disabled persons, and persons with disabilities, acting as experts on their own situations.

6. The German Social Accident Insurance promotes consultation and the pooling of experience between individuals who have suffered an occupational or commuting accident and other persons with similar disabilities (peer principle).

7. The persons with disabilities, i.e. the individuals insured against accidents, are assigned an active role in the definition and assurance of quality standards.
Recruitment of persons with disabilities as peers

In order to promote the supporting of persons with disabilities by others in the same situation in the interests of empowerment and in accordance with the UN CRPD, the German Social Accident Insurance is extending its activities in this area. It is doing so in particular by:

- Producing and disseminating self-help materials
- Networking with associations of persons with disabilities in the area of self-help

Involvement of persons with disabilities in the quality standards

The German Social Accident Insurance considers the perspectives of persons with disabilities to be an important indicator of the efficacy and efficiency of its therapeutic treatment and services for furthering participation. Accordingly, this group is involved in the defining and assurance of quality. This is implemented in particular by:

- Development and application of surveys of the insured individuals
- Consideration for the perspectives of persons with disabilities in research and evaluation measures

Participation by persons with disabilities

The German Social Accident Insurance promotes participation by persons with disabilities in accordance with the UN CRPD. This is assured above all by:

- Closer co-operation between the DGUV and self-help groups
- Systematic involvement of persons with disabilities in the activities
- Involvement of persons with disabilities as experts on their own situations

Persons with disabilities are not a homogeneous group. If, as the German Social Accident Insurance intends, the human factor is to be paramount (see 1.2), it follows that consideration must be given to the needs of the individual, and that measures must be developed tailored as closely as possible to occupational reintegration.

Article 26 of the UN CRPD concerning habilitation and rehabilitation places particular emphasis upon individual needs and strengths. The preamble of the UN CRPD draws attention to the diversity of persons with disabilities. This aspect is developed further in specific articles, such as those concerning women and children with disabilities.

The targets in the issue of individualization and diversity

Two targets arise above all for the German Social Accident Insurance in relation to the issue of individualization and diversity:

- The German Social Accident Insurance builds upon the principle of individualization. The insured individuals and their needs are both the starting-point and the yardstick for the selection and planning of its measures. Participation by the insured individuals in working life and in the community is reinforced in particular, not least through the diversity of the services (see Issue 5).

- The German Social Accident Insurance addresses the diversity among the persons with disabilities by a corresponding diversity in its service provision (see Issue 5). Its services reflect not only the diversity of the forms of disability, but also and in particular the needs of women/girls, children, migrants and their families, and people requiring care.

Issue 4: Individualization and diversity

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Consolidation of individualization

The German Social Accident Insurance builds upon the principle of individualization. This means that the insured individuals and their needs are both the starting-point and the yardstick for the selection and planning of its measures. This is implemented in particular:

• In the rehabilitation process and planning of it, in the selection of the service providers, and in the support provided for vocational participation following an insured event.
• By application of the existing legal instruments, such as the personal budget and the right to express and exercise personal choice.

Consideration for diversity among persons with disabilities

In order for the diversity among persons with disabilities to be addressed in all services, particularly the rehabilitation services for the delivery of which it is responsible, the German Social Accident Insurance develops measures following the ICF’s biological/psychological/social model. Besides diversity in the forms of disability (including cognitive impairments), it particularly addresses the interests of the following groups of insured individuals:

• Women/girls with disabilities
• Older persons with disabilities
• Children with disabilities
• Migrants and their families with disabilities
• People with disabilities who are in need of care, and their dependants

Issue 5: Living environments and inclusion

Whereas the fourth issue is intended to draw attention to the insured individuals and their needs, the fifth issue places the focus upon the environment: that of the company, the school and the community.

Living environments should be designed such that they can be used by people with and without disabilities at the same time. Services should if possible be sufficiently accessible for persons with disabilities and their families to be able to reach them from their living environments without unreasonable cost or effort. For these objectives to be attained, they must be considered at an early stage in planning measures. By its very nature, the concept of inclusion arises in numerous articles in the UN CRPD: in the areas of education (Article 24), work (Article 27) and leisure, for example sports (Article 30).
The German Social Accident Insurance promotes the development of an inclusive world of work and education. It lobbies for safe and healthy working conditions, including for persons with disabilities. It supports the principle of inclusion in children’s daycare facilities, schools, institutes of higher education.

**10th target**

**The targets in the issue of living environments and inclusion**

The issue of living environments and inclusion gives rise above all to three targets for the German Social Accident Insurance:

10. The DGUV is increasingly working to bring about an inclusive world of work. It plays its part in promoting the concept of inclusion in educational establishments (children’s daycare facilities, schools, institutes of higher education).

11. The German Social Accident Insurance is stepping up its activities in the area of services for an inclusive community, for example in the area of sports and leisure, and in particular regarding activities in which people with and without disabilities participate together.

12. The German Social Accident Insurance ensures that its services are as accessible and available as possible with respect to the living environments of persons with disabilities. This also includes rural areas.

**11th target**

**Promotion of a diverse and inclusive world of work and education**

The German Social Accident Insurance promotes the development of an inclusive world of work and education. It lobbies for safe and healthy working conditions, including for persons with disabilities. It supports the principle of inclusion in children’s daycare facilities and other educational establishments. In order to attain its targets, the DGUV will:

- Review and if necessary revise standards and regulations within its own scope with regard to how they address the specific needs of persons with disabilities; beyond that, lobby for the revision of acts, ordinances and standards.
- Through its presence on state committees, lobby for consideration to be given to the particular needs of persons with disabilities.
- Increasingly integrate the perspectives of persons with disabilities in current and future activities, including those in the area of prevention, and in new research projects.

**12th target**

**Strengthening of activities for an inclusive community**

The German Social Accident Insurance is working towards providing persons with disabilities with equal access to sports activities and to cultural and social events. For the attainment of an inclusive society, the focus lies in particular upon promoting activities in which persons both with and without disabilities participate together. In addressing the specific needs of individuals with disabilities, the German Social Accident Insurance particularly concentrates upon:

- Sports activities in which persons both with and without disabilities participate together, and popular sports for persons with disabilities
- Scope for stronger promotion of participation in the community, beyond the area of sports

**Accessible services of the German Social Accident insurance**

The German Social Accident Insurance reviews how it can put its services within reach of where people live, even in rural areas, and what can be done to improve accessibility, in order for services for persons with disabilities to be present, accessible and available when they are needed.
IMPLEMENTATION OF THE ACTION PLAN
Summary

The 73 campaigns, measures and projects (summarized as measures) of the present Action Plan are not isolated elements. Despite or indeed because of the efforts to structure five generic issues and 12 targets (see Annex 1), some overlap arises.

The 73 campaigns, measures and projects (summarized as measures) of the present Action Plan are not isolated elements. Despite or indeed because of the efforts to structure five generic issues and 12 targets (see Annex 1), some overlap arises. Training courses and consulting measures for example can be assigned to the issue of awareness-raising, and also to other issues. Other generic concepts, such as that of "peers", are also encountered, and many measures that are assigned accordingly to several issues could also be grouped under this heading. In addition, the structure of the DGUV Action Plan could attach greater importance to people’s situation in life, i.e., their age or social environment. The classification selected here is based upon the conviction that the target concepts taken from the UN CRPD for the issues support an approach that encompasses all aspects of the DGUV’s activity. This integrative approach has proved effective in recent months. A very ambitious catalogue of measures has been produced. Realistic priorities must therefore be set for its implementation. There are two possible reasons for according high priority to a measure. It may be particularly suitable either owing to the ease with which it can be implemented, for example because willingness is particularly strong, or because it continues and consolidates the existing situation; or because it is particularly important. At the same time, it must be considered that the current situation differs from one area of the DGUV’s activity to the next. Despite the binding status of the DGUV Action Plan, it is possible that not all measures are equally suited to all areas of activity.

Some measures are projects with a defined time limit; others involve the launching of longer-term processes. In others still, the DGUV is breaking new ground. Publications in simplified language, for example, have not been produced before now. The concepts will first have to be developed in some cases. Many of those involved are not aware of what the peer principle means, the benefits that it offers, and how it can be combined with the existing structures. Conversely, measures which are based in particular upon proposals originating from within the German Social Accident Insurance can frequently build upon existing structures and projects. In the education sector and in consultancy, for example, differentiated services are already available which can be adapted with relatively little effort.

Substantiation phase

In accordance with the decision in principle taken on 25 May 2011 by the DGUV Governing Committee, the various steering committees in the DGUV, its members and its institutes have substantiated and prioritized the measures set out in the DGUV Action Plan, have made them binding, and have defined how they are to be implemented (top-down principle). Some of the measures have already been launched. Measures which raise as yet unanswered questions, for example regarding financing, have been made the subject of a study in order for the formulation of details to be completed later.

Many measures can be implemented directly within the German Social Accident Insurance, i.e. independently of third parties. These measures contain obligations for the DGUV, individual social accident insurance institutions for trade and industry and for the public sector, the clinics and the institutes to take action and make changes themselves. This includes, for example, involving people in processes or discussing the UN Convention on the Rights of Persons with Disabilities in committees, in order to determine what specific contribution can be made to implementation.

However, the German Social Accident Insurance will not be able to implement all targets and measures formulated in its Action Plan on its own; it needs partners and allies at national, regional and company level. Standards and ordinances can be changed only by state bodies; co-operation with the German Federal Ministry of Labour and Social Affairs (BMAS) is therefore possible within the foreseeable future.

The Action Plan is the expression of a serious endeavour on the part of the German Social Accident Insurance to make its own contribution to implementation of the UN CRPD. The plan is to have an effect not only internally, but also publicly.
of crucial importance. In addition, the concept of an inclusive world of work can and should be made reality only in companies, in conjunction with the social partners. The Conference of the German Ministers of Education and Cultural Affairs is a crucial partner in the promotion of inclusive schools. Measures relating to sports are developed together with service providers, such as the DBS, the German disabled sports association. It goes without saying that civil society, particularly the organizations for persons with disabilities, will be an important partner in implementation of the plan.

Implementation phase

The implementation phase will begin in January 2012 in accordance with the decision taken by the DGUV Governing Committee on 29 November 2011. This assures the binding status of the DGUV Action Plan, and at the same time that it will be flexible and dynamic. During the third year, the DGUV Governing Committee will evaluate the final report. Based upon the results of the final report, decisions will be taken on whether the targets and measures have been achieved, what experience has been gained, and how the DGUV Action Plan should be continued in 2015 and beyond.

In both phases, the implementation process must be co-ordinated and pursued and responsibility accepted for it in accordance with the top-down principle. Overall responsibility lies with the Governing Committee of the DGUV, and by analogy with its members. The process is supported by a steering committee and project groups. Contacts will also be identified for implementation of the DGUV Action Plan in various areas of the DGUV, in the German Social Accident Insurance Institutions for trade and industry and for the public sector, and the DGUV’s clinics and institutes. These individuals will also be responsible for producing the above interim and final reports on implementation of the UN CRPD in the areas for which they have responsibility. For this purpose, the steering committee defines harmonized requirements, and will receive ongoing support from the IMEW (Institut Mensch, Ethik und Wissenschaft).

Organizational structures

Implementation of the DGUV Action Plan is a horizontal task for all bodies of the DGUV and its member institutions.
Participation

Persons with disabilities and welfare and disabled persons’ associations will continue to be involved in implementation of the DGUV Action Plan.

This is already evident from the fact that one of the five issues bears the heading “Participation”. Numerous measures are to be implemented in conjunction with persons with disabilities. For this reason, their inclusion:

- will involve the Participation Advisory Council (see above), which will continue to monitor implementation; this will be necessary at least once a year for presentation of the results of the evaluation, and in addition on an ad-hoc basis;


- will take the form of an annual event concerning selected topics from the DGUV Action Plan; this will be attended by the accident insurance institutions and by representatives of civil society, such as service providers and persons with disabilities.

The third issue in particular, that of participation, supports the competence of the German Social Accident Insurance and its institutions. Participation makes their efforts to create individual, workplace-oriented solutions for persons with disabilities more effective and more convincing.

Evaluation of implementation of the Action Plan

Essentially, the objective is for the DGUV to make a serious contribution of its own towards an inclusive society, consistent with its philosophy of placing human beings at the heart of its activities (see 1.2). Its commitment to these values is reflected in all its prevention, rehabilitation and compensation services.

The parties to implementation of the DGUV Action Plan are at the same time the target groups of the evaluation, specifically:

- The DGUV
- Its member institutions, i.e. the individual accident insurance institutions
- Their facilities (clinics, training and research institutes)
- Partners (occupational physicians, FASI (the industry association for occupational health and safety), doctors, etc.)

The starting-point is a common understanding of evaluation as the explicit and systematic application of (social) scientific research methods for the description and assessment of certain objects or measures for the purpose of target formulation, planning, setup and performance, and effectiveness and efficiency. Evaluation of the DGUV Action Plan is intended:

- To support the National Action Plan of the German government with a contribution by the DGUV itself (legitimation function)
- To test implementation of the Action Plan on a broad scale (monitoring function)
- To develop recommendations (bottom-up principle) for adaptation of the Action Plan (optimization function)

The following questions are to be answered by means of suitable methods during the evaluation of the DGUV Action Plan:

1. How is the Action Plan communicated within the German Social Accident Insurance?
2. How are the competencies for the Action Plan assigned?
3. Who is involved in the Action Plan?
4. In what form and intensity are parties involved in the Action Plan?
5. How is the Action Plan evaluated within the German Social Accident Insurance?
6. What importance is attached to the Action Plan?
7. How have the measures of the Action Plan been implemented? What progress has been made with implementation in the five issues and with regard to the targets?
8. What factors are beneficial/hindrance during implementation?
9. What effect has the Action Plan had, i.e. what effect have the measures had within the five issues?
10. What scope exists for optimization/support during implementation of the Action Plan?

The questions show clearly that the focus of evaluation lies less upon evaluation of the results, and more upon the process of implementation of the DGUV Action Plan. Selective conclusions will be drawn concerning the effect of the Action Plan, but do not constitute the focus, since its effect is dependent upon numerous factors over which the parties involved within the German Social Accident Insurance often have no influence. In addition, other Action Plans, such as that of the German government, have an impact upon the DGUV Action Plan, making the effect of the latter difficult to measure.

In order to answer the questions and to record the evaluation criteria, two study instruments have been selected.

### Status surveys

**Status surveys** are performed simultaneously at annual intervals of all responsible persons at the DGUV, the contacts at its member institutions, their institutes and partners: in brief, of all stated parties involved in the targets and measures of the DGUV Action Plan. Only the status of measures that have already been launched is surveyed. The survey takes the form of a checklist in Excel format which is sent to specific contact persons with the request for completion. The survey records the progress of target attainment and of implementation of the individual measures, and also any further campaigns and measures. The status survey is a contribution to mandatory reporting by the individuals responsible.

The status survey is measure-specific, as it surveys implementation of individual measures; at the same time it is also measure-independent, since it openly surveys new measures and makes reference to the targets of the DGUV Action Plan (see Annex 1). Primarily quantitative data are recorded describing the status of implementation.

### Issue-specific focus groups

The focus groups are a method for the preparation, performance and interpretation of subject-oriented group discussions for the purpose of obtaining data. The discussions are held with selected persons (6 to 8 participants per group) who are able to contribute different perspectives on the subject (representatives of the various target groups described above). The persons are selected with reference to criteria defined in advance and derived from the question. The focus groups are held in parallel sessions, i.e. several groups discuss a topic at the same time. A broad snapshot of opinion is obtained as a result. The focus groups should be heterogeneous and distributed across all issues. Approximately five group discussions are conducted simultaneously at a given time of measurement. The focus groups are conducted annually. With the support of a moderator or team of moderators, each group discusses the role, status, progress, and perceived effect of one specific issue of the DGUV Action Plan.

The focus groups will primarily conduct their discussions independently of specific measures. The discussions will be minuted and recorded. This will yield qualitative data which will then be interpreted. Further methods are also employed to obtain responses to questions 1 to 4 above; these include document analysis and interviewing of experts.

The benefits of these planned evaluation methods are in particular the following aspects:
Evaluation does not attempt a comprehensive study of the effectiveness in society, since distinguishing the effects of the Action Plan from those of external influencing factors is not possible, as already stated. In addition, the large number of measures acting upon various areas of work and life prevent an evaluation result from being attained at reasonable cost. The effects observed are recorded selectively in the focus groups.

Evaluation does not employ the traditional instrument of a questionnaire. Firstly, the issues are difficult to quantify, for example on scales of 1 to 5. Secondly, this is a very sensitive topic and one which could lead those questioned to give what they consider to be the expected or politically correct response. The confidential atmosphere that is created in the focus groups is intended to assure a high degree of openness and transparency.

The following diagram illustrates and summarizes the focus of the evaluation. The level of target attainment and the perceived effects are recorded qualitatively (symbolized by the arrows), beginning with the key aspect of implementation of the measures and further campaigns.

Minor costs will be incurred for example when bodies within the DGUV address implementation of the UN CRPD, and when persons with disabilities are presented in a prevention campaign. Where the content of training courses is brought into line with the spirit of the UN CRPD, the cost of creating a module will increase slightly. The existing training facilities of the DGUV can however be used for this purpose. Additional costs will therefore be either minimal or cross-functional.

Some campaigns can however be completed only with a certain additional financial outlay. This is the case for example when new buildings are built such as to be accessible. In these cases, the German Social Accident Insurance relies upon experience showing that the additional expenditure remains moderate when this principle is observed in planning from the outset. A basic principle is that for all measures, consideration has been given to keeping costs low, but that additional expenditure may nevertheless arise under some circumstances. This reflects the seriousness with which the German Social Accident Insurance intends to implement the Action Plan.

Where measures entail additional expenditure by third parties, the success of the measure will depend in part upon whether these parties are convinced of the measure’s value. The measures therefore cannot and will not be specified by the DGUV. Where the measures in the DGUV Action Plan are conducted in conjunction with partners (see comment 3, p. 7), for example with the Federal Working Group for Rehabilitation (BAR), synergistic effects may be anticipated, and the costs can be shared between the partners. Costs also arise for external monitoring (IMEW, Participation Advisory Council, evaluation).

During their implementation, the majority of measures will entail little or no additional cost for the German Social Accident Insurance, its member institutions and facilities.
Its expectation is that its contractual partners will observe the Action Plan and that strategic partners will join in supporting the DGUV. The DGUV Action Plan represents a further important innovative step for the German Social Accident Insurance. Implementation of the UN CRPD will take time, in the DGUV as elsewhere. An optimistic approach must therefore provide an interim presentation and appraisal of the achievements already made, and not merely of what still remains to be done. The various parties to the DGUV Action Plan are free at any time to go above and beyond what is required in it: whilst the DGUV Action Plan is intended to be binding upon the German Social Accident Insurance in order to demonstrate dependability, it is at the same time flexible, thereby permitting a dynamic process of change in people’s consciousness.

Future prospects

With its Action Plan, the German Social Accident Insurance aims to make a binding contribution to an “inclusive” society, to bring about change within its own spheres of activity, and to provide impetus for other parties.
Annex 1: Summary of issues and targets

Issue 1: Awareness-raising

Target 1: Communication of the content and targets of the UN Convention on the Rights of Persons with Disabilities
Target 2: Routine presentation of persons with disabilities in public-relations and communication activities

Issue 2: Access

Target 3: Further development of barrier-free communication
Target 4: Organization of an accessible environment

Issue 3: Participation

Target 5: Participation by persons with disabilities
Target 6: Recruitment of persons with disabilities as peers
Target 7: Participation by persons with disabilities in the quality standards

Issue 4: Individualization and diversity

Target 8: Consolidation of individualization
Target 9: Consideration for diversity among persons with disabilities

Issue 5: Living environments and inclusion

Target 10: Promotion of a diverse and inclusive world of work and education
Target 11: Strengthening of activities for an inclusive community
Target 12: Accessible services of the German Social Accident insurance

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Kothe, Wolfhard (2011): Die Relevanz der Behindertenschutzkonvention für die Gesetzliche Unfallversicherung aus der rechtlichen Perspektive, paper delivered at the DGUV workshop in Dresden on 08.02.2011.


