



Citizens **Information** Board
information · advice · advocacy

Entitlements for People with Disabilities



2010
European Year
for Combating
Poverty and
Social Exclusion

Preface

This is the thirteenth edition of *Entitlements for people with disabilities* published by the Citizens Information Board. The Board is the national agency responsible for supporting the provision of information, advice and advocacy services to members of the public on a wide range of public and social services. The Citizens Information Board has a particular remit to help people with disabilities to identify and access their entitlements.

The Citizens Information Board supports the network of Citizens Information Services and the national Citizens Information Phone service (Lo-call 1890 777 121). It provides information on rights and entitlements on the Citizens Information website (**citizensinformation.ie**).

The Citizens Information Board gratefully acknowledges comments from the Department of Social Protection and the National Disability Authority during the compilation of this publication.

Please note that this booklet is intended as a guide and does not cover legislative provisions in detail.

September 2010

Frequently asked questions

Q: I find all the different disability payments very confusing. Where can I find help with figuring out what I'm eligible for?

A: Chapter 2 in this book covers the main disability payments. Your local Citizens Information Centre may also be able to help you. You can drop into your nearest centre and experienced staff will take you through your options. They can also help with filling out forms and contacting the relevant government departments and agencies.

Q: I had an accident at work and my doctor says that I won't be able to work again for some time. What are my options and what payments am I eligible for?

A: Because your accident took place at work, you may be eligible for an Occupational Injuries Benefit (OIB). The OIB scheme is described in Chapter 2.

Q: I was in a bad car accident two years ago and have not been able to work since. I'd like to get back to work but I'm worried about losing my Disability Allowance?

A: You can do rehabilitative or therapeutic work with the permission of the Department of Social Protection and earn up to €120 a week without affecting your payment. If you earn over €120 half of any earnings between €120 and €350 will be disregarded in the means test. You can find out more about working while getting a disability payment in Chapter 12.

Q: My child has learning difficulties. I'd like to find out what supports are available for her at school?

A: The Citizens Information Board's booklet *Entitlements for children with disabilities* covers education for children with disabilities.

Q: I'm getting older and I had a bad fall recently. Now I am having difficulty getting up the stairs at home. I would like some information about adapting my home to help me cope with my reduced mobility?

A: You will find information on schemes that may be relevant to you in Chapter 9.

Q: I'm at home caring for my mother who has Alzheimer's disease. What supports are available?

A: You may be eligible for Carer's Benefit or Carer's Allowance depending on your social insurance record and your means. Chapter 4 gives details of the supports available to carers.

Q: I applied for a social welfare payment and I was turned down. I don't think the decision was fair. What can I do?

A: You may be able to appeal the decision to the Social Welfare Appeals Office depending on the payment. Chapter 14 gives information on complaints and appeals.

Q: Are there any specialised disability support organisations?

A: A range of organisations represent and advocate on behalf of people with disabilities. We mention many of them in the text of this book and you will find a list in Appendix 1.

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Introduction

If you have a disability, you are entitled to benefits and supports specifically related to the disability. These supports serve a range of purposes – some aim to help ensure a basic standard of living, some give support to people with disabilities in employment and others are designed to help people with a specific disability.

In this booklet, we look at the full range of supports in detail. We explain each benefit including the purpose of the payment, how you qualify, how long the payment lasts, other key points about the payment you may need to know, how you apply and where to go for further information.

You may also be entitled to other financial help – for example if you have a low income, have children or are an older person. We cover these supports in brief in Chapter 3 and direct you where you can find further information. People who care for people with disabilities are entitled to supports in their own right and Chapter 4 covers entitlements for carers. We also outline the rights and entitlements of people with disabilities in relation to health, transport, education, employment, housing, taxation and the law. Complaints, appeals and the role of the Ombudsman are dealt with in Chapter 14.

The National Disability Strategy was launched in September 2004 to improve the lives of people with disabilities in Ireland. Some of its provisions are currently on hold due to the economic downturn. There is a commitment in the revised Programme for Government to publish a National Disability Strategy Recession Implementation Plan. We outline the main provisions of the Strategy in Chapter 15.

New National Advocacy Service

The Minister for Social Protection announced recently that a new National Advocacy Service for people with disabilities is to be set up under the Citizens Information Board and managed through five Citizens Information Services across the country. The new Service will provide independent, representative advocacy for people with disabilities. It builds on the work of the pilot advocacy programme which involved 46 programmes nationally and ran for five years. It is planned that the National Advocacy Service will be in place from January 2011. The new Service will give a voice to people with disabilities who are isolated in the community or who are living in residential institutions and who cannot represent themselves. It will also provide a more general service for people with disabilities through Citizens Information Services

Citizens Information

Citizens Information Services (CISs) provide free, confidential and impartial information on all aspects of rights and entitlements. A nationwide network of 42 CISs delivers information from over 200 locations throughout the country. Each CIS is an independent organisation and all are funded and supported by the Citizens Information Board, the statutory body which promotes and supports the delivery of information, advice and advocacy on social and civil services to the public. Further information is available from your local Citizens Information Service (CIS). Visit **citizensinformation.ie/servicfinder** to find your nearest CIS.

When necessary, staff can help you access your entitlements by contacting government departments or other agencies. They also help people who are appealing against decisions and can advocate on their behalf.

You can also call the Citizens Information Phone Service (CIPS) on Lo-call 1890 777 121 or contact CIPS by email at **information@citizensinformation.ie**. The phone service is available from Monday to Friday, 9.00am to 9.00pm.

Online information is provided on the Citizens Information website **citizensinformation.ie** which gives detailed information on all public services including the benefits and entitlements covered in this booklet.

The Money Advice and Budgeting Service

The Money Advice and Budgeting Service (MABS) is a free, independent and confidential service for people who are in debt or at risk of getting into debt. MABS is funded and supported by the Citizens Information Board.

MABS offices operate on an appointment system. You can find contact details for all the MABS offices on the MABS website (**mabs.ie**). MABS also run a lo-call helpline available from 9am to 8pm, Monday to Friday: 1890 283 438. Clients can make appointments with a local office through the lo-call number.

Feedback

We hope that this guide will be useful for people with disabilities, their families and carers, information givers and the general public. We would welcome any comments or suggestions you may have. There is a feedback form at the end of this booklet. Send feedback and comments to:

Information Publications

Citizens Information Board
George's Quay House, 43 Townsend Street, Dublin 2.

Email: publicationsfeedback@ciboard.ie

Chapter 1

Qualifying for benefits

Your first step before applying for any benefit is to find out which payment you may be entitled to. This can depend on your social insurance record, your means and your circumstances. This chapter outlines the conditions attached to many of the payments for people with disabilities.

We also cover the general process of applying for a payment, scheme or service. In order to get any benefit, you must apply for it. If you think you may be entitled to any benefit, you should apply unless you are absolutely sure that you do not qualify. Spouses and partners may apply separately, as in some cases they may be individually entitled.

While most payments are made by the Department of Social Protection (DSP), the Health Service Executive (HSE) is responsible for the Blind Welfare Allowance, Mobility Allowance and Motorised Transport Grant.

Types of payments

There are two main types of cash payments:

- » **Social insurance payments, based on Pay Related Social Insurance (PRSI) contributions.** You are eligible for social insurance benefits, which are not means tested, if you satisfy

specific PRSI contribution conditions, as well as any other conditions attached to the payment. These other conditions vary, depending on the payment you apply for.

- » **Means-tested social assistance payments, for those whose income is below a certain level.** Your eligibility for means-tested payments depends on your income and assets as well as other conditions attached to the payment.

There are also universal payments paid regardless of your social insurance record or income that only requires that you satisfy specific personal circumstances – for example, Child Benefit. To receive Child Benefit, you must have a child dependant living with you as defined in the social welfare legislation and satisfy the habitual residence condition.

Once you reach the age of 66, your specific disability payment ceases. You may then be eligible for a State Pension. It has been announced that the government intends to increase the pension age to 68.

PRSI contributions

We outline the contribution conditions we consider to be the most important below.

Number of contributions

For most social insurance payments, you must satisfy two conditions:

- » Firstly, you must have a minimum number of weeks of PRSI contributions paid
- » Secondly, you must have a minimum number of weeks of PRSI contributions paid and/or credited in the relevant tax year

Chapter 1 Qualifying for benefits

For most claims in the year 2010, the relevant tax year is 2008. For Invalidity Pension, the relevant tax year is 2009. For State Pension (Contributory) purposes, you require an average number of PRSI contributions every year from 1979 or, alternatively, over your working life. Occupational pensions are not subject to social insurance contributions. They may be liable for the Health Levy (see Chapter 10) but this does not help you qualify for a pension.

Credited contributions

Credited contributions (credits) are social insurance contributions which are awarded to you without a PRSI payment. They protect your social insurance entitlements during illness or unemployment when you may not be able to pay contributions. For example, you are automatically given credits if you get Illness Benefit or Invalidity Pension. Credited contributions may be awarded to eligible carers getting Carer's Allowance, Carer's Benefit, or caring for people getting Prescribed Relative Allowance – these credits are granted when the caring period ends. Credits help you to qualify for pensions or other payments.

The general rule about credits is that you cannot be awarded credits if you have a gap of more than two consecutive tax years in your insurance record (that is, you have no paid or credited contributions). However, this rule is waived if you were receiving 'Homemaker's Years' immediately before claiming the allowances – see below.

If you retire early, you should make sure that you do what is required to keep your contribution record with the Department of Social Protection up to date. If you retire before age 65, and are still looking for work, you should sign on at your local social welfare office for credits. If you retire on health grounds or become ill after retiring, you should send in medical certificates to the Department of Social Protection.

Homemaker's Years/Credits

You may be able to avail of the Homemaker's Scheme, if you gave up work to care full-time for a child or children up to 12 years of age or an incapacitated child (12 years or over) or an adult who needs full-time care or attention. This means that the years spent working in the home (since April 1994 when this provision was introduced) are disregarded when calculating your average contributions for pension purposes.

To benefit from this scheme, you must have worked and paid PRSI at class A, E, H, or S before reaching the age of 56. Note: You may be eligible for Homemakers Credits for the tax year in which you stopped work or if you are jobsharing to look after children or a person with a disability. It is proposed that this homemaker's disregard will be replaced by a new system of credited contributions in 2010 under the new National Pensions Framework.

To apply, you should register with the Homemaker's Section, Social Welfare Services Office, Gandon House, Amiens Street, Dublin 1 within one year of becoming a homemaker. You do not have to register if you are getting Carer's Allowance or Child Benefit (in your name).

Voluntary contributions

If you are aged under 66 and you cease to be compulsorily insured, you can opt to become a voluntary contributor in order to keep up your entitlement to Widow/er's Pension (Contributory) and State Pension (Contributory). You should check with the Department of Social Protection as to whether you need to make the extra contributions.

A new universal social contribution is proposed for 2011. This will replace employee PRSI, the health levy and the income levy. Details will be announced in Budget 2011.

Means tests

A means test investigates whether you are able to support yourself from your own assets and/or income and what amount of payment, if any, you may qualify for. If you are eligible for a payment, the weekly rate of payment depends on how much your weekly means have been assessed as. If you have some means, your payment may be reduced. If you have no means, you are generally eligible for the maximum payment.

Means tests are complex. In the Department of Social Protection means test, your income from virtually all sources is taken into account. If you have money in the bank, the Department does not look at the interest you receive, but it does assess the capital involved in accordance with set rules. It is difficult for an individual to assess their own means accurately. That is why it is so important to apply – you may qualify.

The Health Service Executive (HSE) operates different means tests. In general, it also takes all income into account. We describe the income guidelines for medical cards in Chapter 6.

Assessment of capital and savings

The formula used for all social welfare payments (except Disability Allowance and Supplementary Welfare Allowance) is set out below.

Capital	Weekly means assessed
First €20,000	Nil
Next €10,000	€1.00 per €1,000
Next €10,000	€2.00 per €1,000
Balance	€4.00 per €1,000

For example if you had savings of €38,000 in the bank and are single this would mean that you are considered to have weekly means of €26. If you are married or cohabiting with another person as husband and wife then you are assessed with half of your joint capital.

For Disability Allowance, the first **€50,000 of capital** is not taken into account

The formula used for Supplementary Welfare Allowance is as follows:

Capital	Weekly means assessed
First €5,000	Nil
Next €10,000	€1.00 per €1,000
Next €25,000	€2.00 per €1,000
Balance	€4.00 per €1,000

The assessment only applies to units of €1,000, so all amounts should be rounded down to the nearest €1,000.

Means assessment

When you apply for a means-tested payment, you are told that your means have been assessed as a certain amount. If you are dissatisfied with that assessment or you require clarification of it, you should contact the Department of Social Protection. If you have done so and you are still dissatisfied, you may appeal against the decision to the Social Welfare Appeals Office. We cover complaints and appeals in detail in Chapter 14.

Habitual residence condition

A habitual residence condition applies to Child Benefit and the following means-tested payments:

- » Jobseeker's Allowance
- » State Pension (Non-Contributory)
- » Blind Pension
- » Widow/er's Pension (Non-Contributory)
- » Guardian's Payment (Non-Contributory)
- » One-Parent Family Payment
- » Carer's Allowance
- » Disability Allowance
- » Supplementary Welfare Allowance (other than once-off exceptional and urgent needs payments)
- » Domiciliary Care Allowance

Habitual residence means you have a proven close link to Ireland. If you have lived in Ireland all your life, you will probably have no difficulty showing that you satisfy the factors which indicate habitual residence.

Although the term 'habitually resident' is not defined in either Irish or EC law, the following five factors, which have been set down in Irish and European law, will be examined to find out if you are habitually resident in Ireland:

- » Length and continuity of residence in the State or other parts of the Common Travel Area
- » Length and purpose of any absence from the State
- » Nature and pattern of employment
- » Your main centre of interest
- » Your future intention to live in the State as it appears from all the circumstances

Claiming a payment

Most social welfare payments are paid by the Department of Social Protection. However, there are exceptions. You must apply to the Community Welfare Officer (CWO) in your local health centre for Supplementary Welfare Allowance, Rent Supplement or Mortgage Interest Supplement.

Personal Public Service (PPS) Number

You also need your PPS Number when making a claim. The Personal Public Service (PPS) Number is your unique reference number for all dealings with the public service, including social welfare, tax, education and health services eligibility. (It was formerly known as the RSI number.)

You already have a PPS Number if you have been employed since 1979 or you are getting a social welfare payment. Prior to 1979, national insurance numbers were used. When the Pay Related Social Insurance (PRSI) system was introduced in 1979, the old insurance number was replaced with an RSI number.

All children are now automatically allocated a PPS Number when their birth is registered, when a Child Benefit claim is made for them, or when they are claimed as a qualified child for a social welfare payment. If you do not have an RSI or PPS Number, you should contact your local office of the Department of Social Protection to register for a PPS Number. You need a long version of your birth certificate and evidence of your identity, for example, a passport or driving licence or other photo identification. You also need evidence of your address, for example, a household bill in your name (in the case of adults).

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Medical assessments

Some payments require evidence of your disability. Sometimes your own doctor (GP) can supply a certificate, and sometimes a medical assessment by another doctor is needed. If you are called for a medical assessment you must attend. Otherwise, you may be at risk of losing your payment. You can bring extra information about your disability to show the Medical Assessor. If you are called for a medical exam and cannot attend, or if you need help regarding your exam, contact:

Medical Review and Assessment Section

Department of Social Protection
157–164 Townsend Street, Dublin 2.
Tel: (01) 673 2125

Receiving payments

You can find information on the different payment methods for each scheme in the social welfare booklet describing each payment or from your local social welfare office. We cover how you can nominate another person as an agent to collect your payment if you are unable to do so in Chapter 13.

Rates of payment

The table at the back of this booklet shows the maximum rates of the most important payments for people with disabilities.

Rates are liable to change. The Citizens Information Board will publish an insert to this booklet with updated rates after each Budget. You can also check citizensinformation.ie or contact the Department of Social Protection for the most up-to-date rates.

The maximum rates of means-tested payments are paid to people who have little or no means. It is possible to have substantial savings and still qualify for some level of payment.

The maximum rates for social insurance payments are paid to people who have a full social insurance record. The minimum rates are paid to people who have just enough contributions to qualify. Illness Benefit and Jobseeker's Benefit are reduced if your average weekly earnings in the relevant tax year were below a certain level (currently €150 per week).

Many social welfare payments such as Invalidity Pension and Blind Pension are taxable. Others such as Disability Allowance are exempt from tax. We explain the taxation system in Chapter 10.

Dependants: qualified adults and qualified children

If you qualify for a social welfare or HSE weekly payment, you normally get extra amounts added to your payment for your adult and child dependants. This extra amount is referred to as an increase.

Increase for a Qualified Adult

An adult dependant, also known as a qualified adult, is usually a spouse but can be the person you are living with as husband or wife. The rules governing dependency are quite complex. In general, spouses or partners are regarded as dependants by the Department of Social Protection if

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they are not getting a social welfare or HSE payment in their own right or have income of less than €100 per week. In these circumstances, you receive the full increase for a dependant with your payment.

If your spouse or partner has an income of more than €100 per week, the increase is paid at a reduced rate until this income exceeds €310 per week. This applies to Jobseeker's Benefit, Illness Benefit, Pre-Retirement Allowance (a scheme that has been closed to new applicants since 2007), Occupational Injuries Benefit, Incapacity Supplement, State Pension (Contributory), State Pension (Transition) and Invalidity Pension.

If you qualify for an increase in your social welfare payment for an adult dependant, it will be paid directly to you as part of your main payment. However, if you both consent, you can have the increase paid directly to your adult dependant. If you are getting any state pension, the increase for a qualified adult is automatically paid directly to your adult dependant. This only applies to applications for state pensions received by the Department on or after 27 September 2007.

Increase for a Qualified Child

Increases are paid for child dependents, known as qualified children. You get the full rate of increase for a child dependant, if you qualify for a qualified adult increase for your spouse or partner or if you are a lone parent. The qualified child increase is paid in full until the income of your spouse or partner exceeds €310 per week. If you and your spouse or partner are each getting a social welfare payment you each get half the increase. With Illness Benefit, Jobseeker's Benefit, Injury Benefit, Incapacity Supplement and Health and Safety Benefit, a half rate is paid only where the spouse or partner has income of €400 or less. From January 2010, all qualified child increases are €29.80 per week.

Further information

The Department of Social Protection (DSP) publishes detailed information about each payment. The Department also publishes general booklets. If you are not familiar with the system, the most useful of these booklets are *Guide to Social Welfare Services (SW 4)* and *Rates of Payment (SW 19)*. You can get information booklets and claim forms:

- » At your local social welfare office or
- » Online at **welfare.ie** or **citizensinformation.ie**

In the case of HSE payments you can get information from:

- » Your Local Health Office, or
- » The HSE information line on lo-call 1850 24 1850, or
- » Online at **hse.ie**

We also direct you to further information about each benefit in the relevant section.

Chapter 2

The main disability-related payments

Your disability may be short-term or permanent, it may be related to your work or it may be a condition you have lived with all your life. You may have paid social insurance contributions or you may not. All these circumstances make a difference to your entitlements. Sometimes you start on one benefit and move on to another if your disability is long term. In this chapter, we describe the main payments for people who have a disability or who are sick.

Illness Benefit and Invalidity Pension are based on PRSI contributions i.e. they are schemes that apply to insured workers – but not to the self employed. Illness Benefit is intended for those with a short-term illness. Invalidity Pension is a long-term payment. Disability Allowance and Blind Pension are long-term means-tested payments. The Occupational Injuries Benefit (OIB) scheme applies to work-related injuries and diseases. This scheme includes Injury Benefit and Disablement Benefit.

If you do not qualify for any of the above payments, you may be eligible for Supplementary Welfare Allowance, which is means tested (see Chapter 3). Depending on the disability payment you are receiving and your circumstances, you may also be entitled to other benefits. We mention these benefits where relevant and cover them in detail in Chapter 3. In addition, you may be eligible for certain education and employment schemes (see Chapters 11 and 12).

With the exception of the Supplementary Welfare Allowance, all these payments are made by the Department of Social Protection (DSP).

Social insurance payments

Illness Benefit

Illness Benefit is a short-term payment made to insured people who are unable to work due to illness. You must apply for Illness Benefit within seven days of becoming ill. No payment is made for the first three days of illness.

How do I qualify for Illness Benefit?

You must be aged under 66 and be unable to work because of illness. To get Illness Benefit you must have:

- » At least 104 weeks (two years) PRSI paid since you first started work and
- » 39 weeks PRSI paid or credited in the relevant tax year (of which 13 must be paid *) or
- » Have 26 weeks PRSI paid in the relevant tax year and 26 weeks PRSI paid in the tax year immediately before the relevant tax year.

*If you do not have 13 paid contributions in the relevant tax year, the following years can be used to meet this condition:

- » The two tax years before the relevant tax year
- » The last complete tax year, or
- » The current tax year.

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The relevant tax year is the second last complete tax year before the year in which your claim is made. So, for claims made in 2010, the relevant tax year is 2008.

How long can I get Illness Benefit?

Since January 2009, if you have 260 or more PRSI contributions you can get Illness Benefit for a maximum of two years. If your income in the relevant tax year (2008 for claims made in 2010) was less than €300 per week, then a graduated reduced amount of Illness Benefit will be paid.

If you were first paid Illness Benefit before 1 January 2009 and you have 260 weeks PRSI paid since you first began work, you may be entitled to Illness Benefit for as long as you are unfit for work and you are under 66. However, Illness Benefit is limited to 15 months if you have a Widow/er's (Contributory or Non-Contributory) Pension or One-Parent Family Payment, This applies even if you have 260 contributions paid. You are paid a reduced personal rate with no increase for qualified children.

After 12 months on Illness Benefit, if you are permanently incapable of work and you satisfy the PRSI conditions, you should consider applying for Invalidity Pension. This is paid at a higher rate and opens the way to other benefits, such as free travel and the Household Benefits Package.

What certificates do I need?

No payment is normally made for the first three days of illness. When you first become ill you get a first social welfare medical certificate (called MC1) from your doctor (see *where to apply* below). You then need to send in a social welfare medical certificate (called MC2) during each week of your illness. If you are in hospital, you should get your weekly medical certificates from the registrar (house doctor for your particular consultant). When you return home, you should get them from your GP.

If your illness is lengthy, you only have to send in monthly medical certificates. When you are fit to return to work, your doctor will give you a final certificate.

Credited PRSI contribution during illness

Every week that you get a social insurance based payment, you also get a credited PRSI contribution. You should continue to send in medical certificates to the Department of Social Protection even if benefit is not payable, as credited contributions can continue to be awarded to protect your PRSI record.

Key points

Returning to work and linked claims

If you return to work after you have been on Illness Benefit, but become ill again after more than three days, your new claim for Illness Benefit is seen as a separate claim and no payment is made for the first three days of the illness. It is possible that you may no longer qualify if a new relevant tax year applies and you do not have enough PRSI contributions paid. However if you have been receiving Illness Benefit for at least five years, return to work and become ill again within 13 weeks, you can return to Illness Benefit without further conditions.

Where you have been getting Illness Benefit for at least two years, then return to work for less than 26 weeks and become ill again, you will not get a lower rate of benefit than you were previously receiving. Similarly, if you were getting Illness Benefit and transfer to Carer's Benefit or Carer's Allowance and immediately back to Illness Benefit, you will get Illness Benefit at the same rate as before.

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Alternative payments

If you do not qualify for Illness Benefit because you do not satisfy the PRSI conditions, you should apply for Supplementary Welfare Allowance if you are short-term sick or Disability Allowance if you are likely to be unfit for work for more than 12 months. If you have been an insured worker, you may need to continue to send medical certificates to the Department of Social Protection for credits.

Occupational sick pay

You should notify your employer separately of your illness and send him or her whatever evidence is required, generally medical certificates. Some employers may continue to pay you, in which case you are usually expected to give them your social welfare cheque. In other cases, your employer may deduct the amount of the social welfare payment from your pay.

Some employers may not pay anything to an employee on sick leave. There is no right in legislation for an employee to be paid while absent from work through illness. Whether you are entitled to sick pay and, if so, for how long, depends on your contract of employment. Employers are obliged to give employees written notice of the details of any occupational sick pay entitlement under the Terms of Employment (Information) Act 1994.

Unemployment

If you get sick while you are unemployed and have enough PRSI contributions, you may be entitled to Illness Benefit and should send in weekly medical certificates to the Department of Social Protection. If you are not entitled to Illness Benefit, you should apply for Disability Allowance (if you are likely to be unfit for work for more than 12 months) or Supplementary Welfare Allowance. If you have been refused Illness Benefit because you have been found capable of work and you are appealing the decision, you may be eligible for Jobseeker's Allowance or Jobseeker's Benefit pending the outcome of your appeal.

Taxation

The first six weeks of Illness Benefit in each tax year is exempt from tax. After that, Illness Benefit is taxable but the qualified child increase is exempt from tax. See Chapter 10 for more on taxation.

Rehabilitative work

You may be able to do part-time rehabilitative or therapeutic work (up to a maximum of 20 hours a week) while retaining your Illness Benefit. You must get prior written approval from the Department of Social Protection. We cover the effects work and training may have on your disability payment in detail in Chapter 12.

How to apply for Illness Benefit

You should apply for Illness Benefit within seven days of becoming ill. To claim Illness Benefit you should get a first social welfare medical certificate (which includes a claim form) from your doctor. You should complete the form, sign the declaration on the form and give it to your local social welfare office or send it to the address below. For further information, see SW 119 or contact:

Illness Benefit Section

Department of Social Protection,
PO Box 1650, Dublin 1.
Tel: (01) 679 7777

Invalidity Pension

This is a long-term payment made to insured people who are permanently incapable of work because of illness or disability. Invalidity Pension opens the way to other benefits such as free travel and the Household Benefits Package. People with a disability generally transfer

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to Invalidity Pension from another social welfare payment such as Illness Benefit. However, in exceptional circumstances, you can transfer directly from employment to Invalidity Pension.

How do I qualify for Invalidity Pension?

You must satisfy the medical and social insurance (PRSI) conditions. The medical conditions are either:

- » You must have been unable to work for at least 12 months and be likely to be unable to work for at least a further 12 months, or
- » You must be permanently unable to work, or
- » You must have a serious illness or incapacity.

The PRSI conditions are that you must have at least 260 (that is, five years) PRSI paid contributions since entering insurance and at least 48 contributions paid or credited in the last complete tax year before the date of your claim (for a claim made in 2010, the relevant year is 2009). Only these contributions count: Classes A, E (Church of Ireland ministers) and H (Defence Forces NCOs and enlisted personnel).

You can use social insurance contributions paid in a country covered by EU Regulations or social insurance contributions and/or residence in a country with which Ireland has a Bilateral Social Security Agreement (see Chapter 5).

How long can I get Invalidity Pension?

Invalidity Pension is payable for as long as you are unable to work. At the age of 65, the personal rate of payment increases to the same rate as State Pension (Transition). At age 66 you transfer to the State Pension (Contributory). Note that Invalidity Pension is the only disability payment with an automatic transfer to a State Pension – it is necessary to apply if you are on any other payments.

Key points

Other benefits

Living Alone Increase is payable with Invalidity Pension, regardless of age, if you live alone. You may also qualify for the Household Benefits Package. See Chapter 3.

If you are awarded Invalidity Pension, you get a Free Travel Pass automatically. This allows you to travel for free and your spouse or partner to travel free in your company. If you are medically assessed as being unable to travel alone, you may be entitled to a Free Travel Companion Pass (see Chapter 8).

Taxation

Invalidity Pension is taxable (see Chapter 10 for more on taxation)

Rehabilitative work

You may be allowed to do rehabilitative or therapeutic work (maximum 19.5 hours a week) and retain your Invalidity Pension. You must get prior written approval from the Department of Social Protection before you start work. See Chapter 12 for further details.

How to apply for Invalidity Pension

Apply on form INV1. For more information, see SW 44 or contact:

Invalidity New Claims Section

Social Welfare Services,

Ballinalee Road, Longford.

Tel: (043) 334 0000 or Lo-call: 1890 92 77 70

Means-tested payments

Disability Allowance

This is a long-term means-tested payment made to people with a disability. The disability must be expected to last at least a year.

How do I qualify for Disability Allowance?

You may be entitled to Disability Allowance if you are aged between 16 and 66, satisfy both a means test and a habitual residence test, and have a specified disability which results in your being substantially restricted in undertaking suitable employment. You must be suffering from an injury, disease, congenital deformity or physical or mental illness which has continued or may reasonably be expected to continue for a period of at least a year. You may need to attend a medical examination to confirm your disability. All your means and those of your spouse or partner are taken into account. These could include savings, earnings from insurable and self employment and income from any pensions. Your parents' means are not considered.

Your spouse's/partner's earnings are assessed as follows:

- » €20 euro per day (up to a maximum of €60) from insurable employment will be deducted from your spouse's/partner's average net weekly earnings and then 60% of the balance will be assessed as weekly means. The weekly means is then deducted from the combined total of your personal rate of Disability Allowance and the maximum Increase for a Qualified Adult.

Disability Allowance – assessment of capital

Capital	Weekly means assessed
First €50,000	Nil
Next €10,000	€1.00 per €1,000
Next €10,000	€2.00 per €1,000
Balance	€4.00 per €1,000

For example if you had savings of €68,000 in the bank and are single this would mean that you are considered to have weekly means of €26. If you are married or cohabiting with another person your means may be halved if your spouse/partner has a social welfare payment in their own right.

How long can I get Disability Allowance?

Disability Allowance is payable up to the age of 66 as long as you satisfy the medical and means conditions. Two personal rates of Disability Allowance are paid to a couple where each is eligible for the allowance. People on Disability Allowance whose spouse or partner is receiving another social welfare payment may get the full personal rate of Disability Allowance if they have no other means. Disability Allowance ceases to be paid at age 66. You should apply for a State Pension (Contributory or Non-Contributory) at this stage.

Key points

Other benefits

You may qualify for a Living Alone Increase and the Household Benefits Package (see Chapter 3).

If you are awarded Disability Allowance, you get a Free Travel Pass automatically. This allows you to travel for free and your spouse or partner to travel free in your company.

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If you are medically assessed as being unable to travel alone you may be entitled to a Free Travel Companion Pass (see Chapter 8).

Hospital and residential care

If you are living in residential care or are a long-stay patient in hospital, you are entitled to the full rate of Disability Allowance – subject to the means test.

Rehabilitative work

You can earn €120 per week from rehabilitative or therapeutic work without affecting your Disability Allowance. If you earn over €120, 50% of your earnings between €120 and €350 will be disregarded in the means test. If you wish to take up this disregard you should forward medical evidence from your doctor stating that the work is rehabilitative together with a payslip from the employment or a letter from the employer if you have not commenced work. See Chapter 12 for further details.

Going back to education

When you have been on Disability Allowance for at least six months, you may be eligible for the Back to Education Allowance (12 months for third-level courses). See Chapter 12.

Currently on Jobseeker's Benefit or Jobseeker's Allowance

If you are getting Jobseeker's Benefit or Jobseeker's Allowance and you apply for Disability Allowance, you continue to get Jobseeker's Benefit or Allowance pending the outcome of your claim, including an appeal.

How to apply for Disability Allowance

Apply on form DA 1. For more information, see SW 29 or contact:

Disability Allowance Section

Social Welfare Services, Ballinalee Road, Longford.
Tel: (043) 334 0000 or Lo-call: 1890 92 77 70

Blind Pension

This is a long-term means-tested payment made to people who are blind or have low vision.

How do I qualify for Blind Pension

You must be blind or have low vision, satisfy both a means test and a habitual residence test, and be aged 18 or over. (If you are aged 16 or 17, you may qualify for Disability Allowance instead). You must have an eye test. Your means and those of your spouse or partner are taken into account.

How long can I get Blind Pension?

Blind Pension is payable up to the age of 66 if you continue to satisfy the qualifying conditions. You should apply for the State Pension (Contributory or Non-Contributory) three months before reaching the age of 66.

Key points

Other benefits

You are entitled to free travel. You may also qualify for the Blind Welfare Allowance from the Health Service Executive (HSE), the Household Benefits Package and Living Alone Increase (see Chapter 3).

Rehabilitative work

You can earn €120 per week from rehabilitative or therapeutic employment without affecting your payment. You must get prior written approval from the Department of Social Protection before you start work. See Chapter 12 for further details.

Other payments in addition to Blind Pension

In general, it is not possible to be paid two social welfare payments simultaneously. However, if you are aged under 66 (and you satisfy the conditions for these schemes), the following payments may also

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be paid in addition to Blind Pension: Illness Benefit, Jobseeker's/Injury Benefit, Maternity Benefit, Health and Safety Benefit, Adoptive Benefit, Widow/er's Pensions (Contributory and Non-Contributory), One-Parent Family Payment.

If your Blind Pension includes an increase for a qualified adult or child, you are also paid the full increase for them with the above payments.

How to apply for a Blind Pension

Apply on form BP 1. For further information, see SW 76 or contact:

Blind Pension Section

Social Welfare Services, College Road, Sligo.

Lo-call: 1890 500 000 or Tel: (071) 916 9800, (01) 704 3000

A Braille and audio cassette tape version of the application form (BP 1) is also available from the National Council for the Blind of Ireland (address at the back of this book).

Blind Welfare Allowance

This is a means-tested supplementary Health Service Executive (HSE) payment to a person who is blind or has low vision, is getting Blind Pension or another Department of Social Protection income maintenance payment such as Disability Allowance, and who needs extra support or resources to meet their needs. You must be registered with the National Council for the Blind or submit a qualifying certificate of visual impairment from an ophthalmic surgeon to qualify.

How to apply for Blind Welfare Allowance

Apply to your Local Health Office.

Occupational Injuries Benefit (OIB) scheme

The Occupational Injuries Benefit (OIB) scheme applies to people who have been injured due to an accident at work or while travelling to or from work. It also covers people who have contracted a disease due to the work they do. The major benefits under this scheme are Injury Benefit and Disablement Benefit.

Virtually all employees are insured for occupational injuries benefits. In general, you are covered for Injury Benefit if you pay PRSI at classes A, D, J or M. Public servants who are not insured for the full range of benefits are covered for at least some of the occupational injuries benefits. Part-time workers are also covered. You do not have to be insured for any particular length of time to qualify. Self-employed people are not covered under the scheme.

All work accidents or diseases do not result immediately in illness or disablement. To safeguard your future right to benefit, however, you should get a declaration if you are injured at work to say your accident or disease occurred at work. This declaration form (Form DB/OB 1) is available from your family doctor (GP) or from:

Injury Benefit Section

Áras Mhic Dhiarmada, Store Street, Dublin 1.

Tel: (01) 704 3000

Injury Benefit

This is a short-term payment made to insured people who are unable to work due to an accident at work or an occupational disease.

How do I qualify for Injury Benefit?

You must be in insurable employment and be unfit for work due to:

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- » Either an accident at work or while travelling to or from your work,
- » Or a disease caused by the work you do (called an occupational disease).

Your illness or disability must last for at least four days (excluding Sundays).

How long can I get Injury Benefit?

Injury Benefit is paid for up to 26 weeks. If you are still unable to work after 26 weeks, you may be entitled to Illness Benefit.

Key points

Other payments and Injury Benefit

You only receive a reduced rate of benefit if you are getting any of these payments as well: Widow/er's (Contributory or Non-Contributory) Pension or One-Parent Family Payment.

If you are getting Disablement Benefit from a previous accident, you are entitled to a full-rate Injury Benefit for the current accident (this applies since April 2005). Previously, the combination of Disablement Benefit and Injury Benefit could not exceed a full-rate Disablement Benefit.

How to apply for Injury Benefit

You should apply for Injury Benefit within 21 days of becoming ill, otherwise you may lose benefit. To claim Injury Benefit, you should get a first social welfare medical certificate (which includes a claim form) from your doctor. You should forward an intermediate medical certificate each week for as long as you are unfit for work. For further information on Injury Benefit see SW 30. You should apply with the medical certificate and claim form to:

Injury Benefit Claims Section

Department of Social Protection,
PO Box 1650, Dublin 1.

Disablement Benefit

Disablement Benefit is a payment under the OIB scheme payment for insured people who have lost physical or mental abilities as the result of an accident at work or directly on the way to work, or as the result of a disease contracted because of the type of work they do or did (known as occupational disease). Disablement Benefit can be paid as a single lump sum (called Disablement Gratuity) or a regular payment (called Disablement Pension) depending on your injury or the effect of the disease.

How do I qualify for Disablement Benefit?

You must have sustained a loss of a physical or a mental faculty due to an injury at work or an occupational disease. An injury received in the course of your journey to/from work is regarded as an injury at work.

You must have been in insurable employment on the day of the injury or at the start of the occupational disease; however you do not need to have paid a minimum number of insurable contributions. You do not have to be unfit for work. If you are fit for work, you should apply within three months of the injury or onset of the disease. If you are not fit for work and are receiving Injury Benefit, you should apply for Disablement Benefit within three months of Injury Benefit stopping.

You must have a medical assessment to determine the degree of your loss of faculty and the rate of benefit is based on this. The degree of loss is calculated as a percentage. If you lose an eye, for example, your loss of faculty is calculated to be 40%. For assessments of less

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than 20%, a lump sum called a Disablement Gratuity is normally paid. For assessments of 20% upwards, a weekly or monthly Disablement Pension is paid.

Other payments

If you are receiving a Disablement Pension and cannot work, you may also qualify for Illness Benefit (described above). You may also be eligible for Incapacity Supplement or Constant Attendance Allowance.

Incapacity Supplement

This is a supplement paid as an increase to Disablement Pension. It applies where a person is considered to be permanently incapable of work as a result of an occupational accident or disease and does not qualify for another social welfare payment such as Illness Benefit. Increases are payable for qualified adult and child dependants of people receiving Incapacity Supplement.

Constant Attendance Allowance

This can be paid weekly as an increase to a Disablement Pension. It applies if your disability is so serious that you need someone (a relative or some other person) to help you daily at home to attend to your personal needs for a period of at least six months. You must be getting a Disablement Pension of at least 50%. The person caring for you cannot be getting a Carer's payment.

In addition to the above, you may be eligible for Living Alone Increase (see Chapter 3), or Back to Education Allowance (see Chapter 11) or Back to Work Allowance (see Chapter 12).

How to apply for Disablement Benefit

Apply on Form OB21, available from your social welfare local office and send it to:

Disablement Benefit Section

Social Welfare Services, Ballinalee Road, Longford.

Tel: (043) 334 0000 or Lo-call: 1890 92 77 70

Medical care under the Occupational Injuries Scheme

If you are an insured person who is injured at work or contracts an occupational disease, you can claim the cost of certain medical care expenses – but only if they are not already covered by the Health Service Executive (HSE) or by the Treatment Benefit Scheme (See chapter 6). Expenses covered include: family doctor, prescribed medicines, medical or surgical appliances, dental or optical treatment, and travel. You should claim within six weeks of the start of treatment.

How to apply

Occupational Injuries (Medical Care) Section

Áras Mhic Dhiarmada, Store Street, Dublin 1.

Tel: (043) 334 0000 or Lo-call: 1890 92 77 70

Death benefits under the Occupational Injuries Scheme

A number of benefits may be available to the dependants of a person who dies as the result of an accident at work or an occupational disease, or who dies while he or she was getting Disablement Pension assessed at 50% or more at the time of death. These benefits are Widow/er's Pension (payable at a higher rate than the ordinary Contributory Widow/er's Pension), Guardian's Payment (Contributory), Dependent Parent's Pension and a Special Funeral Grant. We cover what happens after a death in more detail in Chapter 3.

Chapter 3

Other benefits

This chapter covers some of the benefits and services that people with disabilities may be entitled to in addition to, or in some cases instead of, their main disability payments.

For example someone getting Disability Allowance and living alone would be eligible for a Living Alone Increase, Fuel Allowance, the Household Benefits Package, a Free Travel Pass (covered in Chapter 8) and, depending on their means, a medical card (we cover health benefits in Chapter 6).

The Supplementary Welfare Allowance Scheme

The Supplementary Welfare Allowance Scheme is a means-tested payment for people who are not able to meet their needs and those of their dependants from their own means. It is sometimes referred to as a safety net which helps in emergencies and gives assistance to people who may not qualify for other benefits.

It consists of a basic payment, called Supplementary Welfare Allowance, and other financial supports which include rent and mortgage interest supplements, diet supplements, heating

supplements, payments for emergencies and payments for urgent needs. If you have a disability and have extra specific needs, you may be eligible for one of the supplements.

This scheme is currently administered by the Health Service Executive's (HSE) Community Welfare Officers on behalf of the Department of Social Protection (DSP).

How do I qualify for the Supplementary Welfare Allowance Scheme

You must pass a means test and fulfil the habitual residence condition (see Chapter 1). A person in full-time employment (that is, who works 30 hours or more per week) is not generally entitled to Supplementary Welfare Allowance. Earnings of €120 per week from rehabilitative employment are not assessed as means. A person who is waiting for a long-term benefit or allowance to be processed can also apply.

Payments under the Supplementary Welfare Allowance Scheme

Supplementary Welfare Allowance (SWA)

This is a weekly payment for people who have insufficient means or no income. For example, you can receive SWA while waiting for a claim for another payment to be processed or if you are not entitled to any other weekly payment.

Rent Supplement and Mortgage Interest Supplement

Rent Supplement is a payment to help people living in privately rented accommodation with the cost of rent. Mortgage Interest Supplement is a payment to help with the cost of mortgage interest repayments. We cover these supplements in more detail in Chapter 9.

Chapter 3 Other benefits

Back to School Clothing and Footwear Allowance

This is a payment to help with the cost of uniforms and footwear for children at school.

Diet Supplement

This is a payment to help with the cost of a special diet prescribed by your doctor or hospital consultant. You may be entitled to a supplement for a prescribed diet if you have a specified medical condition such as cystic fibrosis. To get a supplement, you need a certificate from a hospital consultant or registrar verifying the medical condition and the nature and duration of the diet. In the case of conditions such as cystic fibrosis, your Long-Term Illness Scheme book may be accepted as verification of the fact that a special diet has been prescribed. Different rates of supplement are paid for four types of diet:

- » Low-lactose, milk-free diet
- » Gluten-free diet
- » High-protein, high-calorie diet
- » Altered consistencies (liquidised) diet

Heating Supplement

This is a payment to help people who have extra heating needs with heating costs (for example, people who are ill or have a disability or who live alone).

Exceptional Needs Payment

This is a single payment to help meet essential, once-off, exceptional expenditure which you could not reasonably be expected to meet out of your weekly income. For example, the payments can be for special clothing for a person who has a serious illness, bedding or cooking utensils for someone setting up a home for the first time, visiting relatives in hospital or prison, or costs in relation to funerals. This may

be paid to people who are getting the basic Supplementary Welfare Allowance or other social welfare or HSE payments. The habitual residence condition does not apply to Exceptional Needs Payments.

Urgent Needs Payment

This is a payment to people in emergency situations. For example, in the case of a fire or flood, you may get a payment to help with the immediate cost of food and clothing. Urgent Needs Payments may be made to people who would normally be excluded from receiving Supplementary Welfare Allowance. The habitual residence condition does not apply to Urgent Needs Payments.

How to apply for the Supplementary Welfare Allowance Scheme

You apply to the Community Welfare Officer at your local health centre. If unsuccessful, you can appeal to the Appeals Officer in the HSE. If you are not happy with the outcome of an appeal to the HSE, you can make a further appeal to the independent Social Welfare Appeals Office in the case of the weekly Supplementary Welfare Allowance (see Chapter 14 for more on complaints and appeals).

Extra benefits

The Department of Social Protection administers a number of allowances. These include the Free Travel Pass, the Household Benefits Package and the National Fuel Scheme. We describe the Free Travel Pass in detail in Chapter 8. These allowances are sometimes referred to as secondary benefits. This term refers to additional payments or benefits available mainly to social welfare recipients who need extra help to meet their rent, heating or medical expenses. In this publication we use the term extra benefits rather than secondary benefits.

Chapter 3 Other benefits

People with disabilities on certain payments are automatically entitled to these allowances. People who need constant care and attention, and their carers, can also qualify. The rules for qualifying can be complex. If you think you may qualify, you should apply.

People who transfer from Invalidity Pension, Disability Allowance and Blind Pension to certain other social welfare pensions, such as the Widow/er's Pension, keep their entitlement to these allowances.

Household Benefits Package

The allowances that make up the Household Benefits Package are:

- » Electricity Allowance *or* Electricity (Group Account) Allowance *or* Natural Gas Allowance *or* Bottled Gas Refill Allowance
- » Telephone Allowance
- » Free Television Licence

How do I qualify for the Household Benefits Package?

You must be living permanently in the State. People aged 70 or over qualify regardless of their income or who lives with them. People aged 70 or over who live in a nursing home qualify for the Telephone Allowance if they have their own telephone account or a mobile phone.

The following people may qualify if they meet certain conditions:

- » Those getting an Invalidity Pension, Disability Allowance or Blind Pension from the Department of Social Protection (or who have transferred from one of these payments to Widow/er's Pension (Contributory) and had entitlement to the Household Benefits Package)
- » Those who have been getting Disablement Pension (Incapacity Supplement) for at least a year
- » Those getting Carer's Allowance (regardless of who lives with them)

- » Those caring for a person getting Constant Attendance or Prescribed Relative Allowance (regardless of who lives with them)
- » Those who have been getting an invalidity-type pension or benefit for at least a year from a country covered by EU Regulations or from a country with which Ireland has a bilateral social security agreement
- » Those aged 66 or over and getting an Irish social welfare pension or a Garda widow's pension or a social security pension from a country covered by EU Regulations or a country with which Ireland has a bilateral social security agreement
- » Those aged 66 or over, not getting a qualifying payment, but whose means does not exceed the maximum rate of State Pension (Contributory) for their circumstances by more than €100 gross per week (in the case of a married/cohabiting couple, the weekly joint means are divided by two)

In order for you to be eligible, the relevant utilities account must be in your name and you must be living alone or only with:

- » A qualified adult. Your spouse or partner is considered a qualified adult if you are receiving an allowance for him/her with your payment or if he or she earns less than €310 per week.
- » A person who is so incapacitated that they require constant care and attention for at least 12 months. Medical certification may be required.
- » A person who could qualify in their own right
- » A dependent child or children aged under 18, or up to age 22 and in full-time education
- » A person providing full-time care and attention where you are in need of constant care. A person who works for more than 15 hours a week or who gets Jobseeker's Allowance or Jobseekers Benefit is not accepted as providing full-time care and attention.

If there are any other people living in your household, you may still qualify if they fall into any of the categories above.

What do the allowances include?

Electricity Allowance

The allowance consists of relief from the normal fixed charge and up to 400 units per two-month billing period (2,400 units a year). You can carry forward up to 1200 free unused units to the next bill. Unused units can be offset against a Nightsaver account. This allowance is paid as a credit on your electricity bill where possible. If not it is paid on the first Tuesday of every month at a nominated post office or to an account in a nominated financial institution.

Electricity (Group Account) Allowance

You may qualify for an Electricity (Group Account) Allowance if you would normally be eligible for the Electricity Allowance but are not a registered consumer (for example, if you live in a flat and use a slot meter).

Natural Gas Allowance

This is an alternative to the Electricity Allowance – you can get one or the other but not both. The conditions are the same. The Allowance is extended to people who use gas which is not delivered through the national grid, for example, in some areas a gas tank may provide gas to a number of individually metered households. The maximum allowance in 2010 is €489. You will get €52 deducted from each two-monthly gas bill, for gas used during the summer months (June to November) and €111 deducted from each two-monthly gas bill for gas used during the winter months (December to May). If you don't use your full allowance you can carry up to €150 to your next bill.

Bottled Gas Refill Allowance

If you would otherwise qualify for an Electricity or Natural Gas Allowance, but cannot apply for either because you are not connected to the electricity or natural gas systems, you may qualify for the Bottled Gas Refill Allowance. This allowance is paid on the first Tuesday of every month at a nominated post office or to an account in a nominated financial institution.

Telephone Allowance

This allowance provides a monthly payment towards your telephone costs. The allowance covers mobile phones as well as landlines, but you cannot get the allowance for both at the same time. Several telephone service providers participate in the scheme and more are expected to join. If you have not got a telephone but would otherwise be eligible, you will have to pay the installation charges if you get one installed. It may be possible, in some circumstances, to get help with installation costs under the Supplementary Welfare Allowance Scheme (see above).

Telephone Allowance is paid as a credit on your bill, where possible. If this is not possible, it is paid to you on the first Tuesday of every month to a nominated bank or post office account. If you have a hearing or vision impairment, the allowance covers the cost of renting a special telephone, subject to availability.

The allowance can only be awarded if the telephone is registered in your name. The value of the allowance is €21.41 (plus VAT) monthly.

Free Television Licence

When you qualify for the Household Benefits Package, you receive an award notification incorporating your Free Television Licence (current value €160), from the next renewal date of your current licence. This serves as a lifetime licence for as long as you still qualify for the Household Benefits Package. No refund is given for the unexpired portion of your existing licence.

How do I apply for the Household Benefits Package?

The application form (HB1) for the allowances is available at all post offices, from your local social welfare office and from the:

Household Benefits Section

Social Welfare Services, College Road, Sligo.
Lo-call: 1890 500 000 or Tel: (043) 334 0000

Note: If you are getting Invalidity Pension, Disability Allowance or Blind Pension and you are getting any of the allowance(s) under the Household Benefits Package, you may keep the allowance(s) if you transfer to certain other payments from the Department of Social Protection. You may **not** keep the allowance(s) if you transfer to Jobseeker's Benefit or Allowance, Illness Benefit, Pre-Retirement Allowance, One-Parent Family Payment or Carer's Benefit.

National Fuel Scheme

The National Fuel Scheme is intended to help households that depend on long-term social welfare or Health Service Executive (HSE) payments and are unable to pay for their heating needs. The scheme operates for 32 weeks from the end of September to May.

How do I qualify for a fuel allowance?

You may qualify if you are dependent on a long-term social welfare or HSE payment or similar payment. This includes people on long-term Jobseeker's Allowance or Disablement Pension (Incapacity Supplement).

You must satisfy a means test and be living alone or only with:

- » A dependent spouse or partner and/or a dependent child or children
- » A person who is caring for you because you have a disability
- » Another person or people who meet the conditions for the fuel allowance or a recipient of Jobseeker's Allowance (short term)

The means test allows for a combined household income of €100 per week or savings/capital of up to €58,000 above the maximum rate of State Pension (Contributory). The formula used in assessing capital is the same as that used for other means-tested payments.

Non-contributory pensioners automatically qualify providing they meet the other requirements. The allowance is generally included in the pension book.

How and when do you get the allowance?

The allowance is usually included in your normal weekly payment. Only one fuel allowance is payable to a household. The Fuel Scheme operates for 32 weeks from September to May.

Can I get an allowance for smokeless fuel?

If you qualify for the basic fuel allowance, you may also get an extra weekly Smokeless Fuel Supplement if you live in an area where there is a ban on the same of bituminous coal. This may also be payable to those who have been receiving Illness Benefit, Occupational Injury Benefit, Jobseeker's Benefit or Jobseeker's Allowance for at least 13 weeks and Family Income Supplement recipients who do not qualify for the basic allowance.

How to apply for a fuel allowance

You apply to the section in the Department of Social Protection that pays your benefit. However if you are getting a payment from the HSE (Supplementary Welfare Allowance or Infectious Diseases Maintenance Allowance), you should apply at your local health centre.

Assessment for a fuel allowance is usually carried out at the same time as the application for the main payment and there should be no need to reapply each year, provided there is no change in your circumstances.

Payments for specific groups and for particular circumstances

These payments are made by the Department of Social Protection unless otherwise indicated.

Living Alone Increase

This is a weekly supplementary payment of €7.70 made to people receiving certain payments from the Department of Social Protection and living alone.

How do I qualify for Living Alone Increase?

You must be 66 or over, living alone and receiving one of the following social welfare payments:

- » State Pension (Contributory or Non-Contributory)
- » Widow's/Widower's (Contributory or Non-Contributory) Pension
- » Disablement Pension (Incapacity Supplement)
- » Widow's/Widower's Pension under the Occupational Injuries Benefit Scheme

You may also qualify if you are under 66, live alone and are receiving Disability Allowance, Invalidity Pension, Disablement Pension (Incapacity Supplement) or Blind Pension. People on pensions from another EU country do not qualify for the increase unless they are receiving an Irish social welfare pension as well.

What does living alone mean?

It does not always mean that you live entirely alone or live alone all the time.

If you are an incapacitated or older person living in an extension of a family member's home (such as a self-contained flat), the Department of Social Protection will allow the Living Alone Increase provided you can show that you have facilities to cook and eat alone. You must have your own living, dining and sleeping accommodation.

The increase may also be payable where a person who is infirm or aged has a friend or relative to stay for security reasons at night-time only. The relative must not contribute to the household financially.

The increase may also be payable if you live alone during the day and go to stay with friends or relatives at night. If you live on your own during the week, but a relative stays at weekends, for example in order to shop for you, then the living alone condition is satisfied as long as your relative has a permanent home address elsewhere.

If you live in sheltered accommodation, you may qualify if you are regarded as living independently within that accommodation. If you live in nursing homes or in hostel-type accommodation, you generally do not qualify.

How to apply for the Living Alone Increase

This payment is paid as an increase on your main social welfare payment. You must apply separately for this increase to the section of the Department of Social Protection (DSP) which pays your main pension or other payment. You can get the application form (LA 1) online at **welfare.ie** or **citizensinformation.ie**.

Payments for people with children

One-Parent Family Payment

One-Parent Family Payment is a payment for men and women who are bringing up a child without a partner. If you are getting One-Parent Family Payment and your child has a disability, you are still eligible for One-Parent Family Payment if your child is aged over 16 and getting Disability Allowance. However, you will not receive the qualified child increase for the child. Alternatively, you may be eligible for Carer's Allowance.

Child Benefit

This benefit is paid monthly for children up to the age of 16 (provided you meet the habitual residence condition (see Chapter 1)). Payment may continue up to the 18th birthday if a child is in full-time education, has a disability, or is attending a FÁS Youthreach course. Child Benefit stops when the child reaches age 18.

Family Income Supplement

You may be eligible for Family Income Supplement (FIS) if you have children and are on low pay (calculated against a limit for a family of your size). We cover FIS in more detail in Chapter 12.

Payments for older people

If you are aged 65 or over, you may qualify for a pension from the Department of Social Protection. The type of pension you get depends upon either your social insurance record or your means and on what payment (if any) you were already getting.

State Pension (Transition)

This social insurance payment is made to people who reach age 65 and satisfy certain PRSI contribution conditions. You must be retired or have been getting Invalidity Pension. If you are working, you must

not earn more than €38 a week or more than €3,174 per year if self-employed. When you reach age 66, you will be entitled to State Pension (Contributory), and you may work full-time if you wish.

State Pension (Contributory)

This is a social insurance payment made to people aged 66 or over who satisfy the PRSI contribution conditions. There have been many changes in recent years in the rules for State Pension (Contributory) and it has been announced that everyone now under the age of 50 will have to work an extra three years before retiring, with pension qualification age increasing in phases to 68 by 2028.

State Pension (Non-Contributory)

This is a means-tested payment for people aged 66 or over who do not qualify for State Pension (Contributory). The habitual residence condition also applies.

Over-80 Increase

Pensioners receiving an Irish social welfare pension automatically receive an increase of €10 per week in their pension when they reach 80. There is no need to apply for this.

Island Increase

This is an increase of €12.70 per week for people who are living on certain islands off the coast of Ireland. You qualify if you are a social welfare pensioner aged 66 or over or if you are under age 66 and getting Invalidity Pension, Disability Allowance, Incapacity Supplement or Blind Pension.

This increase is also available to those who are getting an equivalent EU payment and who are ordinarily resident on an offshore island. To make an application, contact the section in the Department of Social Protection which pays the Irish equivalent of your EU payment.

Chapter 3 Other benefits

How to apply for pensions

You should apply for your pension at least five months before reaching the required age. Application forms are available online and from post offices and your local Social Welfare Office. Completed forms should be sent to:

Social Welfare Services

College Road, Sligo.

Lo-call: 1890 500 000

Further details about state pensions, including pro-rata and special pensions, are covered in the Citizens Information Board publication *Entitlements for over sixties* available from your local Citizens Information Centre.

Benefits and entitlements following a death

When a person dies while receiving a social welfare payment, their spouse or partner continues to receive the payment for six weeks after the death - provided the spouse or partner is a qualified adult dependant or is getting a social welfare payment in their own right. If you were living with or dependent on the deceased, any current benefits or payments you are getting may change, or you may be able to claim additional benefits.

You can find detailed information about what to do after a death in the Citizens Information Board booklet *Bereavement – information for those affected by bereavement*, available from your local Citizens Information Centre.

Chapter 4

Caring for a person with a disability

Some people with disabilities may need full-time care and attention. A carer is someone who looks after and supports a person who could not manage without their help. This could be due to age, physical or mental illness or disability. It does not mean a professional care-worker or personal assistant who gets paid for their work.

If you are caring for someone with a disability, you may qualify for a carer's payment. The main social welfare payments for people providing full-time care are Carer's Benefit (based on PRSI contributions) and Carer's Allowance (which is means-tested). You may be entitled to a half-rate Carer's Allowance if you are receiving certain other social welfare payments and taking care of someone. People taking care of children under 16 may be eligible for a Domiciliary Care Allowance.

Carers (those getting any of these payments and other carers not getting a payment) also qualify for an annual Respite Care Grant, which allows them to take a break from their caring duties. Chapter 7 covers other aspects of respite care. Carers can also take unpaid leave from work for up to two years to care for someone in need of care and attention.

Payments and grants

Carer's Benefit

This is a short-term payment made to insured people who leave employment temporarily to care for someone who needs full-time care.

How do I qualify for Carer's Benefit?

You must have 156 PRSI paid contributions in Class A, B, C, D, E or H and:

- » 39 contributions paid in the relevant tax year, or
- » 39 contributions paid in the 12 months immediately before the start of Carer's Benefit, or
- » 26 contributions paid in the relevant tax year and 26 paid in the relevant tax year prior to that.

You must leave employment (of at least 32 hours a fortnight) to look after someone with a disability in need of full-time care. You must have been employed for at least eight weeks in the six-month period prior to starting full-time caring duties. If you are self-employed and paying Class S PRSI contributions, you are not eligible for Carer's Benefit.

How long can I get Carer's Benefit?

Carer's Benefit is paid for up to 24 months and increases are paid for qualified children. An additional 50% is payable if you are caring for more than one person.

Key points

Working

The conditions about full-time care, living with the person being cared for and taking on part-time work are basically the same as those for Carer's Allowance (see below). The maximum weekly earnings allowed for people who wish to engage in limited employment or self-employment is €332.50.

Credited contributions

If you give up work to care for someone and get Carer's Allowance or Carer's Benefit you will be awarded credited contributions (credits). You will also get credits if you do not get one of these payments but are on Carer's Leave from work. If however, you avail of unpaid statutory Carer's Leave you must get your employer to complete an application for Carer's Leave credits (available in the information booklet SW49 after you return to work).

How to apply for Carer's Benefit

Complete the application form (CARB1) which you can get at your local social welfare office or Citizens Information Centre, online at **welfare.ie** or **citizensinformation.ie**.

You can also contact:

Carer's Benefit Section

Ballinalee Road, Longford.

Tel: (043) 334 000 or Lo-call: 1890 92 77 70

Carer's Allowance

This is a long-term means-tested payment for carers on low income who are looking after someone in need of full-time care because of age, physical or learning disability or illness, including mental illness.

How do I qualify for Carer's Allowance?

You must be aged 18 or over and satisfy both a means test and a habitual residence test. You must be living with the person you are looking after, or be providing full-time care and attention to a person who is not living with you. Full-time care and attention means that the person in need of care requires continuous supervision and frequent assistance throughout the day in connection with their normal personal needs – for example, help to walk and get about, eat or drink, wash, bathe, dress. The person may also need continuous supervision in order to avoid danger to themselves.

The person you are caring for must be aged 16 or over, require full-time care and attention for at least 12 months (medical certification is required) and not normally be living in a hospital, home or similar institution. You can only get a Carer's Allowance for a child under 16 if a Domiciliary Care Allowance is being paid (see page 55).

Income disregards

When your entitlement to Carer's Allowance is calculated, the first €332.50 of your income is disregarded (whether from employment or self-employment, occupational pension or capital). For a couple, the disregard is €665.

This disregard does not apply to foreign social security payments made to you (the carer) or to your spouse. However, there is a disregard of the rate of the State Pension (Contributory) which is applied where your spouse is receiving a foreign social security payment.

Key points

Care sharing

If you are sharing the caring duties in an established pattern (for example, every second week), you may share the Carer's Allowance and the annual Respite Care Grant with another carer. Similar arrangements apply if the person you care for attends a residential institution (for example, week-on week-off).

Caring for more than one person

An additional payment of up to 50% of the maximum personal rate is paid to carers who are providing full-time care to more than one person.

Other payments and Carer's Allowance

If you are getting certain social welfare payments in your own right, you may keep your main payment and get an extra half-rate Carer's Allowance. These payments include all the disability payments – although you must meet the criteria for caring and be fit to care. Note that the half-rate Carer's Allowance is not payable with Jobseekers Benefit and Allowance, Back to Work Allowance, or Supplementary Welfare Allowance.

If you are being claimed for as a qualified adult on your spouse/partner's social welfare payment and you are providing full-time care to another person, you may apply for half-rate Carer's Allowance and retain your current increase for a qualified adult in full.

You may still receive Carer's Allowance if you are over the age of 66 and satisfy the conditions. If you are aged over 80, you are entitled to an Over-80 Increase on top of your payment.

Working

While receiving Carer's Allowance, you can take up one of these options:

Chapter 4 Caring for a person with a disability

- » Work outside the home for up to 15 hours a week. You must get approval from the Department of Social Protection and your income is assessed as means (see disregards above).
- » Attend an educational or training course or take up voluntary work for up to 15 hours per week.
- » Work part-time as a home help for the Health Service Executive (HSE) for up to 15 hours a week. This income is not assessed as means.
- » Engage in limited self-employment in the home. This income is assessed as means (see disregards above).

The person you care for may attend a non-residential course of rehabilitation training or an approved non-residential day-care centre without it affecting your Carer's Allowance. Carer's Allowance is paid while the caree (the person being cared for) is in hospital up to a period of 13 weeks. If the caree is admitted to full-time care in a nursing home or hospital, the carer must notify the Department of Social Protection accordingly and the entitlement to Carer's Allowance ceases immediately.

Other benefits

People getting Carer's Allowance are eligible in their own right for certain extra benefits (see Chapter 3).

How to apply for Carer's Allowance

Apply on form CR1. For further information see SW 41 or contact:

Carer's Allowance Section

Social Welfare Services, Ballinalee Road, Longford.

Tel: (043) 334 000 or Lo-call: 1890 92 77 70

Domiciliary Care Allowance

If you are caring for a child with a severe disability who lives at home, you may qualify for a monthly Domiciliary Care Allowance. This is paid by the Department of Social Protection. (Up to 2009 it was paid by the HSE.) Neither your means nor your child's means are taken into account.

How do I qualify for Domiciliary Care Allowance?

To qualify for this payment, your child must have a severe disability that is likely to last for at least one year and:

- » Be under 16
- » Live at home with you for five or more days a week (for full-rate payment)
- » Meet the medical criteria
- » Be ordinarily resident in the State (ordinary residence means that that you are living in Ireland, or you intend to remain living in Ireland for at least one year. Short absences do not affect ordinary residence.)

In addition, you must care for your child and satisfy the habitual residence condition. The guidelines for Domiciliary Care Allowance state that the payment is not based on the type of disability but on the resulting physical or mental impairment which means that your child needs more care and attention than a child of the same age. There is no list of conditions. The Department's Medical Assessor looks at all the following before giving an opinion on whether your child meets the medical criteria:

- » The history of your child's case.
- » All medical reports. (Your GP fills out a medical report and you should include reports from any relevant specialists.)

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- » Your description of the care and attention required by your child. (This is very important to give a picture of the extra work involved in caring for your child. The form allows you to state what extra care your child needs under a number of headings.)

You will not get DCA if your child is in full-time residential care, but you may get a half-rate payment if your child comes home from residential care at weekends and/or for holidays. If you qualify for DCA, you will also qualify for an annual Respite Care Grant, which is paid automatically in June each year. See below for information on this grant. You may also qualify for Carer's Allowance, see page 51 above.

How long can I get Domiciliary Care Allowance?

The allowance is paid until the child reaches 16 (at 16, children may qualify for Disability Allowance in their own right). The allowance is not payable for a child living in institutional care. A reduced payment is paid for children who normally live in special schools or institutions but who spend some time at home, for holidays, for example.

How to apply for Domiciliary Care Allowance

To apply for Domiciliary Care Allowance (DCA) you should download form Dom Care 1 from **welfare.ie** or text "FORM DCA" followed by your name and address to 51909. You and your child's GP fill in the form before returning it to the DCA section at the address given on the form.

Respite Care Grant

A Respite Care Grant of €1,700 is paid automatically by the Department of Social Protection in June each year to all carers getting Domiciliary Care Allowance, Carer's Allowance or Carer's Benefit or caring for someone who gets Constant Attendance Allowance (under the OIB scheme – see page 29). It is also payable to anyone

providing full-time care to an older person or a person with a disability, regardless of the carer's means. The carer must not be working outside the home for more than 15 hours per week or getting an unemployment payment (because they would have to be available for full-time work). A grant is paid for each person being cared for. Chapter 7 covers other aspects of respite care. .

How to apply for the Respite Care Grant

If you are automatically entitled to receive the Respite Care Grant, you do not need to apply for it. (See the list of qualifying payments above.)

If you applied for and received the grant in the last year, you do not need to fill out a new form. The Department will write to you to verify that you still qualify for payment.

If you are making a fresh application, you should fill out application form RCG1. If you are applying in respect of more than one person, you will need a form RCG1A for each person. You can make an application for a grant anytime from April of the year in question. You can apply for the grant retrospectively in some cases. For example you can apply for a Respite Care Grant for 2010 (€1,700) up until 31 December 2011.

Respite Care Grant Section

Social Welfare Services Office

PO Box 10085, Dublin 2.

Tel: (01) 673 2222 / (01) 703 3240

Homemaker's Years/Credits

You may be able to avail of the Homemaker's Scheme, if you gave up work to care full-time for a child or children up to 12 years of age or an incapacitated child (12 years or over) or an adult who needs full-time care or attention. This means that the years spent working in the home

(since April 1994 when this provision was introduced) are disregarded when calculating your average contributions for pension purposes. It is proposed that this homemaker's disregard will be replaced by a new system of credited contributions in 2010 under the new National Pensions Framework.

Tax relief

You may be able to claim a tax allowance if you employ a carer. A tax credit is also available for a spouse who works in the home caring for a person with a permanent disability. See page 134 for more details.

Carer's Leave

You may be able to take temporary unpaid leave from employment to care for someone who needs full-time care. This is called Carer's Leave.

How do I qualify for Carer's Leave?

The Carer's Leave Act provides for employees to take leave to care for an incapacitated person while preserving their employment rights. In order to get the leave, you must have been in continuous employment for at least a year. The leave is unpaid but many of the employees concerned are likely to qualify for Carer's Benefit. If you take Carer's Leave but do not get Carer's Benefit or Allowance, you are entitled to Carer's Leave credits (credited PRSI contributions) for each week taken, up to a maximum of 104 weeks (2 years).

How long does Carer's Leave last?

You are entitled to a maximum of 104 weeks leave to enable you to give full-time care and attention to an incapacitated person who needs such care. You may take the leave in one block or broken up into shorter periods. The minimum period that you can take is 13 weeks,

unless your employer agrees otherwise. Not more than one employee can be on Carer's Leave in respect of the incapacitated person at the same time. If two people live together and both require full-time care, you can take leave for both people. In such a case, the total leave cannot exceed 208 weeks.

How to apply for Carer's Leave

You do not have to be entitled to Carer's Benefit in order to get the leave but you must apply to the Department of Social Protection on the Carer's Benefit application form (CARB1 – see above) for a decision confirming that the person requires full-time care. You must give the decision to your employer. You must also give your employer at least six weeks' notice in writing of your intention to take Carer's Leave.

Further information on Carer's Leave is available from:

Employment Rights Information Unit

National Employment Rights Authority

O'Brien Road, Carlow.

Lo-call: 1890 201 615

nera.ie

When the caring period ends

If the person you are caring for dies, Carer's Allowance or Benefit continues to be paid for six weeks after the death. You should notify the relevant section of the Department of Social Protection about the death as soon as possible. A Bereavement Grant may also be payable if the PRSI conditions are met.

If you are aged under 66 when your carer's payment ends, you should sign on at your local social welfare office for Jobseeker's Benefit or Jobseeker's Allowance. Even if you are not entitled to either of these

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payments, you should still sign on as you may be entitled to credited contributions. You will be eligible for the Back to Education Allowance Scheme if you wish to return to full-time education when your caring responsibilities have ceased.

If you become ill and have to stop acting as a carer, the rule of 13 paid contributions in the relevant tax year for eligibility for Illness Benefit is waived if you were receiving your carer's payment immediately before making your claim. However, if you had no reckonable earnings in the relevant tax year, you only qualify for a reduced rate of Illness Benefit. Alternatively, if your spouse or partner is claiming a social welfare payment, he or she can claim a qualified adult increase for you.

Chapter 5

Transferring benefits from abroad

You may have lived and worked abroad or you may wish to move abroad. You may be able to transfer your Irish social insurance benefit to another of these countries or one of their benefits to Ireland. Here we look at transferring benefits under EU rules introduced in 1971 to coordinate European countries' social security schemes (Regulation 1408/71) and under other social security agreements.

EU Regulations

Social security schemes in countries belonging to the European Union (EU), the European Economic Area (EEA), Switzerland and the Channel Islands (from October 2007) are co-ordinated by what are generally known as EU Regulations. The aim of the Regulations is to protect the acquired social security rights of people moving within these countries.

Note: The countries currently covered by EU Regulations are Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland and the United Kingdom. (Switzerland is not a member of the EEA – it has separate but similar arrangements with the EEA countries.)

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People who have been working both in Ireland and the Channel Islands (that is, the islands of Jersey and Guernsey - islands which are not members of the EU) will have the years when they worked on these islands taken into account when applying for social welfare entitlements in Ireland.

The country where you were last insured is responsible for paying Illness Benefit, Maternity Benefit, Treatment Benefit and Jobseeker's Benefit. You need at least one Irish PRSI contribution after you return here to qualify for these payments under the Irish system.

If you have worked in more than one of the countries covered by EU Regulations, then your periods of insurance can be combined to see if you would be entitled to a pension, including an Invalidity Pension, from each country.

For Invalidity Pension, in certain cases the country where you last paid social insurance must pay the full pension and in other cases each country pays a partial pension. You should apply to the social security office in the country in which you live.

For pensions, you should apply about six months before you reach pension age to the social security office in the country where you live. If you have never worked in Ireland, then you should apply directly to the country where you were last employed.

The rules about transfer of benefits to Ireland from any of the European countries covered are broadly the same. In practice, these arrangements are most often used to transfer UK benefits.

EU rules introduced in 1971 to coordinate European countries' social security schemes were recently updated and a new, improved coordination system came into force in May 2010.

Transferring UK illness benefits to Ireland

Only certain UK illness benefits can continue to be paid to you by the UK Benefits Agency if you move from the UK to Ireland. You should always ask the UK Benefits Agency in advance if you can transfer your existing UK benefits outside the UK.

Long-term Incapacity Benefit

If you are already getting this benefit or if you have only been insured for illness in the UK, you may be able to get this benefit as long as you satisfy the rules and continue to be unfit for work.

Severe Disablement Allowance

You may be able to continue to receive this allowance. However, you should ask your UK Benefits Agency if you can be paid this benefit while living here.

Other allowances

You will not usually be able to continue getting Attendance Allowance or Disability Living Allowance if you are living permanently in Ireland unless you have been receiving the allowance since before June 1992. You may be able to go on receiving Carer's Allowance if you are temporarily in Ireland and the person you are caring for in Ireland is getting Attendance Allowance or Disability Living Allowance.

Permitted work

The permitted work rules allow you to do some paid work without the need for prior approval from a doctor and without it affecting your payment. However, you should tell the office that pays your UK benefit before you start work. You can:

- » Earn up to £20 sterling a week for an unlimited period, or

Chapter 5 Transferring benefits from abroad

- » Work for less than 16 hours a week (on average) and earn up to £92 sterling a week for a 52-week period. If the UK Benefits Agency agrees, this period can be extended indefinitely for as long as your illness or disability is considered sufficiently severe that you are treated as meeting the threshold of incapacity without undergoing a medical assessment.

How to apply

International Pension Centre

Department for Work and Pensions, Tyneview Park

Newcastle-Upon-Tyne, NE98 1BA.

Tel: 00 44 191 218 7777

Bilateral social security agreements

Ireland has reciprocal agreements on social security with Canada, South Republic of Korea, Australia, United States of America, New Zealand, Québec, Switzerland (largely superseded by EC Regulations) and the United Kingdom covering those parts of the United Kingdom that are outside of the European Union (Isle of Man and the Channel Islands).

Under these agreements, periods of social insurance and/or residence in these countries can be combined with periods of insurable employment in this country to allow you to qualify for a payment. The benefits covered are State Pension (Contributory and Transition), Widow/er's Contributory Pension, Guardian's Payment (Contributory), Invalidity Pension, and the Bereavement Grant.

Your entitlements under these agreements are completely separate from those payable under EU Regulations. You can receive payments both under EU Regulations and these agreements, but the calculation of pension amounts under these agreements do not take account

of periods of work in another EU state. If you are entitled to an Irish pension both under EU Regulations and these agreements, you are paid whichever pension is higher.

Do I qualify for additional benefits and allowances?

If you are getting a pension under EU Regulations or bilateral agreements, you may be eligible for the Household Benefits Package here if you meet the other conditions for getting these benefits. All people aged 70 or over qualify regardless of income.

You will not get the Living Alone Increase or the Over-80 Increase unless you have an Irish social welfare pension, as these are simply increases in the rate of Irish pension. See Chapter 3.

You may be entitled to a medical card if you are receiving a social security pension from another EU/EEA country or Switzerland. See Chapter 6 for information about medical cards.

Chapter 6

Health services

Health services can be broadly defined as services concerned with the promotion of good health, the prevention of illness and the diagnosis and treatment of illness – for example, family doctor (GP) services, hospital services. The Department of Health and Children is currently preparing a new legislative framework to provide for clear statutory provisions on eligibility and entitlement for all health and personal social services.

In this chapter, we review health services in Ireland generally with a focus on those particularly relevant for people with a disability.

The Health Service Executive (HSE) and disability

The Health Service Executive (HSE) is responsible for providing health and personal social services to the whole population; this includes a range of services for people with intellectual, physical and sensory disabilities. These services include basic health services as well as assessment, rehabilitation, income maintenance, community care and residential care. Some services are provided directly by the HSE. Many of the community, residential and rehabilitative training services are provided by voluntary organisations with grant aid from the HSE.

The HSE is divided into four administrative areas: West, South, Dublin North East and Dublin Mid-Leinster. Health Service Executive (HSE) Administrative Areas have appointed Disability Services Managers to co-ordinate the delivery of services to people with disabilities. The level of service varies considerably throughout the country.

There are 32 Local Health Offices (LHOs), based in the existing Community Care Areas, which are administrative centres for community health and personal social services. Local health centres deliver services directly to individuals.

Qualifying for health services

Your eligibility for health services is based on residency and means.

Everyone, regardless of nationality, is entitled to health services provided they are ordinarily resident in Ireland. Broadly speaking, if you are living here and intend to continue living here for at least a year, you are considered to be ordinarily resident. (Note that this is different from the habitual residence condition required for some benefits and described in Chapter 1.)

This means you are entitled to a bed in a public ward and consultant services and to out-patient services in a public hospital provided that you opt for public healthcare. There may be certain charges for some groups of people for these services. If you do not opt for public care and choose private treatment instead, then you (or your health insurance company) have to pay the full price for the services provided.

Depending on your income or other circumstances, you may be entitled to free GP services, prescribed drugs and hospital services. Otherwise, you must pay for these.

Medical cards

Medical cards are given to people with low incomes and other qualifying people. They entitle you to a range of health services free of charge. These include GP (family doctor) services and public hospital services. Medical card holders pay a 50 cent charge per prescription item (subject to a monthly ceiling of €10 per family) (from 1 October 2010). Having a disability does not automatically entitle you to a medical card.

Under a hardship scheme, the HSE may provide assistance to medical card holders towards the cost of certain prescribed medicines that are not included in the Primary Care Reimbursement Service (PCRS) list of free drugs and medicines.

How do I qualify for a medical card?

Most medical cards are granted on the basis of a means test and/or medical need. The HSE issues income guidelines (shown below). If your income is below these guidelines, then you get a medical card. If it is above the guideline figure, then you usually do not qualify for a medical card but you may do so if there are exceptional medical circumstances or you would suffer undue financial hardship.

Each case is decided on its merits but you may qualify if your income is not much above the guideline figure and your medical costs are exceptionally high. It may be possible for one or more members of a family (who would not otherwise qualify) to get a medical card in their own right if they have high medical expenses or needs. Lone parents with dependants are generally regarded as married couples for the purposes of the guidelines.

Medical cards for people over 70

Between 2001 and 2008, everyone over aged 70 was entitled to a medical card without a means test. After that, a means test was introduced, with effect from January 2009.

Over 70 capital assessment

All capital (savings and investments) is taken into account for medical card purposes. However, income on the savings/investments or property of €36,000 for a single person and €72,000 for a couple is disregarded. The disregard figure only applies once where both savings and property (other than your own home) are being assessed.

The balance is taken into account either by taking into account the actual rate of interest received, if you provide a certificate of the interest paid on in the last full calendar year or by using a notional rate. The HSE will use whichever calculation is better for the applicant.

Over 70 income assessment

Since January 2009 there are **gross** income limits of €700 per week for a single person and €1,400 per week for a married or cohabiting couple. There will be no standard deductions allowable (for example, for income tax).

However, if your income is over these limits, you can still apply for the ordinary medical card or GP Visit Card for example, if you have high medical expenses, such as paying for a nursing home. Pensions, earnings, interest from capital and all other sources of income are included in the means test

EU Regulations

Under EU Regulations, you may be entitled to a medical card if you are receiving a social security pension from another EU/EEA country or Switzerland but are not getting an Irish social welfare payment. This applies regardless of your means provided you are not considered to be employed or self-employed here. An occupational pension does not affect your entitlement. When assessing your entitlement under EU Regulations, the Local Health Office may enquire into your sources of income to see whether or not you come under the Regulations – this is

not the same as a means test. People who receive both an Irish social welfare pension or payment and a pension from another EU country do not come under EU Regulations and must pass the relevant means test.

Medical card income guidelines for people under 70		
Weekly income limit for a medical card (gross, less tax and PRSI deductions).		
Category	Aged under 66	Aged 66-69
Single person living alone	€184	€201.50
Single person living with family	€164	€173.50
Married couple/lone parent with dependent children	€266.50	€298
Allowance for first 2 children aged under 16	€38	€38
Allowance for 3rd and subsequent children under 16	€41	€41
Allowance for first 2 children aged over 16 (with no income)	€39	€39
Allowance for 3rd and subsequent children over 16 (no income)	€42.50	€42.50
Dependants over 16 in full-time non-grant-aided third-level education	€78	€65

Reasonable expenses incurred in respect of childcare costs and rent or mortgage payments are allowed. Weekly travel costs to work (the actual cost of public transport or mileage at 50 cent per mile) are also allowed. Each Local Health Office sets their childcare local rates and consideration is given to the family size, age of child and type of care.

Medical card retention

A person with a disability is entitled to retain their medical card for a period of three years on taking up employment, including employment under the FÁS Wage Subsidy scheme.

How to apply for a medical card

You need to complete application form MC1. You can get a list of participating doctors from your Local Health Office. You should bring the form to the doctor you have chosen from the list of participating doctors. If the doctor accepts you as a patient, he or she signs the form. If you are working, your employer also has to sign the form and certify your earnings. If you are claiming a social welfare payment, the form has to be stamped at the social welfare local office.

If you are refused a medical card, you may appeal to a Complaints Officer in the HSE (see Chapter 14).

GP Visit Cards

The purpose of the GP Visit Card is to help people who are not eligible for medical cards with the costs of visiting a doctor. The card covers you for GP visits. It does not cover prescription drugs and medicines or services such as HSE dental, ophthalmic and aural (hearing) services. The income guidelines are 50% higher than the medical card income guidelines.

Weekly income limits for a GP Visit Card (gross, less tax and PRSI deductions)		
Category	Aged under 66	Aged 66–69
Single person living alone	€276	€302
Single person living with family	€246	€260
Married couple/lone parent with dependent children	€400	€447
Allowance for first 2 children aged under 16	€57	€57
Allowance for 3rd and subsequent children under 16	€61.50	€61.50
Allowance for first 2 children aged over 16 (with no income)	€58.50	€58.50
Allowance for 3rd and subsequent children over 16 (no income)	€64	€64
Dependants over 16 in full-time non-grant-aided third-level education	€117	€117

There are also allowances for certain expenses incurred in respect of childcare costs and rent or mortgage payments. Each Local Health Office sets its own rates for these allowances.

How to apply for a GP Visit Card

To apply for a GP Visit Card, you need to complete Application form MC1, or MC2 for those aged 70 and over (the same application form as for a medical card). While your GP Visit Card application is being processed, the HSE will also assess your entitlement for a full medical card. Apply to your Local Health Office.

Help with medicine costs

You can get help with the costs of necessary medicines even if you do not have a medical card. Everyone in Ireland is entitled to either free or subsidised approved prescribed drugs and medicines and certain medical and surgical aids and appliances.

From 1 October 2010 medical card holders pay a 50 cent charge per prescription item (subject to a monthly ceiling of €10 per family).

Drugs Payment Scheme

Under the Drugs Payment Scheme an individual or family has to pay only the first €120 per month for all approved prescribed drugs, medicines and appliances to be used by that person or his or her family in that month.

Family expenditure covers the nominated adult, his or her spouse or partner and children aged under 18 years, or under 23 if in full-time education. A dependant with a disability living in the household, who is unable to fully maintain himself or herself, may be included in the family expenditure regardless of age.

How to apply

You should register for this scheme by completing the registration form, which is available from pharmacies or from your Local Health Office. A plastic swipe card is issued for each person named on the registration form. This card should be presented whenever you are having prescriptions filled. You should use the same pharmacy throughout the month. You should not have to pay more than €120 in any calendar month to the pharmacist.

Long-Term Illness Scheme

People with any of the following conditions can obtain the necessary drugs and medicines for the treatment of that condition free of charge:

acute leukaemia, cerebral palsy, cystic fibrosis, diabetes insipidus, diabetes mellitus, epilepsy, haemophilia, hydrocephalus, mental handicap, multiple sclerosis, muscular dystrophy, Parkinson's disease, phenylketonuria and spina bifida.

How to apply

You can get an application form for the Long-Term Illness Scheme from your family doctor (GP) or your Local Health Office. Send your completed application form directly to your Local Health Office.

Dental, optical and aural services

The Health Service Executive (HSE) is obliged to provide dental, optical and aural services free of charge to:

- » Medical card holders and their dependants
- » Health Amendment Act Card holders
- » Pre-school children and school children attending primary schools referred from child health service examinations and school health service examinations

Children who are found to have eyesight or hearing problems at the child health or school health examinations are referred to the appropriate consultant for treatment. If this treatment is carried out at the out-patient department of a public hospital, the service is free and no hospital charges have to be paid. Services will continue until the child is 16.

Dental treatment is provided by the HSE's own dentist or by private dentists to all medical card holders aged over 16. Restrictions were imposed on dental care for medical card holders in 2010. Currently only emergency and urgent treatments are being carried out. The service provided can vary from area to area. Optical treatment may be provided either by HSE opticians or private opticians – the HSE decides which. Hearing aids are provided by the HSE's audiologists and audiometricians.

If you do not have a medical card, the Treatment Benefit Scheme will cover you and your dependent spouse for some of the cost of hearing aids provided you have enough social insurance contributions.

You may also be able to claim tax relief at the standard rate of tax for medical expenses. This includes the cost of a hearing aid, costs of doctors and consultants visits (See Chapter 10).

Treatment Benefit Scheme

Dental, optical and aural benefits are provided by the Department of Social Protection (DSP) under the Treatment Benefit Scheme.

How do I qualify?

The Department provides dental, optical and aural (hearing) benefits under the Treatment Benefit Scheme for insured workers who have enough contributions. Any person who satisfies the PRSI requirements at age 60 or 66 retains the entitlement for life. People who are getting Invalidity Pension or long-term Illness Benefit are normally also entitled to these benefits. Treatment is provided by private dentists, opticians and ophthalmic surgeons. In 2010, the Treatment Benefit Scheme was restricted to the medical and surgical appliances scheme, free dental examinations and free eyesight examinations.

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To qualify, you do not need to have paid 13 weeks PRSI in a recent tax year if you reached 66 years before 6 July 1992 or are on Invalidity Pension, Carer's Allowance, Pre-Retirement Allowance, State Pension (Transition), long-term Jobseeker's Allowance or Illness Benefit for over a year, or if you are aged 55 or over and are signing for unemployment credits.

The dependent spouses of people entitled to these benefits above are also entitled to the benefits provided under the Treatment Benefit Scheme. A dependent spouse taking up employment retains their entitlement until they qualify in their own right. The dependent spouses or partners of state pensioners could be entitled as could some of the widows of people who were themselves entitled. If your spouse was entitled to Treatment Benefit at the time of his or her death and you were dependent on him or her at the time of death, you may retain entitlement for as long as you remain a widow or widower.

Hearing aids

People who qualify under the Treatment Benefit Scheme are entitled to up to half the cost of hearing aids (€760 maximum) for each hearing aid every two years. The scheme also pays half the cost of repairs to aids.

How to apply for the Treatment Benefit Scheme

Application forms for dental benefit are available from dentists. Contact the Treatment Benefit Section to get names of dentists on the social welfare panel. For optical and aural benefit, application forms are available from opticians, aural suppliers or from:

Treatment Benefit Section

Department of Social Protection, Letterkenny, Co. Donegal.
Lo-call: 1890 400 400

Doctors and hospitals

Doctors

If you have a medical card or GP Visit Card, you are entitled to a free general medical practitioner service with your choice of doctor. Your doctor should treat you in the same way as private fee-paying patients. If you do not hold one of these cards, you must pay the normal GP fees.

HSE or public voluntary hospital charges

Out-patient services

If you go to the out-patients, accident and emergency or casualty department of a public (or general) hospital without being referred there by your family doctor (GP), you may be charged €100.

In-patient services

Everyone resident in Ireland is entitled to be treated free of charge in a public bed in a public hospital. Some people may have to pay maintenance charges. The following do not have to pay maintenance charges or charges for out-patient services:

- » Medical card holders
- » Children referred from child health clinics and school health examinations
- » Children suffering from prescribed long-term illnesses – generally speaking, those who qualify for free drugs and medicines for the particular illness (see above)
- » Children up to the age of six weeks
- » Women receiving maternity services
- » People receiving services for infectious diseases such as TB

Public ward

There is a maintenance charge of €75 per day for in-patient services in a public ward. This is subject to a maximum of €750 in any period of 12 consecutive months. There is a provision for non-payment in cases of hardship. In this case, you should write to the hospital explaining your circumstances. You may become liable for long stay charges if your stay in hospital exceeds 30 days in a 12-month period.

Semi-private or private ward

Everyone going into a private or semi-private ward must pay the set charges for maintenance and all of the treatment costs.

Long-stay patients

The HSE may impose hospital charges on long-stay or extended care patients, separately from the normal in-patient charges. If you have been an in-patient for more than 30 days within the previous 12 months, you are liable for these charges. This applies to everyone, including medical card holders.

The Health (Charges for In-Patient Services) Regulations 2005 provide for different charging arrangements, depending on the level of nursing care being provided.

Class 1: those receiving in-patient services in premises where nursing care is provided on a 24 hour basis. Maximum weekly charge for care will be €153.25, or their weekly income less €44.70, whichever is the lesser.

Class 2: those receiving in-patient services in premises where nursing care not provided on a 24 hour basis. Maximum weekly charge will be the lesser of €114.95, or the person's weekly income less €70.25, or 60% of the persons weekly income.

Charges cannot be more than 80% of the maximum weekly rate of the State Pension (Non-Contributory). The HSE has the power to waive the charges if they would cause hardship.

If you are in hospital for more than 30 days and a doctor certifies that you do not need medically acute care and treatment you may be charged as if you were receiving long-term residential care services. See the Nursing Home Support Scheme.

The charges are payable by everyone resident in long-stay care except:

- » People aged under 18
- » Women receiving maternity services
- » People involuntarily detained under the mental health legislation
- » People in acute hospitals (including psychiatric hospitals) who require medically acute care and treatment
- » People who are suffering from Hepatitis C as a result of blood transfusions

Private patients in public or voluntary hospitals

If you are in a private bed in a public or voluntary hospital, you must pay for your maintenance at a rate set from time to time. The following charges are in addition to the public hospital in-patient charges. The rates are (from 1 January 2009):

Hospital category	Private	Semi-private	Day-care
HSE regional hospitals and voluntary and joint board teaching hospitals	€910	€713	€655
HSE county hospitals and voluntary non-teaching hospitals	€607	€488	€434
HSE district hospitals	€260	€222	€193

If you are a private patient, you must pay for the services of the consultant who is treating you. You must also pay for the services of any other consultant who is involved in caring for you.

Private health insurance

Health insurance is used to pay for private care in hospital or from various health professionals in hospitals or in their practices. Health insurance companies that offer cover for in-patient hospital services must offer a minimum level of benefits. They must provide a minimum level of cover for:

- » Day-care/in-patient treatment
- » Hospital out-patient treatment
- » Maternity benefits
- » Convalescence
- » Psychiatric treatment and substance abuse

The minimum accommodation level is semi-private in a public hospital. The arrangements vary from one company to another but most have agreements with hospitals that the company will pay the hospital directly. In most circumstances, your health insurance company pays the consultant directly.

A number of companies offer voluntary private health insurance in Ireland. There are also a number of long-established health insurance providers that deal only with particular groups of employees – membership is confined to employees and retired employees and their dependants. These schemes are known as restricted membership schemes – examples include the Gardaí, prison officers and ESB employees. The rules governing health insurance apply equally to all providers with some limited exceptions for the restricted membership schemes.

How to apply for private health insurance

You may take out private health insurance at any age but the waiting period before cover starts and the waiting period in respect of existing illnesses are age related. The level of cover available and the rates charged vary from one company to another. You must apply directly to the health insurance company that you wish to join.

Initial Waiting Periods/Pre-Existing Conditions

The health insurance company may not refuse to accept you on the basis of your health status but it may restrict the cover it gives you in certain circumstances. At present insurers are entitled to apply an initial waiting period before private health insurance cover becomes effective. This is 26 weeks for people aged under 55, 52 weeks for those aged between 55 and 64, and 104 weeks for people aged 65 or over.

The health insurance company may refuse to cover you for pre-existing conditions for longer periods after you join. These periods are not more than 5 years if you are under 55 when you join up, 7 years if you join up between the ages of 55 and 60, or 10 years if you are over 60 when

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you enrol. For example, if you have diabetes, the insurance company may refuse to provide you with any cover for diabetes for a specified period but must cover you for any other illnesses once the initial waiting period has expired.

It is a general principle in insurance that you must give all relevant information to the insurance company. If you do not, then the entire contract may be void.

If you are experiencing problems with getting cover, you should contact either:

Department of Health and Children

Hawkins House, Hawkins Street, Dublin 2.

Tel: (01) 635 4000

dohc.ie

or

Health Insurance Authority

Canal House, Canal Road, Dublin 6.

Tel: (01) 406 0080

hia.ie

Residential accommodation

People with disabilities who are unable to live at home may be provided with long-term residential care. This care may be provided directly by the HSE or on their behalf by voluntary organisations, which are largely financed by the HSE. Care may be provided in a residential centre or in community homes with house parents and other supports. Some people with disabilities are in public hospitals or in private nursing

homes. Some people with disabilities are in psychiatric hospitals but it is accepted that this is not appropriate and there is an ongoing programme to provide more appropriate placements for this group.

If you have a disability and are in long-term residential care, you may qualify for a Disability Allowance if you fulfil the general conditions for that payment (see Chapter 2).

Welfare homes, community hospitals or community nursing units are HSE-run institutions that provide accommodation and nursing care for older people and some people with disabilities who are in need of long-stay care.

Voluntary organisations

Many of the health services for people with disabilities are provided by voluntary organisations, usually with financial support from the Health Service Executive (HSE). There is a wide range of national and local organisations that provide services. There are umbrella organisations for people with physical and intellectual disabilities or autism and support groups for people suffering from particular illnesses. Most of these organisations also campaign for the rights of people with disabilities. There are also a number of organisations that devote themselves exclusively to promoting the rights of people with disabilities.

Standards in residential services for people with disabilities

The Health Information and Quality Authority is the independent Authority responsible for driving continuous improvements in Ireland's health and social care services. The Authority has published *National*

Quality Standards: Residential Services for People with Disabilities.

These set out what a quality, safe service for people with disabilities in a residential service should be.

The National Quality Standards are grouped under seven headings which address quality of life, staffing, protection, development and health, rights, the physical environment and governance and management. Taken together, they set out what a good quality service for people with disabilities should be. These standards support service providers in providing the highest quality of care and outline what is expected of a provider of such services.

However at present, there is no system of independent inspection for residential services for people with disabilities. The HSE has committed to start to implement the standards on a non-statutory basis, within existing resources.

Private nursing homes

These may be commercial or run by voluntary or religious bodies. All must be registered with the Health Information and Quality Authority (HIQA) under the Health Act 2007. From 1 July 2009, the *National Quality Standards for Residential Care Settings for Older People in Ireland* apply to all residential settings (public, private and voluntary) where older people are cared for and for which registration is required.

Nursing Home Support Scheme

The Nursing Homes Support Scheme (NHSS), also known as the “Fair Deal”, provides financial support to people who need long-term nursing home care. The scheme is operated by the Health Service Executive (HSE) and replaced the Nursing Home Subvention from 27 October 2009.

Under this scheme, you make a contribution towards the cost of your care and the State pays the balance. The scheme covers approved private nursing homes, voluntary nursing homes and public nursing homes (available from the HSE). Anyone who is ordinarily resident in the State and is assessed as needing long-term nursing home care can apply for the scheme.

Nursing Home Subvention

This subvention was replaced by the Nursing Homes Support Scheme. You could only apply for a subvention until 27 October 2009. If you were already getting a subvention on that date, you could choose to continue to receive it or you could move to the Nursing Homes Support Scheme.

What is covered by the NHSS?

The scheme covers long-term nursing home care only. It does not cover short-term care such as respite, convalescent care or day care although these types of services may be provided in some nursing homes. The Act defines “long-term residential care services” as maintenance, health and personal care services.

If you are in hospital, but no longer need acute care, then you can be charged for long-term care in that hospital (see page 78 above). If, for example, you are waiting to move to long-term care, then you should apply for the NHSS scheme as soon as possible. You will not be charged if you are on a waiting list for the NHSS, or if you have particular needs and there is no suitable accommodation available or if there is no suitable accommodation nearby.

How do I apply?

There are three steps in the application process:

Step 1 is an application for a Care Needs Assessment. The Care Needs Assessment identifies whether or not you need long-term nursing home care, that is, whether you can be supported to continue living at home or whether long-term nursing home care is more appropriate. The Care Needs Assessment will be carried out by appropriate healthcare professionals appointed by the HSE, for example, a nurse. The assessment will take into account:

- » Your ability to carry out the activities of daily living, for example, bathing, shopping, dressing and moving around
- » The medical, health and personal social services being provided to you or available to you both at the time of the carrying out of the assessment and generally
- » The family and community support available to you, and
- » Your wishes and preferences

When the Care Needs Assessment has been completed a report will be prepared. Based on the report, the HSE must decide whether or not long term nursing home care is the most appropriate option. Once a decision is made, you will be notified in writing within 10 working days. You will be given a copy of the report and the reasons for the decision.

You must be assessed as needing nursing home care in order to be eligible for either State support or the Nursing Home Loan.

Step 2 is an application for State support. The information that you give is used to complete the Financial Assessment which decides how much you contribute to your care and how much State support you get. The Financial Assessment looks at your income and assets in order to work out what your contribution to the cost of your care will be. The HSE will then pay the balance of your cost of care. This payment by the HSE is called State support.

You will contribute:

- » 80% of your income (less certain deductions) and
- » 5% of the value of any assets per annum.

However, the first €36,000 of your assets, or €72,000 for a couple, will not be counted at all in the Financial Assessment.

For example, if the cost of your care was €1,000 and your weekly contribution was €300, the HSE will pay the weekly balance of €700. In the case of a member of a couple, the assessment will be based on half of the couple's combined income and assets. For example, if a couple's income was €600 per week, the assessment of the person needing care would be based on 50% of €600, or €300. In other words, the person needing care would be considered to have a total income of €300 per week.

Where your assets include land and property, the 5% contribution based on such assets may be deferred and paid to Revenue after your death. This is known as a Nursing Home Loan. Your principal residence will only be included in the financial assessment for the first three years of your time in care. This is known as the 15% or 'three-year cap'. It means that you will pay a 5% contribution based on your principal residence for a maximum of three years regardless of the length of time you spend in nursing home care.

In the case of a couple, the contribution based on the principal residence will be capped at 7.5% where one partner remains in the home while the other enters long-term nursing home care, that is, the 'three-year cap' applies. If you opt for the Nursing Home Loan in respect of your principal residence, your spouse or partner can also apply to have the repayment of the Loan deferred for their lifetime. All other assets will be taken into account for as long as you are in care. All applicants must complete Steps 1 and 2.

Step 3 is an optional application for the Nursing Home Loan, that is, if you want to defer paying the part of your contribution which is based on your home or other property.

The application form should be completed and signed by the person who is applying for nursing home care. However, in certain cases, another person, called a Specified Person may apply on their behalf.

Where to apply

You can download an application form from **citizensinformation.ie** or from **hse.ie**. Forms are also available from any health care setting in your area including your Local Health Office and hospitals. You or a relative who pays towards the nursing home expenses may be able to get tax relief on nursing home fees, see Chapter 10.

Home care packages

Most people wish to stay in their own home for as long as possible if they can, and there are various HSE home-based supports and services available to support this as an alternative to long-term care.

Home Care Support Scheme

The Home Care Support Scheme is an HSE scheme that provides practical support and care, tailored to your individual needs. Broadly speaking, these supports may include the services of nurses, home care attendants, home helps and various therapies including physiotherapy and occupational therapy services.

The scheme is aimed mainly at those requiring medium-to-high caring support in order to continue living at home independently. The level and range of services provided to you are related to your assessed needs

and the availability of resources. This is still a relatively new scheme so to date there are no national guidelines regarding how admission to the scheme is decided or how income or means are assessed.

You should contact your local public health nurse or Local Health Office to discuss home-based supports and services that may be available in your area, and arrange an assessment of your situation.

Aids and appliances

If you are a medical card holder, the HSE will help with the purchase costs of necessary medical and surgical aids and appliances (such as wheelchairs and walking aids). If you do not have a medical card, you may get some assistance from the HSE if you are unable to meet the costs from your own resources and the aids and appliances are considered necessary as part of hospital treatment. If you have one of the conditions designated under the Long-Term Illness Scheme, you may also get assistance towards the purchase costs of medical and surgical appliances for that condition. Contact Disability Services in your Local Health Office to check if any assistance is available.

Members of private health insurance schemes may be able to get a refund of part of the cost of medical and surgical aids.

Refunds of VAT

You can claim a refund of VAT (Value Added Tax) for certain aids and appliances used by someone with a disability to assist them with independent living and working.

Applications for refunds and any enquiries should be made to:

**Revenue Commissioners,
Central Repayments Office,**
Coolshannagh, Monaghan, Co. Monaghan.
Lo-call: 1890 202 033
revenue.ie

Information on aids and appliances

Assist Ireland

The Citizens Information Board has developed a website, **assistireland.ie** (Assist Ireland), which contains information on assistive technology, aids and appliances available in Ireland. Users can search the website for a particular device or product, or browse through the 6,000 products currently included, to find out what is available and who supplies it.

The site has a section on information for independent living and various information sheets. These are useful for people who are trying to choose equipment or understand what is available. The website is of particular interest to people with disabilities and older people but should also be helpful for health professionals, service providers, and so on.

Assist Ireland

Lo-call: 1890 277 478 or Text: (086) 383 7644

**Email: support@assistireland.ie
assistireland.ie**

Voluntary organisations

Some voluntary organisations dealing with particular disabilities provide advice and information on aids and supply them: for example, the Irish Wheelchair Association, the Central Remedial Clinic, DeafHear.ie and the National Council for the Blind (see Appendix 1 for addresses).

Free travel to health services

If you or your dependents frequently incur travel expenses when attending hospitals or clinics and are receiving a social welfare payment, you may have an entitlement to a special Travel Supplement. In order to qualify, you must satisfy the general conditions for receipt of Supplementary Welfare Allowance (see Chapter 3).

How to apply

Apply to the Community Welfare Officer in your local health centre.

Assessment of need for children under five

The Disability Act 2005 provides for, among other things, the assessment of need of people with disabilities and the consequent drawing up of service statements that outline how these needs will be met. Currently the rules about the assessment of need only apply to children under five. Children are entitled to an assessment of need if their disability means that they need services to be provided early in life to lessen the effects of the disability. The parent or guardian of children under five must apply in writing to the Health Service Executive (HSE) for an assessment. It was announced in 2009 that further implementation of the Education for Persons with Special Educational Needs Act and further implementation of the Disability Act were being deferred.

You can find out more about the assessment of need for children under five in the Citizens Information Board's publication *Entitlements for children with disabilities*.

Chapter 7

Community care and other services

Community care services

The Health Service Executive (HSE) is responsible for the provision of community care services. Community care services can be broadly defined as services designed to enable people to remain living in their communities, especially when they have difficulties doing so because of illness, disability or age. Examples include home nursing services, home helps, occupational therapy and social work services.

There are wide variations in the level and range of services. In some areas, the HSE provides services directly or through voluntary organisations. In other areas, services may be provided exclusively by voluntary organisations. The range of community care services provided depends on the needs of the local population and the availability of services. Some of the services described below are not available in all areas. People with disabilities are entitled to access the range of community care services. In many cases, they have priority.

Find out more about what is available locally by asking your Local Health Office, Citizens Information Centre, library or doctor.

Public health nurses

Public health nurses in Ireland are employed by the Health Service Executive (HSE) to provide a range of health care services in the community. They are usually based in your local health centre and are assigned to cover specific geographical areas. They provide services in schools, in health centres, in day care and other community centres and in people's homes.

Public health nursing teams provide basic nursing care as well as advice and assistance to their patients. They provide planned essential weekend nursing and, in some cases, twilight nursing (this is the service for terminally ill patients). Public health nurses also act as an important point of access for other community care services.

In some areas, public health nurses keep a register of older people and visit them as a matter of course. Sometimes, the same service is also provided for people with disabilities. Local Health Offices may employ Health Care Assistants to assist the public health nursing service. Care assistants provide personal care rather than domestic services but there is some overlap between what they do and what home helps do.

Home helps

Home helps may be employed directly by the HSE or by voluntary organisations on behalf of the HSE. They assist with normal household tasks such as shopping and cleaning and are assigned to people who are unable to carry out such tasks themselves. Availability varies greatly from place to place. There may be a small charge, even for medical card holders.

Social workers

The HSE employs social workers who may provide advice and support. Most large hospitals employ social workers with whom patients and their relatives can discuss problems arising from their illness. Ask at the social work department of the hospital. Some voluntary organisations also employ social workers.

Occupational therapists

The HSE employs occupational therapists to help people with disabilities and older people to achieve maximum independence in the activities involved in daily living. Priority is usually given to older people and people with disabilities, as there is a significant shortage of qualified personnel. See Chapter 9 for more on how occupational therapists can help people who need to make adaptations to their homes.

Chiropody service

This is sometimes provided by the HSE or a voluntary organisation on behalf of the HSE to eligible people. It is often provided free to medical card holders aged over 65 and those with Hepatitis C who hold a Health Amendment Act Services Card.

Meals on wheels

A meals-on-wheels service is quite widely available. It is usually provided by a voluntary organisation.

Laundry service

This is usually provided by a local Care of the Aged committee or other voluntary organisation.

Day centres and day-care centres

They provide a range of social and rehabilitative services for older people and people with disabilities.

How to apply for community care services

Contact your Local Health Office or public health nurse for details of all of these services.

Personal assistance service

This is designed to help people with significant physical disabilities. It may include two levels of assistance, home care attendants and personal assistants.

Home care attendants

Home care attendants provide assistance and support to people with physical disabilities in their own homes. The time the attendant spends in each person's home and the tasks carried out vary from person to person.

Personal assistants

Personal assistants enable people to live independently in the community. They may provide assistance with bathing, dressing, cooking or other personal or household tasks. They may also assist the person in going to and from work, may aid them in working or studying or participating in social life. A personal assistant can assist a person with vision impairment with, for example, reading mail, getting from A to B or shopping independently. The person with a disability agrees the range of tasks with the personal assistant. This service is only available to people over 16 and under 65.

A working group has been established to examine the provision of a national personal assistant scheme for people with physical and mobility difficulties. The group has drawn up draft standard policies and procedures on assessment of need and training for personal assistants.

How to apply

For further details contact:

Irish Wheelchair Association

Blackheath Drive, Clontarf, Dublin 3.

Tel: (01) 818 6400

iwa.ie

Or

your local Centre for Independent Living – a list of addresses is available from:

The Centre for Independent Living

Carmichael House, North Brunswick Street, Dublin 7.

Tel: (01) 873 0455

dublincil.org

Respite care

Respite care is provided at a number of locations around the country. The purpose of respite care is to give carers a break, to allow them time for themselves, to have a holiday, or to spend time with other family members. Respite care can cover very short-term respite such as a few hours, or a much longer arrangement such as for a holiday. The person being cared for may be admitted to a public nursing home, or public acute hospital for a period of up to two weeks.

Respite care is organised through your public health nurse or your GP. It is advisable to book as far in advance as possible as demand exceeds the supply of beds.

How to apply

For further details about how to apply for respite care and a list of respite care facilities, contact your Local Health Office, public health nurse or your GP. We give details of the Respite Care grant in Chapter 4.

Other services

Sign language interpreters

Sign language interpretation is used in various situations to facilitate communication between deaf and hearing people. These include medical appointments, job interviews, meetings, conferences and education. The Sign Language Interpreting Service is the national agency for the provision of sign language interpreters.

Sign Language Interpreting Service (SLIS)

Hainault House,

The Square, Tallaght, Dublin 24.

Tel/Minicom: (01) 413 9670 or Mobile: 087 980 6996

Fax: (01) 413 9677

Email: slis@slis.ie

slis.ie

Telecommunications

Free directory enquiry service

Eircom customers who are unable to use the printed directory because of a physical or medical condition may apply to use a free directory enquiry service.

Call Freephone: 1800 574 574 for an application form. Your application needs to be signed by a doctor or nominated body such as NCBI.

National relay service

This free service for text telephone users (for example, Minicom) is available 24 hours a day. You can use the service by dialling the following freephone telephone numbers:

Chapter 7 Community care and other services

- » Minicom user dialling a hearing person: 1800 207 900
- » Minicom user dialling minicom user: 1800 207 800
- » Minicom user dialling emergency services: 1800 207 999

STEP (Scheme for Text Telephone Equality of Payment)

STEP is a scheme designed to give people who are deaf or hard of hearing cost equality when using a text telephone. If you use a text telephone at home, you can receive a rebate of up to 70% of the cost of phone calls on your bill. Details and application forms are available from:

DeafHear.ie

35 North Frederick Street, Dublin 1.

Tel: (01) 872 3800 or Fax: (01) 872 3816

Email: info@deafhear.ie

DeafHear.ie

Library service

Public libraries are provided all over the country by the various local authorities. Many of these have special large-type books and books on audiotape suitable for people with impaired vision. Some areas have a mobile library service. For further details, contact your local library.

A Braille lending library is operated by the National Council for the Blind. It also operates an audiotape library on four-track cassettes for which a special tape recorder can be issued free of charge.

National Council for the Blind of Ireland

Whitworth Road, Drumcondra, Dublin 9.

Lo-call: 1850 334 353 or Tel: (01) 830 7033

ncbi.ie

Voting

If you have a physical disability which makes it difficult for you to exercise your right to vote, you may:

- » Vote at an alternative polling station if the local station is inaccessible
- » Be helped to vote at the polling station by a companion or the presiding officer
- » Vote by post
- » Vote at a hospital, nursing home or similar institution if you live there

You must apply to be on the postal voters list by 25 November each year. A medical certificate is necessary the first time you apply.

If you have a severe intellectual disability, it is possible that you may not be considered to have the legal capacity to vote but there is no law dealing with this and it is not clear what would happen if you wanted to vote but were not allowed because of your disability.

The Department of the Environment, Heritage and Local Government has an information leaflet for voters with disabilities.

Department of Environment, Heritage and Local Government

Custom House, Dublin 1.

Lo-call 1890 202 021 or Tel: (01) 888 2000

environ.ie

Chapter 8

Transport and travel

People with disabilities are entitled to supports on public transport and when driving. If you have a physical disability and cannot walk, you may be eligible for a means-tested Mobility Allowance. Free travel on public transport is available for people aged 66 or over, for recipients of Carer's Allowance and for people on certain disability payments.

Mobility Allowance

This is a means-tested supplementary monthly payment from the HSE for people with severe disabilities who are unable to walk.

How do I qualify for Mobility Allowance?

You must be between the ages of 16 and 66 and unable to walk, even with the use of artificial limbs or other suitable aids, or the exertion required to walk would be dangerous to your health. The inability to walk must be likely to persist for at least one year and you must be able to benefit from a change of surroundings. You must satisfy a means test which is similar to the means test for Disability Allowance.

People living in institutions may qualify for the allowance provided they meet the medical and means requirements. The allowance is not available to new applicants aged 66 or over.

Key points

Mobility Allowance is paid monthly. There are two rates of payment. The higher rate is only paid to people who do not claim the Disabled Drivers and Passengers Tax Relief (see Chapter 8). Mobility Allowance is not paid to those who have a HSE's Motorised Transport Grant for three years from the date of the grant (see below).

How to apply for Mobility Allowance

Apply to your Local Health Office.

Free travel

The Free Travel Pass is available to people aged 66 and over and to certain incapacitated people under age 66. It allows you to travel, free of charge, on public transport and on a number of private bus and ferry services. There is no restriction on the amount of free travel you use or the times of travel. People who are entitled to free travel are also entitled to have their spouse or partner travel free with them. In addition, if you are unable to travel alone for medical reasons, you may get a Free Travel Companion Pass (see below) which allows a person over 16 to accompany you, free of charge.

How do I qualify for free travel?

The following groups qualify for free travel:

- » Everyone aged 66 or over and permanently resident in Ireland
- » Recipients of Disability Allowance, Blind Pension and Invalidity Pension and people who have been receiving Incapacity Supplement (with Disablement Pension) for at least a year
- » Those registered as blind or with a severe visual impairment who satisfy the medical conditions for Blind Pension

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- » Anyone who has been receiving an Invalidity Pension for at least 12 months from an EEA state or from a country that has a bilateral social security agreement with Ireland and is permanently resident here
- » People who were receiving Invalidity Pension or Disability Allowance and changed to State Pension (Transition) at age 65
- » People in HSE-approved residential care who were previously getting Disability Allowance (DA) or who would satisfy the conditions for DA and are medically assessed as being unable to travel alone
- » Recipients of Carer's Allowance and carers providing full-time care and attention to those getting Constant Attendance Allowance or Prescribed Relative Allowance
- » A Widow/er aged 60-65 inclusive, getting certain payments whose late spouse held a Free Travel Pass

Key points

Where can I go?

Free travel is available on road, rail and DART services operated by Bus Átha Cliath, Bus Éireann, Iarnród Éireann, LUAS services, the Aran Islands ferry service and on certain private services which have opted into the scheme. You can also use your Free Travel Pass on any of the schemes under the Rural Transport Programme.

Travel in Northern Ireland

Free Travel Pass holders can complete return trips to Northern Ireland free of charge. Residents of Northern Ireland who hold Northern Ireland concession passes can complete return trips to Ireland free of charge. If travelling by rail, you must complete a travel warrant which is available from most rail stations or post offices. You should complete this in advance of your journey and get the rail ticket at least 15 minutes before train departure time.

If you are aged 66 or over, you can also travel free on journeys that start and end within Northern Ireland. In order to do this, you must have a Senior SmartPass.

You can get the application form for the Senior SmartPass (Form FTNI1) from your local social welfare office or Citizens Information Centre. The extension of the scheme for travel within Northern Ireland does not apply to free travel passes for spouses and companions, but these passes can still be used for travel across the border to or from a destination in Northern Ireland.

Free Travel Companion Pass

This pass allows you to have someone aged 16 or over accompany you free of charge when travelling. The following people qualify for Free Travel Companion passes:

- » Disability Allowance recipients (medically assessed as unfit to travel alone)
- » Invalidity Pensioners (medically assessed as unfit to travel alone)
- » Disablement Pension and Incapacity Supplement recipients (medically assessed as unfit to travel alone)
- » Pensioners and recipients of certain qualifying payments who are medically certified as permanent wheelchair users
- » Blind pensioners and people registered as blind
- » Persons aged 66 and 69 inclusive who are medically assessed as unfit to travel alone
- » People in HSE-approved residential care who were previously getting Disability Allowance and who are medically assessed as unfit to travel alone
- » Travel Pass holders being looked after by a recipient of Carer's Allowance
- » People aged 70 or over who are unfit to travel alone

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How to apply for a Free Travel Pass

A Free Travel Pass is issued automatically if you are resident in the State and receiving Blind Pension, Invalidity Pension, Disability Allowance or Carer's Allowance. It is also issued automatically when you reach the age of 66 if you are getting a pension or are a qualified adult on another social welfare payment from the Department of Social Protection and are resident in the State.

If you do not get a Free Travel Pass automatically, but you feel you qualify, you can apply to:

Free Travel Section

Social Welfare Services, College Road, Sligo.

Lo-call: 1890 500 000

Using public transport with a disability

The NDA has produced *Recommended Accessibility Guidelines for Public Transport Operators in Ireland* to help bus, rail and light rail operators in Ireland make their services more accessible to passengers with disabilities. The guidelines cover information provision, infrastructure and buildings, vehicle design, customer relations, disability awareness training and procedures for disruption and emergencies.

In addition, the guidelines explain the barriers to travel faced by passengers with disabilities, and outline the current Irish legal and regulatory position.

Getting There - Transport and Access to Social Services published by the Citizen's Information Board, is based on feedback from members of the public to the Citizens Information Services and highlights their experiences accessing relevant services. Visit citizensinformationboard.ie

Trains

Iarnród Éireann produces a guide for rail travellers, including DART users, entitled *Guide for Rail Passengers with Disabilities*. This is available free of charge in all stations. It offers advice and also provides information on facilities available at each station. You can also get the guide from:

Accessibility Officer, Iarnród Éireann

Tel: (01) 703 2634

Email: access@irishrail.ie

Buses

Dublin Bus operates a travel assistance scheme. The scheme helps people with disabilities to build confidence to use the service by themselves. Trained travel assistants accompany you on your journey for the first few times you use the service. The scheme is available to anyone over the age of 18 who would like to use public transport but needs assistance and information in order to use it independently. The service is free. Contact:

Accessibility Officer, Business Development

Dublin Bus, 59 Upper O'Connell Street, Dublin 1.

Tel: (01) 7033204

**Email: travelassist@dublinbus.ie
dublinbus.ie**

Vantastic Dial-a-Ride

Vantastic is an independent, not-for-profit organisation that provides an accessible door-to-door transport service for people with disabilities in the Dublin Area. They can provide for transport outside of the Dublin Area on request. To find out what service is available outside Dublin, contact your local Centre for Independent Living. For the greater Dublin area contact:

Vantastic Dial-a-Ride Limited

Unit 2A, Howth Junction Park, Kilbarrack, Dublin 5.

Freephone: 1800 242 703 or Tel: (01) 839 2447, 839 2449

Email: info@vantastic.ie

vantastic.ie

Driving with a disability

Having a medical condition or disability does not mean you cannot or will not be allowed to drive. You may have to complete a medical report if you are 70 years of age or more or have certain disabilities or diseases (listed on the medical report form). There are various supports including special provisions for drivers with disabilities while taking driving tests, grants for adapting a vehicle, the Disabled Persons Parking Card and tax relief for necessary adaptations to vehicles.

Driving tests for people with a disability

You are asked on your driving test application form to outline whether you are driving an adapted vehicle. This will ensure that any necessary arrangements are in place for you on the day of your test. Driving tests for drivers with a disability are broadly the same as those for all other motorists.

Your examiner should be specially trained to be aware of your needs. If you are deaf or hard or hearing, you are allowed to have an interpreter accompany you for the first part of the test.

Disabled Drivers and Passengers tax relief

This scheme provides a range of tax reliefs in connection with the purchase and use of specially adapted vehicles by drivers and passengers with severe disabilities.

How do I qualify for Disabled Drivers and Passengers Tax Relief?

To qualify for Disabled Drivers and Passengers Tax Relief, you must hold a Primary Medical Certificate. This is a certificate that confirms that you are severely and permanently disabled according to the criteria set out in the Disabled Drivers and Disabled Passengers (Tax Concessions) Regulations 1994. It is only used for tax purposes and is issued by the HSE. Application forms are available from HSE Local Health Offices and should be returned there. You will then receive an appointment for an assessment with a Medical Officer which confirms that you meet the specified medical criteria.

If you qualify, you may claim:

- » Exemption or refund of Vehicle Registration Tax (VRT) and Value Added Tax (VAT) on the purchase of a specially adapted car
- » Exemption or refund of VAT on the cost of adaptation, up to a maximum of €9,525 for a disabled driver and €15,875 for a passenger or family member with a disability
- » Repayment of excise duty on fuel used (petrol, for example) up to a maximum of 600 gallons (2,728 litres) per year
- » Exemption from annual motor tax

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To qualify for this relief, the maximum engine size allowed for a driver with a disability is 2000cc and 4000cc for a passenger. A car which qualifies for tax relief cannot be sold for at least two years.

Note: If you benefit from the Disabled Drivers and Passengers Tax Relief you are only eligible for the lower rate of Mobility Allowance.

How do I apply for the relief?

Application forms available from:

Revenue Commissioners,

Disabled Drivers Section,

Coolshannagh, Co. Monaghan.

Lo-call: 1890 606 061 or Tel: (047) 38010

revenue.ie

Motorised Transport Grant

This is a means-tested grant paid by the Health Service Executive (HSE) towards the purchase and/or adaptation of a car by a person with a severe disability, primarily where the car is essential to obtain or retain employment. The grant can be made to a self-employed person.

How do I qualify for a Motorised Transport Grant?

In order to be eligible for the grant:

- » You must be over 17 years.
- » Your disability must impede your use of public transport.
- » You must hold a driving licence.
- » You must be physically and mentally capable of driving.

- » You must require a car or other vehicle in order to obtain or keep employment or because you live in a very isolated location. Where your application is made on the basis of obtaining or retaining employment or self-employment, the HSE must be satisfied that you are capable of holding down a job.

If you avail of the grant, you will not be eligible for Mobility Allowance for three years from the date of the grant.

How do I apply for a Motorised Transport Grant?

You apply to your Local Health Office.

Adaptations and driving

The Irish Wheelchair Association and the Disabled Drivers Association of Ireland provide advice on suitable car adaptations to meet individual needs. They run driving schools for people with disabilities and can provide information and advice on all aspects of motoring.

Irish Wheelchair Association

National Mobility Centre, Ballinagappa Road, Clane, Co. Kildare.

Tel: (045) 893 094

iwa.ie

The Disabled Drivers' Association of Ireland,

Ballindine, Co. Mayo.

Tel: (094) 936 4266/4054

ddai.ie

Disabled Person's Parking Card

The Disabled Person's Parking Card (also known as the European Parking Card) is for people with severe disabilities, whether they are drivers or passengers. It costs €25 (€50 to replace a lost card) and it applies to the person rather than the car.

People who have the EU Disabled Person's Parking Card displayed on their windscreen may park in assigned disabled person's parking spaces. These have the wheelchair symbol painted on the ground within the bay or a sign with the symbol displayed.

A review of the disabled person's parking scheme was published by the Department of Transport in 2010. Key recommendations from the review include:

- » Changing the medical eligibility criteria for the Disabled Person's Parking permit
- » New measures to reduce the fraudulent use of permits
- » An increase in the size of some types of parking bays
- » The introduction of new types of disabled parking bays
- » Giving powers to local authorities to introduce time restricted parking spaces and
- » New set down and pick-up only disabled spaces.

The recommended changes will be put in place shortly but are not yet in force.

Can I use the card while I am abroad?

The Parking Card can be used in other EU countries and it is also recognised in the US and Canada. However, you must observe the motoring laws and restrictions on parking in other countries.

How do I apply for a Disabled Persons Parking Card?

The parking card scheme is administered by the Disabled Drivers Association and the Irish Wheelchair Association. The application form is available from either organisation. Apply in writing for an application form, stating your disability and how it affects your mobility, and enclose a stamped addressed envelope. You have to get the form completed by the Gardaí and by your doctor unless you have a Primary Medical Certificate.

Irish Wheelchair Association

National Mobility Centre, Ballinagappa Road, Clane, Co. Kildare.

Tel: (045) 893 094

iwa.ie

The Disabled Drivers' Association of Ireland,

Ballindine, Co. Mayo.

Tel: (094) 936 4266/4054

ddai.ie

AA breakdown service

A long-standing arrangement exists whereby the AA provides courtesy services to disabled drivers in the event of a vehicle breakdown on the open road. This means that AA will send an patrol service van to your assistance and repair the vehicle or if this is not possible, tow it to a local garage or home (whichever is the nearer).

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This service is only provided “free” by AA staff and only for incidents on the open road. If the vehicle is at home, or if for any other reason AA cannot send its own staff, service from an AA garage contractor would be offered. This service is not free and you are liable for all costs.

Further information is available from:

AA Ireland

56 Drury Street, Dublin 2.

Tel: (01) 617 9999

Fax: (01) 617 9900

Email: aa@aaireland.ie

aaireland.ie

Disabled Drivers Association of Ireland

Ballindine, Co. Mayo.

Tel: (094) 936 4054

ddai.ie

Toll road charges

Disabled drivers and disabled passengers with specially adapted vehicles in Ireland are exempt from toll charges on national roads throughout Ireland. A toll is a levy on each vehicle that passes through a designated toll road. Toll charges are currently in operation on the following national roads in Ireland:

- » M1 Motorway (Gormanston to Monasterboice Toll Road)
- » M50 Barrier Free Tolling
- » East Link Toll Bridge
- » Dublin Port Tunnel
- » M4 Kilcock - Enfield - Kinnegad Motorway
- » N6 Galway - Ballinasloe

- » N8 Rathcormac - Fermoy Bypass
- » N25 Waterford City Bypass
- » M3 Clonee – Kells
- » M7 Portlaoise - Castletown/M8 Portlaoise – Cullahill
- » N7 Limerick Southern Ring Phase II (Limerick Tunnel Scheme)

How to apply

You need to show you are a disabled driver, driving an adapted vehicle (or are a passenger in an adapted vehicle) to qualify for free passage through the tolls. Passes issued by any one operator will be accepted by all other toll road operators. For further information and to obtain an application form, contact your nearest toll road operator.

Tourism

The European Commission published a guide *Improving Information on Accessible Tourism for Disabled People* which provides information on how tourist facilities and destinations as a whole can improve the quality of the service that they offer to disabled people and others who will benefit from better accessibility. The guide aims to help tourist facilities and destinations provide the basic information that disabled people need when deciding to visit.

A key aim of the guide is to present a consistent and practical European wide approach to providing accessible information so that tourists can compare their options. The guide contains a glossary of terms and a directory to European contacts who can advise further on disabled travel.

Visiting heritage sites/accessibility

The National Disability Authority has published a draft code of practice that explains the obligations of public bodies to ensure that, as far as practicable, the whole or part of a heritage site in its ownership,

Chapter 8 **Transport and travel**

management or control and to which the public has access, is accessible to people with disabilities and can be visited by them with ease and dignity.

The Code is supported by a complaints process which applies under the Disability Act. These sections provide that an individual with a disability can make a complaint about any failure by a public body to comply with the Act to an inquiry officer appointed by the body concerned. If you are not satisfied with the outcome of your complaint you can appeal to the Ombudsman under section 40 of the Act (See Chapter 14).

Chapter 9

Housing

This chapter looks at the housing supports available for people with disabilities. It gives a general overview of the accommodation options available including privately owned, privately rented and social housing. We also look at the supports available for adapting a home and ways that people with disabilities can live independently.

Sometimes people with disabilities may need extra support to live independently. We cover home help and personal assistant services in Chapter 7.

Owning a home

You may not be discriminated against in accessing a commercial mortgage on grounds of your disability. If you cannot afford to buy a house in this way, you may qualify for a local authority loan, affordable housing or shared ownership.

Renting a home

Local authority housing

Local authorities must allocate houses for rent in accordance with a scheme of letting priorities often called the points system. The local authority may (but does not have to) give priority to groups such as older people or people with disabilities. Many local authorities do provide special housing units for older people and people with disabilities.

Local authorities may carry out improvements to private houses for people who are on the waiting list for local authority housing and may subsidise tenants who wish to leave local authority accommodation and buy a private house.

Housing associations

Housing associations, sometimes called voluntary housing associations or voluntary housing, are independent non-profit-making organisations that provide rented housing for special needs groups, such as older people, people with a disability or people who cannot afford to buy a home.

Housing associations are usually formed to relieve a local housing need. Many associations are established by existing caring and/or voluntary associations that provide services to special needs groups. Home-ownership co-operatives are a particular form of housing association, in which tenants share responsibility for the management and upkeep of their homes.

Some housing associations offer non-housing services such as group meals, social activities and welfare advice. In order to be housed by a housing association, you must be registered on the local authority housing waiting list in your area and there may also be an income or means test.

Housing association tenants have similar rights to local authority tenants; however, housing association tenants do not have the right to buy their homes.

Assistance for voluntary housing organisations

Approved voluntary organisations may qualify for grants, loans and subsidies for the provision of housing for particular groups including those with disabilities.

Organisations should apply to the Department of the Environment, Heritage and Local Government for approval and then to the local authority for the grants, loans or subsidies.

How to apply to a housing association

The housing department of your local authority will be able to tell you if there are housing associations active in your area and details of voluntary housing associations are also available from:

Irish Council for Social Housing

50 Merrion Square East, Dublin 2.

Tel: (01) 661 8334

Email: info@icsh.ie

icsh.ie

Buying your local authority home

If you have been a tenant of a local authority house for at least one year then you can apply to your local authority to buy it, either outright through the Tenant Purchase Scheme or through shared

ownership. In general, all local authority houses are included, with the exception of houses provided for and occupied by older people. Apartments and flats are not included in the tenant purchase scheme. Local authorities can exclude houses for reasons of good estate management, because of their structural condition or if they plan to carry out remedial works to them.

A new Incremental Purchase Scheme to replace the Tenant Purchase Scheme was announced in 2010. This scheme allows people who qualify for social housing to buy a new house from a local authority or approved housing body at a discount.

Home improvements and adaptation

If you have a disability or are an older person with mobility problems you can get financial help with alterations to make your home more suitable for your needs. Common alterations might include making a house wheelchair-accessible, extensions to create more space, adding a ground floor bathroom or toilet and stair-lifts. In case of emergency, for example a fire, it is important that exits from the house are accessible and that you do not rely entirely on mechanical means (such as a lift) to exit the house.

Before you make any big changes to your home you should get advice from an occupational therapist (see below). If you need to add a structure or an extra room such as an accessible bathroom to your house you may need planning permission. It is important to be sure of what planning permission you need before you start work.

Financial and other supports for home adaptations

Adapting your home to suit the needs of a disabled or older person can be costly, particularly if structural changes are necessary. Relevant grant schemes include the Housing Adaptation Grants for Older People and People with a Disability, the Mobility Aids Grant Scheme and the Housing Aid for Older People Scheme (described in more detail below). All the schemes are administered by the local authorities.

When the local authority receives your application for one of the new grant schemes, it may request an Occupational Therapist's (OT) assessment. An OT is someone qualified to assess and advise you on your daily living needs. The local authority can arrange for an OT assessment, but under the new grants you can employ an OT to carry out an assessment and recoup up to €200, as part of the total grant up to the maximum you are entitled to. You can contact an OT through the community care section of your Local Health Office.

Health professionals, such as public health nurses and physiotherapists can also advise you on specialised equipment and home adaptations. Make sure that any healthcare professional is briefed about your needs both in the long and the short-term so that you only have to make changes to your house once.

If you have a medical card or a Long Term Illness Card (see Chapter 6), you may be entitled to get essential items of equipment free of charge. First, you must be assessed by a relevant professional, such as an occupational therapist or a physiotherapist.

Housing Adaptation Grant for People with a Disability

If changes need to be made to your home to make it suitable for someone with a physical, sensory or intellectual disability or a mental health difficulty, you may be eligible for a Housing Adaptation Grant for People with a Disability.

Who is eligible?

This scheme is for people who are not covered by the Mobility Aids Grant Scheme (see below). It provides means-tested grants for the provision or adaptation of accommodation to meet the needs of people with a disability. The maximum grant is €30,000. The Housing Adaptation Grant for New Houses for People with Disabilities, that is, houses which are adapted within one year of their completion is €14,500.

Your application will be prioritised based on medical need. There are 3 priority levels:

- » **Priority 1:** A person who is terminally ill or fully/mainly dependant on family or carer; or where alterations/adaptions would facilitate discharge from hospital or alleviate the need for hospitalisation in the future.
- » **Priority 2:** A person who is mobile but needs assistance washing, toilet facilities, bedroom etc; or where without the alterations/adaptions the disabled person's ability to function independently would be hindered.
- » **Priority 3:** A person who is independent but requires special facilities to improve the quality of life, for example, separate bedroom or living space.

People with household incomes of less than €30,000 per year may qualify for 95% of the cost of the works (subject to the maximum of €30,000). The proportion of the costs to be grant aided are tapered

from 95% to 30% (applies when household income is between €54,001 and €65,000 per year). When calculating your household income some income is not taken into account:

- » €5,000 for each member of the household aged up to 18 years
- » €5,000 for each member of the household aged between 18 and 23 years and in full-time education or a FAS apprenticeship
- » €5,000 where the person with a disability for whom the grant is for, is being cared by a relative on a full-time basis
- » Income from Child Benefit; Family Income Supplement; Domiciliary Care Allowance; Respite Care Grant; Carer's Benefit and Carer's Allowance (if the carer's payment is made in respect of the person for whom the grant is for)

How to apply

You should contact the Housing Department of your local authority for further information.

Mobility Aids Grant Scheme

This scheme provides grants for equipment designed to address mobility problems in the home, for example, grab-rails, a level access shower or chair-lift. It is designed to fast-track essential items that are required to allow you to remain in your own home. The grant is primarily for older people but people with disabilities can also access the scheme.

The amount paid under this scheme is less than under the Housing Adaptation Grant for People with a Disability and the cut-off point for household income is lower (only people with household incomes of less than €30,000 qualify – the income disregards are the same as those for the Housing Adaptation Grant (outlined above)). However, you may get essential mobility aids quicker under this scheme and up

to 100% of the cost is covered up to a maximum amount. If the work you need done costs over €6,000 you should apply for the Housing Adaptation Grant for People with a Disability.

If you don't satisfy the income limits for the Mobility Aids Grant Scheme you should apply for the Housing Adaptation Grant for People with a Disability. You cannot apply for both the Mobility Aids Grant Scheme and the Housing Adaptation Grant for People with a Disability; however, you can withdraw your application for one scheme and submit a new application under the other

How to apply

You should contact the Housing Department of your local authority for further information.

Housing Aid for Older People Scheme

The Housing Aid for Older People Scheme is used to improve the condition of an older persons home. In general, this scheme is aimed at people 60 and above. However, if there is a case of genuine hardship the local authority may give assistance to people under 60.

The type of work which is grant aided includes structural repairs or improvements, re-wiring, repair or replacement of windows and doors, provision of water, sanitary services and heating, cleaning and painting, radon remediation, re-wiring and any other repair or improvement work considered necessary. The grant can be paid to people in owner-occupied housing or houses being purchased from a local authority under the tenant purchase scheme.

How do I qualify for the Scheme?

Your application will be prioritised based on medical need. Highest priority will be given to a person who is terminally ill or where alterations/adaptations would facilitate discharge from hospital or continuance of care in your own home.

The Housing Aid for Older People Scheme is means-tested. This means your total household income is assessed to find out if you qualify for the grant and at what level of assistance.

The maximum grant available under the Housing Aid for Older People Scheme is €10,500 which may cover 100% of the cost of works. 100% of the approved cost of works is available to those with annual household incomes of less than €30,000 and tapering to 30% for those with annual household incomes of €54,001 to €65,000.

If you get a grant of more than €10,000 you must have a valid Tax Clearance Certificate. If you intend to pay more than €650 to a contractor, you must get your contractor to submit his/her C2/Tax Clearance Certificate to the local authority.

It is possible to get a grant under the Housing Aid for Older People Scheme a second time if your needs have substantially changed over time.

Where to apply

Contact the Housing Section of your local authority for more information about how to apply and about the eligibility rules in your area. The grant will not be paid if you start work before the grant is approved. However, it is expected that the work will start within six months of your grant approval.

Local authority home improvement loans

Local authority loans are available to owner-occupiers in Ireland for the carrying out of necessary works to improve, repair or extend their existing houses. A single-income household whose income was below €40,000 in the previous tax year may qualify for a home improvement loan. The income limit for a two-income household is €100,000, using the same formula to calculate your income limit as is used for house purchase loans: multiply the gross income (before tax) of the higher earner in the last tax year by 2.5 and add the gross income of the other earner in the last tax year. If the answer is €100,000 or less, you are eligible for a loan. You are unlikely to get this loan if your only income is a social welfare payment.

How to apply

Apply to your local authority.

Warmer Homes Scheme

The Warmer Homes Scheme is part-funded by the Sustainable Energy Authority of Ireland (SEAI). The scheme provides a draught-proofing and home insulation service. Eligibility criteria for the Warmer Homes Scheme are determined locally and can vary according to where you live. In some parts of the country a small fee is charged for the work undertaken through the scheme.

How to apply

To find out if the service is available in your area, contact:

Sustainable Energy Authority of Ireland (SEAI)

Wilton Park House

Wilton Place

Dublin 2

Tel: (01) 808 2100

Email: info@seai.ie

seai.ie

Greener Homes Scheme

The Greener Homes Scheme provides assistance to homeowners who intend to purchase a new renewable energy heating system for either new or existing homes. The scheme is administered by Sustainable Energy Ireland and aims to increase the use of renewable energy and sustainable energy technologies in Irish homes.

Assistance with mortgage interest or rent

There is a general scheme under the Supplementary Welfare Allowance Scheme for private tenants and for people making mortgage payments. There is also a special scheme for the very small number of tenants who live in formerly rent-controlled dwellings.

Rent Supplement

To qualify for a Rent Supplement, you must:

- » Have been living, for at least six months, in private rented accommodation that you could afford when you took out the lease but now need help with the rent due to a change in your circumstances, such as illness **or**

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- » Have been living in accommodation for homeless people or in an institution (or any combination of these) for a period of six months within the last 12 months **or**
- » Have had an assessment of housing need carried out within the last 12 months and have been found eligible for and in need of social housing support.

In all other cases, people who apply for Rent Supplement are referred for an assessment of eligibility for social housing support by the local housing authority. Only when you have been assessed as being eligible for and in need of social housing support, do you become eligible for Rent Supplement. **Rent Supplement is not payable while a housing needs assessment is being undertaken. Some limited exceptions may apply.**

In general you do not qualify if you are in full-time employment (30 hours a week). If one of a couple is in full-time employment, both are excluded from claiming a Rent Supplement. However, you may be able to retain your Rent Supplement when you begin work again if you are accepted as being in need of accommodation under the Rental Accommodation Scheme (RAS) (see below) and have been unemployed or in part-time employment for the previous 12 months.

How to apply

Apply to the Community Welfare Officer at your local health centre.

Mortgage Interest Supplement

Mortgage Interest Supplement provides short term support to help you pay your mortgage interest repayments. You will only get assistance with the interest portion of your mortgage repayments. You will not get help with the portion that pays off the actual loan and house insurance.

In general you do not qualify if you are in full-time employment (30 hours a week). If one of a couple is in full-time employment, both are excluded from claiming a Mortgage Interest Supplement. Changes are proposed to the scheme but are not yet in force.

How to apply

Apply to the Community Welfare Officer at your local health centre.

Special scheme for formerly rent-controlled dwellings

In order to qualify for a rent allowance, your new rent must have been set by the District Court or by the Rent Tribunal which was set up in August 1983. Your landlord must register the tenancy with the local authority. There is a means test. Apply to:

Rent Allowance Section

Social Welfare Services, Ballinalee Road, Longford.

Tel: (043) 40000 or (01) 704 3000

Rental Accommodation Scheme

If you have been getting Rent Supplement for more than 18 months and you are in need of long-term housing, you may be eligible for the Rental Accommodation Scheme (RAS). The scheme is run by local authorities. The local authority will make the final decision about eligibility under the scheme.

Under the scheme, local authorities draw up contracts with landlords to provide housing for people with a long-term housing need for an agreed term. The local authority pays the rent directly to the landlord (you may continue to contribute to your rent but you pay this contribution to your local authority not to your landlord).

The key elements of the scheme are:

- » Local authorities pay the full rent to the landlord on behalf of the tenant
- » Landlords must register tenancies with the Private Residential Tenancies Board (PRTB) and the tenancies are governed by the Residential Tenancies Act 2004
- » The property must meet minimum standards for private rental accommodation
- » Deposits are not required since the local authority has entered into a contract with the landlord

How to apply

Contact your local authority.

Accessibility

Accessibility is a key element in meeting the accommodation needs of people with disabilities. Part M of the Building Regulations was amended in June 2000 to ensure that all new houses commencing construction on or after 1 January 2001 are “visitable” by people with disabilities. Part M requires newly built homes to meet certain accessibility requirements, including a low-level entrance at the hall door and provision of a toilet at living room level.

The Building Regulations Advisory Body (BRAB) is a statutory body established under Section 14 of the Building Control Act, 1990 to advise the Minister for Environment, Heritage and Local Government on matters relating to the Building Regulations. Membership of the body includes representatives from the construction industry and regulators at national and local level. The Building Control Act 2007

(most of which was commenced in 2008) provides for a Disability Access Certificate to confirm compliance of the design of proposed new buildings with Part M.

Living independently

Specialist equipment and adaptations can make it easier for you to live independently in your own home. The equipment available ranges from large equipment such as stairlifts and hoists to smaller gadgets designed for people with specific disabilities. The Assist Ireland website can give you more information on some of the equipment available.

assistireland.ie

Centers for Independent Living

Centers for Independent Living aim to enable people with disabilities to live fulfilled, independent and active lives within society. The first Irish Center for Independent Living (CIL), CIL Carmichael House, was established in 1992 by and for people with disabilities. There are currently twenty-six centres operating throughout Ireland.

Center for Independent Living

Carmichael House, North Brunswick Street, Dublin 7.

Tel: (01) 873 0455 or (01) 873 0986

Email: info@dublincil.org

dublincil.org

Chapter 10

Income tax and levies

Some tax-free credits and allowances are intended especially for people with certain disabilities. We also describe the Health Levy.

General information on income tax

The tax year is the same as the calendar year. It runs from 1 January to 31 December each year. The standard rate of income tax is 20%. Depending on your circumstances, you may have to pay income tax at the higher rate of 41% on some of your income.

Income from virtually all sources is taxable. This includes all long-term social welfare payments such as Invalidity Pension, Blind Pension, Carer's Allowance and Carer's Benefit. Illness Benefit and Jobseeker's Benefit are also taxable. The increase for qualified children, paid with Illness Benefit and Jobseeker's Benefit, and the first €13 per week of Jobseeker's Benefit are exempt from tax. The first six weeks of Illness Benefit in a tax year are not taxable. Jobseeker's Benefit, when paid to systematic short-term workers, is also exempt from tax.

Certain types of income are exempt from tax. These include Disability Allowance, Domiciliary Care Allowance, Maternity Benefit, compensation for personal injuries (the income arising from it may also be exempt from tax if very specific conditions are met), statutory redundancy lump sums, certain payments in compensation for loss of employment, Hepatitis C compensation awards, compensation

payments to Thalidomide victims (and the income arising from this), some military pensions, compensation paid to people who were abused in residential institutions and compensation paid to people who were illegally charged long-stay charges in nursing homes.

Even if your social welfare payment is deemed taxable, if it is your only income you are unlikely to be liable to pay any tax. If however you have a social welfare payment and another source of income, you may have to pay tax on it.

Tax credits and allowances

Tax reliefs reduce the amount of tax that you have to pay. The tax reliefs to which you are entitled depend on your personal circumstances. The two main types of income tax relief are tax credits and tax allowances.

Tax is calculated as a percentage of your income. Tax credits are deducted from this to give the amount of tax that you have to pay. A tax credit has the effect of reducing your tax liability by the amount of the credit.

The value of a tax allowance depends on the highest rate of income tax that you pay. Take the example of a tax allowance of €100. If you pay tax at 41%, then a tax allowance of €100 will apply at the rate of 41% and reduce your tax by €41 ($€100 \times 41\%$). If the highest rate of tax that you pay is 20% then the same tax allowance of €100 will reduce your tax by €20 ($€100 \times 20\%$).

The usual personal tax credits and allowances apply to people with disabilities in the same way as everyone else. Here we cover those that are particularly relevant to people with disabilities. Tax credits and allowances are not relevant to people who do not have enough income to be liable for tax.

Tax exemption limits

Tax exemption limits are limits below which you are not liable for tax. They are not the same as credits or allowances. If your income is slightly above the limit, you may get marginal relief. This means that you pay tax at 40% on the part of your income which exceeds the exemption limits. If your income is below these limits or not very much above, you should inform your tax inspector so that you may get the benefit of the exemption limits or marginal relief.

Tax exemption limits from January 2010 are as follows:

Status	Aged under 65	Aged 65 or over
Single and Widowed	€5,210	€20,000
Married	€10,420	€40,000

These limits are increased if you have dependent children: by €575 each for the first and second child and by €830 for each subsequent child.

For tax purposes, a child is a dependant if he or she is aged under 16, or over 16 and in full-time education or in training as an apprentice, or has become incapacitated before reaching the age of 21 or before finishing full-time education.

The main disability-related tax reliefs

Blind Person's Tax Credit

A single person who is blind is entitled to an extra tax credit of €1,830 on top of their single tax credit. For a married couple where both are blind, the extra tax credit is €3,600.

Incapacitated Child Tax Credit

This tax credit of €3,660 can be claimed by the parents if a child has a permanent disability. The disability must have arisen before the child reached the age of 21, or while she or he was in full-time education. Where there is more than one such child, the tax credit may be claimed for each child. The income of the child does not affect the credit.

Home Carer's Tax Credit

A tax credit of €900 is available for married couples (taxed jointly) where one spouse works in the home caring for a person who is permanently incapacitated, a person over 65 or a child for whom Child Benefit is being paid. The income of the carer must not exceed €5,080 in the tax year. A reduced tax credit is given where the income is between €5,080 and €6,620.

Dependent Relative Tax Credit

This tax credit of €80 is given to a taxpayer who maintains:

- » A relative who has a disability or is aged 65 or over.
- » A widowed parent.

- » A son or daughter who lives with the taxpayer and on whom the taxpayer relies because of old age or infirmity. (In this case, it is the son or daughter who is the dependant for tax purposes.)

No tax credit is given if the income of the relative is above €13,873 in 2010.

Age Tax Credit

In addition to the usual personal tax credits, people over the age of 65 are entitled to an age tax credit. This tax credit is €325 for a single person and €650 for a married couple. In the case of a married couple, the credit is given where either spouse is over 65.

Bereavement Credits

There are special tax credits in the five years following bereavement for widowed people with dependent children. There are also special rules governing taxation in the year of death and these apply whether or not there are dependent children.

Guide Dog Allowance

A tax allowance of €825 is given annually if you or your spouse has a guide dog and you are a registered owner with the Irish Guide Dog Association (relief is at your top rate).

Allowance for employing a carer

A tax allowance of up to €50,000 (at your top rate) is available where a person is employed to care for a person with a disability. This allowance may be claimed by one family member or divided among a

number of family members if they are contributing towards the cost. If the carer employed is a relative, you cannot claim the Dependent Relative Tax Credit for them.

Rent Tax Allowance

You can claim tax relief at the standard rate on rent paid for privately rented accommodation up to the following amounts:

Status	Aged under 55	Aged 55 or over
Single	€2,000	€4,000
Widowed	€4,000	€8,000
Married	€4,000	€8,000

To calculate what this is worth to you each year after tax, you multiply the tax allowance amounts above by 20%.

Medical expenses relief

A tax refund at your standard rate is available for money spent on certain medical expenses. You may claim this relief if you pay the medical costs of family members of any age or of any other people aged 65 or over who are permanently incapacitated.

The expenses for which the relief may be claimed include doctors' bills, drugs, the supply and repair of medical and surgical appliances used on medical advice, hospital and nursing home costs. Routine dental and ophthalmic expenses are excluded.

How to apply for relief on medical expenses

You can claim online using Revenue's PAYE Anytime service. You can also complete the special claim form MED 1 at the end of the tax year. If you are claiming for dental expenses, you should submit Form MED 2 with Form MED 1. If you use a Form 11 to make a tax return and claim reliefs and credits, you can enter your health expenses claim on this form and there is no need to complete a Med 1 form. All Revenue forms can be downloaded from **revenue.ie**. You can also order forms using Revenue's 24-hour telephone number 1890 306 706.

If you find that you have exceptionally large expenses throughout the year, such as nursing home fees, you may be able to claim a refund quarterly. No refund is given for expenses which you can claim from another source such as the HSE or a private health insurance company.

Nursing home fees

Registered private nursing homes are approved by the Revenue Commissioners for the purposes of getting tax relief on fees paid. Your own tax office can tell you if a particular home is approved. This list of approved nursing homes is available on the Revenue website at **revenue.ie**. Long stay charges paid to public hospitals and nursing homes also attract tax relief. Tax relief is available to the resident, the resident's spouse or any person who is paying the fees. Your local Inspector of Taxes can give you more information.

Other expenses which may qualify for relief include employing a qualified nurse in case of serious illness where recommended by a doctor.

Deeds of covenant

A deed of covenant is a legally binding agreement that is written down and agreed between two people stating that one person agrees to pay the other an agreed amount of money without receiving any benefit from that person. Depending on the tax situation of each party to the deed, both of them may be able to gain tax benefits.

The only people who can receive payments under a deed of covenant are:

- » Permanently incapacitated adults
- » Permanently incapacitated minors (but not from their parents)
- » People aged over 65

Until your child is aged over 18 (or, if under 18, is married) you may not claim tax relief on a covenant made in his or her favour, as they would legally be regarded as a minor. However, if other family or friends are in a position to covenant money to your minor child, tax relief can be claimed. The exact tax saving depends on the amount of tax paid by the person making the payment (the covenantor) and on the amount of the income of the person receiving the payment (the covenantee).

A deed of covenant must be capable of lasting more than six years – the usual duration is seven years. Payments under the deed must be paid on the date(s) and for the amounts that are specified. Neither of the parties can change the payments while the deed is in force. The deed must be properly drawn up, signed, witnessed, sealed and delivered to the person who will get the payments.

The person making the payment (the covenantor) deducts tax at the standard rate from the total (gross) payment. If the covenantor is liable to tax at the higher rate, then they will receive tax relief at the

difference between the standard rate and the higher rate. The standard rate in 2010 is 20% and the higher rate is 41%. There is no tax benefit to a covenantor who pays tax at the standard rate only.

Your child (the covenantee) will qualify for a refund of the tax deducted by the covenantor if the tax chargeable on your child's total income (including the gross income received under the deed of covenant) is less than his or her annual tax credits.

For most covenants, there is a 5% income limit. There is no income limit where a covenant is between:

- » A parent and a son or daughter over 18 years with a permanent disability
- » A grandparent and their grandchild who has a permanent disability, regardless of age
- » Anyone and a person with a permanent disability, regardless of age
- » Separated parents for maintenance payments

Tax relief on Deposit Interest Retention Tax (DIRT)

If you have savings in a bank, building society or ordinary post office account, tax at 25% is deducted at source. This is called Deposit Interest Retention Tax (DIRT). If you are permanently incapacitated, or are aged over 65 and exempt from tax because of your low income, you are not liable to pay DIRT. (Some post office savings schemes are exempt from tax.) You can notify the bank or other financial institution of your status and receive the interest without DIRT being deducted. Information leaflets and application forms (DE1 and DE2) for DIRT-exempt accounts are available from any Revenue office. You can also pick up an application form from your financial institution or download an application form or information leaflet from **revenue.ie**.

Credit unions

If you have a credit union account, your savings may be treated differently depending on your account type. You save money with a credit union by buying shares in the credit union. Each year you receive a dividend which will be a percentage of the value of your shares. The way the dividend is taxed depends on the type of credit union account that you have: a regular share account or a special share account. You can check with your credit union if you are not sure which type of account you have.

If you have a regular share account, DIRT is not deducted by the credit union. It is your responsibility to declare the dividend in your annual tax return. If you have no tax liability on your income, you will not be taxed on your dividend. For this reason, a regular share account is a good choice if you are not liable to pay income tax but you do not meet the requirements above to obtain a refund of DIRT that has been deducted.

If you pay income tax at the 41% rate, then this rate will also apply to the dividend you receive on a regular share account and it may be preferable to open a special share account.

If you have a special share account, your credit union will deduct DIRT from your dividend. The dividend is taxed at 25%. If you use a Medium Term (3-year) Account, you will be entitled a dividend of €480 tax free, after which you will be taxed at 25%.

If you use a Long Term (5-year) Account, you will be entitled a dividend of €635 tax free. Anything exceeding this amount will be subject to tax at 25%.

Levies

Income levy

An income levy came into effect on 1 January 2009 and is payable on gross income from all sources before any tax reliefs, capital allowances, losses or pension contributions.

Exemptions from the levy include:

- » People whose annual income does not exceed €15,028.
- » Individuals aged 65 or over whose annual income does not exceed €20,000.
- » Full medical card holders
- » All social welfare payments

Income levy rates in 2010 are:

- » 2% on income up to €75,036
- » 4% on income from €75,037 to €174,980
- » 6% on income above €174,980.

Health levy

In addition to their PRSI payments, people between the ages of 16 and 70 may have to pay the health levy. The health levy (also called a health contribution) is applied to taxable income. For example, you will not pay the health levy on a statutory redundancy payment. The levy is based on your individual income, which means that one spouse may be liable to pay it while the other is not.

In 2010, the health levy is paid at the rate of:

- » 4% on the first €1,443 per week (€75,036 yearly)
- » 5% on earnings over €1,443 per week (€75,036 yearly).

Employed or retired people with income of less than €500 in any week are exempt from the contribution in that week. Income from social welfare payments is not counted when calculating your income for the health levy.

A number of groups do not have to pay the health levy:

- » Medical card holders
- » People who are getting Widow/er's Pension, One-Parent Family Payment or Deserted Wife's Benefit/Allowance from the Department of Social Protection or a widow's pension from an EU country

There are different methods of payment:

- » Insured workers pay as part of their PRSI contribution
- » People who have pensions from their former employers have the health levy deducted at source in the same way as their tax is deducted
- » For the self-employed and people with investment income, the health levy is payable annually with their tax and PRSI contributions under the self-assessment system

A new universal social contribution is proposed for 2011. This will replace employee PRSI, the health levy and the income levy. Details will be announced in Budget 2011.

Chapter 11

Education and training

Responsibility for education services lies with the Department of Education and Skills.

All children in Ireland have a constitutional right to free primary education. Children with special educational needs have the right to free primary education up to age 18. There are specific arrangements in place for children with special needs. Children with disabilities are entitled to avail of free secondary education in the same way as other children and there are also specific arrangements for children with special needs.

See *Entitlements for children with disabilities* for a detailed outline of educational provisions for children with disabilities. Here we cover third level education, back to education supports and training for people with disabilities.

Third-level education

People with disabilities are entitled to compete for and access third-level education places and education services on the same basis as others.

Applying to college

Students with a disability may apply for admission to a third-level institution through the normal process – you apply to the Central Admissions Office (CAO). Some institutions reserve a number of places for people with disabilities and you must apply directly to the individual institution for such a place. The direct admission system varies from one institution to another, and you need to find out what the closing date for such applications is and what the criteria for a place are. You may apply through both systems (CAO and direct) for the same academic year. If you get an offer in each system, you may choose whichever suits you best.

Disability Access Route to Education (DARE)

The Disability Access Route to Education (DARE) is an admissions scheme for students with disabilities. The scheme aims to improve access to college for school leavers with a disability. Under the scheme a number of third-level places are allocated on a reduced points basis to school leavers using the DARE scheme. To be eligible for the scheme you must provide evidence that your disability has affected your educational performance significantly.

How the scheme works

Each of the third-level colleges participating in the scheme has reserved a number of places on their courses for school leavers who are eligible for DARE. You can find details of the places available through DARE on the websites of the participating third-level colleges.

You apply for DARE through the CAO. Once you have been accepted as eligible for DARE, you then compete for the reduced point places based on your Leaving Certificate results. A 'reduced point' place means that you may get a place on a third-level course with less than the

full CAO points. For example, if you are eligible for DARE and you get 430 Leaving Certificate points, you may be offered a place on a course that is 470 points through CAO. However, you must meet the college matriculation and any specific course entry requirements.

Supplementary Information Form

To be eligible for DARE you must provide additional information on the Supplementary Information Form. It has four sections as follows:

Section A is a personal statement in which you describe the impact your disability or specific learning disability has had on you.

Section B is a second level academic reference which must be completed by your school and provides information about your educational experience and assists the decision the third-level supports you need.

Section C is an evidence of disability form which must be completed by the accepted medical consultant or specialist. This provides verification of your disability and helps the decision about the third-level supports that you need.

Section D is where you state that you wish to be considered for DARE.

If you wish to apply for a college place under the DARE scheme you should apply online through the Central Applications Office (CAO). The CAO helpline at (091) 509 800 can help school leavers with their DARE application. The DARE programme runs nationwide information sessions for students and their parents/guardians to deal with queries about preparing the application.

Specific provision for students with disabilities

Most third-level institutions have Disability Liaison Officers. The Disability Liaison Officer may provide a number of services including assistance with applying for a reserved place, finding suitable accommodation and arranging any special access requirements and provisions for sitting examinations. Some institutions reserve a number of student accommodation places for students with disabilities.

Grants and other supports

Students with disabilities are eligible for third-level grants (maintenance grants) on the same basis as other students. There are some grants specifically for people with disabilities. A special fund to help third-level students with disabilities is administered by the Department of Education and Science. You should apply directly to the third-level institution at the beginning of the academic year (September/October).

AHEAD

AHEAD (Association for Higher Education Access and Disability) is a voluntary organisation working to promote improved access to third-level education for people with disabilities. It has published *Accessing Third-level Education in Ireland – A Guide for Students with Disabilities* and carries information for students with disabilities on its website.

AHEAD

Newman House, 86 St Stephen's Green, Dublin 2.

Tel: (01) 475 2386

ahead.ie

Education schemes

Back to Education Allowance (BTEA)

The Back to Education Allowance (BTEA), paid by the Department of Social Protection, assists adults on certain disability payments (and others) who decide to return to second-level or third-level education.

Student maintenance grants

From 2010, if you are starting a new course and getting a Back to Education Allowance, you will not get a student maintenance grant. However, this does not affect any entitlement you may have to an exemption from college fees or student support charges.

How do I qualify for the Back to Education Allowance?

If you have a disability, are unemployed or are getting a One-Parent Family Payment, you may be able to pursue approved second- or third-level education courses through the Back to Education Allowance (BTEA) scheme.

Note: Time spent on Vocational Training Opportunities Scheme (VTOS), Community Employment, Back to Work Allowance Scheme and FÁS training courses may count towards the qualifying period.

Payment

You receive a standard rate of payment. If you are currently getting a reduced rate of payment, your allowance is brought up to the maximum rate of your current payment. In addition, you are also paid an annual Cost of Education Allowance of €500.

The allowance is normally paid for the full duration of the course including all holiday periods. However, if you were getting an unemployment payment before starting on the scheme, the allowance is not paid between academic years. If you are unable to secure

employment during the summer months, you may be able to apply for Jobseeker's Benefit or Jobseeker's Allowance. However, you may continue to get BTEA if you are on work placement or experience that is an essential part of your course. Your payment is not affected by any other income you may have (for example working part-time or during holiday periods). Your Rent or Mortgage Interest Supplement may be affected by any additional income you may have.

If you qualify for the allowance, your spouse or partner may also qualify in their own right, provided you are getting an increase for a qualified adult with your allowance/benefit. You are each paid the personal rate of payment and Cost of Education Allowance.

You may also qualify for BTEA if you are not getting a social welfare payment but your spouse/partner is getting an Increase for a Qualified Adult in their social welfare payment for you. To qualify, your spouse/partner must have an entitlement to BTEA and be getting an Increase for a Qualified Adult in their social welfare payment for you as an adult dependant. You must be a Qualified Adult (6 months for Second Level Option or 9/12 months for Third Level Option), of a person who would qualify for the BTEA scheme. If you qualify for BTEA because you are an adult dependant, you will get the same social welfare payment as your spouse/partner but at the maximum standard personal rate. Your spouse/partner will keep their entitlement to their personal rate of payment. You will also qualify for the annual Cost of Education Allowance. If you get the Back to Education Allowance your spouse/partner can still keep his/her entitlement to the allowance.

How do I apply for the Back to Education Allowance (BTEA)?

Contact the second-level or third-level institution for advice on courses and the application process. After you have been accepted on the course, you should contact your local social welfare office for form

BTE 1. You return the form to the relevant office (this depends on your payment). The Department of Social and Family Affairs leaflet SW70 gives more information on the BTEA.

Vocational Training Opportunities Scheme (VTOS)

The Vocational Training Opportunities Scheme (VTOS) allows people aged 21 or over who have been receiving certain social welfare payments for at least six months to take up a full-time education course at certain Vocational Educational Committee (VEC) centres around the country.

How do I qualify for VTOS?

You must be aged 21 or over and getting:

- » Blind Pension, Widow/Widower's Pension (Contributory or Non-Contributory) or Prisoner's Wife's Allowance (provided you have not been engaged in paid work for at least six months prior to starting the course). Those getting Carer's Allowance whose caring responsibilities have ceased may also be eligible.

or

- » Disability Allowance, Illness Benefit, Invalidity Pension, Jobseeker's Allowance/Benefit or One-Parent Family Payment for at least six months.

Payment

The course centre pays you the equivalent of the maximum rate of your unemployment payment. If you are getting Disability Allowance, Illness Benefit, Invalidity Pension or another social welfare payment, you continue to be paid by the Department of Social Protection at a rate equivalent to the maximum rate of your current social welfare

payment. A small lunch allowance is paid and a small travel allowance may also be paid by the VEC to those who live more than three miles from the course centre. You keep any extra benefits such as Fuel Allowance. Free books and materials are also provided. A training bonus of €31.80 per week is also paid to those who were getting an eligible social welfare payment for at least a year prior to starting on VTOS. Limited childcare support is also available.

Your payment is not affected by working. However, your Rent or Mortgage Interest Supplement may be affected by any additional income apart from the training bonus you may have.

How do I apply for VTOS?

Apply to your local VEC for a place.

Training

People with disabilities can access two types of training:

- » Rehabilitative training, provided by the Health Service Executive (HSE) or by specialist agencies on its behalf, or
- » Vocational training provided by FÁS (the National Training and Development Authority) or by specialist agencies under contract to FÁS.

The HSE also has responsibility for providing or arranging for the provision of sheltered work for people with disabilities.

Rehabilitative training

Rehabilitative training is training that is not directly linked to the labour market. The HSE is responsible for this area.

Rehabilitative training focuses on the development of an individual's core life skills, social skills and basic work skills with the objective of enhancing the trainee's quality of life and general work capacity. Trainees attending rehabilitative training keep any social welfare payments and extra benefits they may have. They are also paid a training bonus of €31.80 per week. If you have to live away from home in order to attend training, you can apply to the Community Welfare Officer at your local health centre for Supplementary Welfare Allowance (see Chapter 3).

Vocational training

Vocational training is designed to equip trainees with specific skills which will enhance their prospect of securing employment. FÁS is responsible for vocational training for people with disabilities. People with disabilities can avail of mainstream training from FÁS, which also provides specialist training courses to those who may require more support. FÁS has developed a *Vocational Training Strategy for Disabled People* that sets out a framework for delivery of training to people with disabilities. Copies are available from:

FÁS Disability Policy and Development Unit

Tel: (01) 607 7411

How do I qualify for rehabilitative or vocational training?

If you have a disability, you will be assessed by your Local Health Office to establish what level of rehabilitative training is appropriate for you. The HSE has teams of guidance counsellors who offer information, advice and guidance on HSE training and sheltered work services.

Payment during training

If you are on a means-tested payment – Disability Allowance or Blind Pension – your social welfare payment is suspended and you are paid a FÁS Training Allowance at the same rate as your social welfare payment. In addition, you are also paid a training bonus of €31.80 per week. You keep your extra benefits.

If you are on a social insurance payment – Illness Benefit or Invalidity Pension – you get the standard FÁS Training Allowance and you also continue to be paid your social welfare payment (including any increases for dependants). You keep your extra benefits, although you will lose your Fuel Allowance and your Rent or Mortgage Supplement may be affected. You do not receive the training bonus.

The rate of the weekly training allowance is linked to your age. **In 2010** if you are 15 or 16 years of age, the rate will be €79.90. If you are aged 17 years, the rate will be €99.80. If you are 18 years or over, it will be €196.00.

How to apply

Contact the Disability Services section in your Local Health Office for more information on rehabilitative training in your area. You can get further information on FÁS employment services from any FÁS Employment Services Office.

Sheltered occupational services

Sheltered occupational services ('sheltered work'), gives people with disabilities the opportunity to take part in daily work in a sheltered setting where they receive personal support services. Trainees may produce goods with a commercial value. In general, this is not regarded as normal employment in the sense that the employees are not insurably employed and are not entitled to the full range of employee benefits.

Code of Practice for Sheltered Occupational Services

A Code of Practice for Sheltered Occupational Services is being examined by the Department of Health and Children which is also reviewing the funding of the services.

How to apply

Further information on sheltered workshops is available from the Department of Health and Children, the HSE and voluntary organisations dealing with particular disabilities.

Chapter 12

Employment

This chapter looks at the employment options available for people with disabilities. FÁS provides a range of supports for people with disabilities in employment. These include adaptations grants, disability awareness training for employers and grants to retain workers who have become disabled while in employment.

People with disabilities are eligible for the full range of back-to-work supports including the Community Employment (CE) scheme and Community Services Programmes (CSPs). People with disabilities may also carry out rehabilitative or therapeutic work with the permission of the Department of Social Protection and we look in detail at how such rehabilitative work may affect social welfare payments.

Working with a disability

There are a range of employment supports in Ireland aimed at assisting employees with a disability to gain and retain employment. From the employee's perspective, the onset of a disability or the progression of an existing disability does not always mean the end of employment. Instead, you should be aware that with some changes to the nature of your employment, your work practices or amendments to your role, you may be able to continue in your existing job.

For employers, the onset of a disability or the progression of an existing disability may affect the way in which the employee works and their work performance. Adaptations may be required to the workplace and also perhaps to the job specification. Here we outline the range of employment-related supports for people with disabilities (all provided by FÁS).

Wage Subsidy Scheme

The Wage Subsidy Scheme (WSS) scheme gives financial assistance to employers to encourage them to employ people with disabilities, with productivity levels below 80% of usual performance, for a minimum of 20 hours per week.

Job Interview Interpreter Grant

FÁS will pay a standard fee (check their website for the current rate) for a three-hour period for an interpreter to accompany a person with a speech or hearing impairment to a job interview. In addition, there is a set rate for the interpreter's travel costs.

Personal Reader Grant

This grant provides funding in line with the national minimum wage, for a maximum of 640 hours a year, to employ a personal reader to assist someone who is blind or visually impaired in their work.

Workplace/Equipment Adaptation Grant

This grant provides funding for a person with a disability who is starting or already in employment in order to make their workplace more accessible or equipment easier to use. The maximum amount of grant aid is €6,348.70 towards the cost of adapting or purchasing equipment. This grant can also be used to upgrade adapted equipment that was funded previously.

Supported Employment Programme

This programme helps people with disabilities to get and keep employment. It operates through a range of organisations and provides for job coaches who assist in the employment of people with disabilities.

Each Supported Employment Programme has a co-ordinator who oversees the operation of the programme in your area. Before you can participate in the scheme, you must first be referred by a FÁS Employment Service Officer or a Local Employment Service Mediator. Following referral the local co-ordinator will meet with you (or a parent, guardian, family member) to discuss your needs, interests, skills and whether supported employment is right for you.

Disability awareness training for employers

FÁS also provides grants to employers to assist with the cost of staff training. It is aimed at integrating people with disabilities in the workplace and addressing the concerns that employers and employees may have about working with people with disabilities.

Employee Retention Grant

The purpose of this grant is to assist employers to retain at work employees who become disabled through sickness or injury. Using this grant, such employees can be offered retraining so that they can undertake alternative duties or continue to work at their existing duties, using modified techniques.

How to apply for any of these supports

For more information about any of these supports, you can contact your local FÁS office.

Public service quota

Part 5 of the Disability Act 2005 sets out the legal obligations of public service bodies to promote and support the employment of people with disabilities. Unless there are good reasons to the contrary, public bodies are obliged to employ 3% of staff with disabilities.

Public Appointments Service

26/30 Upper Abbey Street, Dublin 1.

Lo-call: 1890 449 999 or Tel: (01) 858 7400

publicjobs.ie

Back to work options for people with disabilities

Revenue Job Assist

A special tax allowance (at your highest rate) is available for people who take up a job after having been unemployed for one year or more. People with a disability are eligible if they have been getting Disability Allowance, Blind Pension or Invalidity Pension for 12 months or more or Illness Benefit for three years. The allowance in the first year of employment is €3,810, plus €1,270 for each child, reducing to two-thirds of each amount in year two and one-third in year three. The job you are taking up must be for a minimum of 30 hours per week and be capable of lasting at least 12 months. This allowance is not available to people on employment schemes.

How to apply for Revenue Job Assist

Apply to your local tax office. An information leaflet (IT 58) and claim form is available from the Revenue Commissioners and online at [revenue.ie](https://www.revenue.ie).

Community Employment

The Community Employment (CE) programme is operated by FÁS. It is designed to help people who are long-term unemployed and other disadvantaged people to get back to work by offering part-time and temporary placements in jobs based within local communities. It is possible for participants to seek other part-time work during their placement. After the placement, participants are encouraged to seek permanent part-time and full-time jobs elsewhere based on the experience and new skills they have gained while in the Community Employment scheme.

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There are two different categories of Community Employment, each with its own set of eligibility requirements. These are the Part-time Integration Option and the Part-time Job Option. You can participate in either of these options but not in both at the same time.

The Part-time Integration Option is for people of 25 to 35. You can participate from 18 if you are getting a disability-related payment. With most social welfare payments, people must have been on them for a year or more to qualify. However, people getting disability-related payments (Disability Allowance, Blind Pension and Invalidity Pension) do not have this condition. You must be getting Illness Benefit for six months to qualify.

The Part-time Job Option is for people who are 35 or over. You must have been getting a social welfare payment for three years or longer. This condition does not apply if you are getting a disability-related payment, except for Illness Benefit which is six months as above. Under both options participants work 39 hours a fortnight and are paid an allowance by the sponsor.

See *Rehabilitative work and disability payments* below for more on how participation on a CE scheme can affect your payments and benefits.

How to apply

Apply to your local FÁS office.

Community Services Programme

The Community Services Programme (CSP) supports voluntary and community groups to provide local services. The provision of these services is aimed at alleviating disadvantage, promoting social and economic development within communities and providing

employment. The Programme also facilitates development of the communities and strengthens local ownership through participation in decision-making.

Applications for support are accepted from eligible voluntary and community groups submitted through local intermediaries. In general applicants must be, or become, appropriately constituted as a not-for-profit company limited by guarantee or as an industrial and provident society (co-operative).

An important aspect of the programme is the emphasis on the creation of employment opportunities for specific groups suffering social or economic disadvantage. As a general principle, 70% of workers in CSP-funded posts must be from the following target groups:

- » People getting Jobseeker's Benefit, Jobseeker's Assistance or One Parent Family Payment.
- » People getting Disability Allowance, Invalidity pension, Blind Pension or other disability payments.
- » Stabilised and recovering drug mis-users.
- » Ex-prisoners.
- » People employed from Community Employment (CE) and Job Initiatives (JI) schemes are eligible. Rural Social Scheme (RSS) workers who are former CE placements are also eligible.

Pobal

Holbrook House, Holles Street, Dublin 2.

Tel: (01) 2400700

Email:enquiries@pobal.ie

pobal.ie

Family Income Supplement (FIS)

Family Income Supplement (FIS) is a weekly tax-free payment available to married or unmarried employees in Ireland with children. It is designed to offer assistance to people on low pay.

How do I qualify for FIS?

To qualify for FIS, your net average weekly family income must be below a certain amount for your family size. The FIS you receive is 60% of the difference between your net family income and the income limit which applies to your family.

The job must be expected to last for at least three months and you must be working at least 19 hours per week or 38 hours a fortnight for an employer. You must be maintaining at least one child aged under 18 or up to 22 if in full-time education. If you are married or living with someone as husband and wife, hours worked by your spouse/partner can be combined to make up the weekly or fortnightly hours.

You cannot get FIS if you are taking part in a Community Employment Scheme or any other FÁS schemes except Job Initiative. You must not be receiving Jobseeker's Benefit or Allowance, State Pension (Transition) or Pre-Retirement Allowance, or be included as a qualified adult on your spouse/partner's claim for these schemes.

How to apply for FIS

Either spouse or partner may apply. Jobsharers can apply. Application forms (FIS 1) are available from post offices or from:

Family Income Supplement Section

Social Welfare Services, Ballinalee Road, Longford.

Tel: (043) 334 0000 or Lo-call: 1890 92 77 70

Rural Social Scheme

The Rural Social Scheme (RSS) provides income support for farmers and fishermen who are getting long-term social welfare payments. Participants work 19.5 hours per week, based on a farmer/fisherman-friendly schedule. People with a herd or flock who are on Disability Allowance are eligible.

Payment rates are similar to those for Community Employment. In the case of Disability Allowance, however, applicants will keep their payment and receive a top-up payment under RSS. You should check with the Health Service Executive and the Department of Social Protection to see if your medical card and other extra benefits are affected.

How to apply

Apply to your local LEADER or Údarás na Gaeltachta office.

Self-employment

If you are self-employed or thinking of starting your own business, the options below may be useful.

Business Appraisal Training Programme

This FÁS training course allows participants to develop business plans, enhance their technical skills and conduct market research into the viability of their business idea. FÁS training allowances are paid to participants. For further information contact your local FÁS office.

Back to Work Enterprise Allowance

The Back to Work Enterprise Allowance (BTWEA) scheme allows people on social welfare benefits to take up self-employment and retain a percentage of their payment. You must have been on either Jobseeker's Allowance or Jobseeker's Benefit with underlying entitlement to Jobseeker's Allowance for 12 months, or Illness Benefit for three years, or 12 months on other social welfare payments including Disability Allowance, Blind Pension, Invalidity Pension and Disablement Pension (Incapacity Supplement). Those who formerly received the Carer's Allowance may also be eligible.

Payment

Participants on the Back to Work Enterprise Allowance retain 100% of their social welfare payment for the first year and 75% for the second year. In addition, you retain entitlement to extra benefits for two years provided your household income satisfies a means test (not including the allowance itself). Any Rent or Mortgage Interest Supplement may be affected.

Additional supports

Additional supports may be available to participants on the scheme such as grants for training, market research and business plans.

How to apply

You can get more information and the application form (BTW2) in the leaflet SW 92 available from your local social welfare office or Citizens Information Centre or online at **welfare.ie**.

Short-term Enterprise Allowance

The Short-term Enterprise Allowance is a new Back to Work Scheme. There is no qualifying period. You can get immediate access to the allowance but you must meet the qualifying conditions:

» An entitlement to Jobseeker's Benefit

and

» Either 104 contributions paid or qualify for statutory redundancy.

The Short-term Enterprise Allowance will be paid to you for a maximum of one year. It will end when your entitlement to Jobseeker's Benefit ends (that is, at either 9 months or 12 months).

Rehabilitative work and disability payments

If you are getting a disability payment such as Disability Allowance, Blind Pension, Invalidity Pension, Illness Benefit or Disablement Pension (Incapacity Supplement) you may be allowed to do work that is considered rehabilitative or therapeutic. This may include participation on a FÁS training course or Community Employment scheme.

You must get written approval from the Department of Social Protection to do rehabilitative work and retain your disability payment. In the case of Disability Allowance you can commence work before getting approval. However for Illness Benefit, Invalidity Pension and Disablement Pension (Incapacity Supplement) you must get prior approval before starting work. See *How to apply for approval to take up work and retain benefits* below for more details.

For Disability Allowance, Blind Pension and Invalidity Pension there is no minimum period of time for which you must have been getting your payment before you can apply. For Illness Benefit, however, you usually must have been receiving payment for at least six months before you will be considered for approval.

Earnings from rehabilitative employment (including Community Employment) may affect your disability payment, and any extra benefits you may be getting. This depends on how much your earnings are and whether you are getting a social assistance (means-tested) or a social insurance (PRSI-based) disability payment. We outline the position for people getting FÁS training allowances above (see Chapter 12).

If people on Illness Benefit, Invalidity Pension, Disability Allowance, Blind Pension or Disablement Pension (Incapacity Supplement) do rehabilitative work, this work is regarded as insurable provided a normal contract of employment exists (that is, where there is an employer/employee relationship). The following insurance contribution rates apply: Class A or Class J (gross earnings less than €38 per week).

Employment that is in a sheltered workshop situation is not regarded as being under a contract of service and, consequently, is not insurable.

Social assistance (means-tested) payments

People on Disability Allowance or Blind Pension may be allowed to earn up to €120 per week from rehabilitative employment or self-employment without affecting their social welfare payment. This is provided the work has been approved by the Department of Social Protection. However, you may lose your medical card.

If you earn between €120 and €350, 50% of your earnings between €120 and €350 are taken into account in the Disability Allowance or Blind Pension means test. You retain some extra benefits such as Free Travel and Free Electricity Allowance. If your earnings are over €120, your Rent or Mortgage Interest Supplement and Blind Welfare Allowance will be affected.

All earnings over €350 will be assessed as income and your entitlement to Disability Allowance or Blind Pension will be reduced in line with the appropriate reduced rates of payment. In 2010, if you have no other *means*, the maximum amount you can earn is and still keep an entitlement to the minimum Blind Pension is €435.10 while the maximum amount you can earn is and still keep an entitlement to the minimum Disability Allowance payment is €430.

Social insurance payments

Invalidity Pension and Illness Benefit are social insurance (PRSI-based) payments. If you are getting Invalidity Pension or Illness Benefit and take up rehabilitative work which has been approved by the Department of Social Protection, you can keep your payment in full but you may have to pay income tax on your total income. You may lose your medical card. Your Fuel Allowance and Rent or Mortgage Interest Supplement may also be affected

For Illness Benefit, the rehabilitative work must not exceed 20 hours a week. The Department also operates a limit of 20 hours work a week for people getting Invalidity Pension.

Community Employment (CE) and disability payments

If you are receiving a disability payment you may be able to retain your payment while working on the Community Employment scheme (see page 157) if you receive prior approval to do so from the section of the Department of Social Protection that pays your social welfare payment. However, in this case, you will be paid only the single adult rate of CE allowance even if you have dependants.

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While on Disability Allowance or Blind Pension you can earn €120 per week from rehabilitative work without it affecting your payment. A single person on Community Employment is paid €216.00 by the scheme. As this exceeds the €120 rehabilitative earnings threshold, half of your allowance between €120 and €216.00 is assessed as means and your Disability Allowance or Blind Pension payment is correspondingly reduced.

In 2010, the weekly rate for a CE worker based on 19.5 hours worked is as follows:

Category of Participant	Rate
Participant without dependants	€216
Participant with adult dependant	€346.10 maximum*
Each child dependant (full rate)	€29.80
Each child dependant (half rate)	€14.90

*The amount of the increase for the adult dependant is assessed by the Department of Social Protection. This means that the rate for a participant with an adult dependant may be reduced if the adult dependant has income, for example, from part-time employment.

Invalidity Pension and Illness Benefit are paid in full (since they are based on PRSI contributions) but you may be liable for income tax. You are insured at Class A9 PRSI and this covers you for all benefits.

You retain the extra benefits you were receiving immediately before going onto Community Employment and your medical card. People getting Illness Benefit or Invalidity Pension lose their entitlement to Fuel Allowance. Your Rent or Mortgage Interest Supplement will be affected.

How to apply for approval to take up work and retain benefits

To get approval to take up a particular job, you should write to the office from which you get your payment, asking for permission. You should include a letter from your employer, outlining your duties and conditions of employment, and a letter from your doctor recommending the work as rehabilitative or therapeutic. People getting Illness Benefit should contact the Illness Benefit Section who will send them a form to be completed by their employer, their doctor and themselves.

Chapter 13

Legal matters

This chapter covers some of the legal issues that may arise for some people with disabilities who may not have the legal capacity to make decisions. We also cover wills and legal aid.

Decision making

All adults have the right to make decisions about their lives, their finances and their personal and health care. Many people with disabilities make these decisions without intervention from anyone else. A small number – particularly people with intellectual disabilities and people who have difficulties communicating – may not have the legal capacity to make certain decisions. There is no simple definition of legal capacity but, broadly, it means the ability to understand the nature and consequences of the decision to be made and the ability to communicate that decision. If you are or become incapable of dealing with your affairs, for whatever reason, there are various legal arrangements you can make to have someone else do these things on your behalf.

The choice of legal arrangements depends on your precise circumstances. Some of the arrangements are very simple to make and have limited effect – for example, appointing an agent to collect your social welfare pension. Others are much more complex and require the help of legal and medical professionals – for example, executing an enduring power of attorney. It is advisable, and essential in some cases, to take legal advice before entering into the more complex arrangements.

The Mental Capacity and Guardianship legislation (2010) is intended to reform the law concerning mental capacity, to provide for informal decision-making on behalf of adult persons who lack capacity in certain circumstances; establish a Guardianship Board which may appoint Personal Guardians to deal with the property, financial matters and welfare of adult persons who lack capacity; confer jurisdiction on the High Court in certain matters; provide for the establishment of the office of Public Guardian and to set out the functions and powers of the Public Guardian; amend and repeal various relevant enactments and address related matters. It will also give effect to the UN Convention on the Rights of Persons with Disabilities.

Agency arrangements

If you appoint another person to represent you in certain dealings with third parties, you are making an agency arrangement. You are called the principal and the person you appoint is called the agent or appointed representative. If you have a physical disability, your bank may allow you to execute a third party mandate. This is a form of agency and authorises your agent to perform certain functions, for example, to write cheques on your behalf.

You may only make an agency arrangement while you are mentally capable and the arrangement lasts only while you remain mentally competent (although social welfare agency arrangements are different – see below). The arrangement does not have to be in writing unless the agent is required to sell property on your behalf. It is nevertheless advisable to put the arrangement in writing so that both you and the agent are clear on what is intended and on what powers the agent has.

Agency arrangements for social welfare payments

The Department of Social Protection has the power under social welfare legislation to make payments to a third party acting on behalf of a social welfare recipient. The legal status of a social welfare agency relationship is different from the general agency relationship in that the relationship may be put in place or may continue in operation if you become mentally incapable.

If an agent is appointed to collect the money, it is still your money and the agent is legally obliged to use it on your behalf and for your benefit. However, there is no formal mechanism in place for ensuring that agents do in fact use the money on your behalf, nor is there any requirement for the agent to account for how the money was spent. The Department may end the agency arrangement if it has reason to believe that the money is not being used for your benefit.

There are two different types of social welfare agency arrangements: type 1 agent and type 2 agent.

Type 1 agency

If you are getting your payment by means of an Electronic Information Transfer (EIT) card and you are physically unable to physically present the card at the Post Office or bank, an agent may be appointed to collect the money for you. You must nominate the agent in writing. There are no specific restrictions on who the agent may be. You may cancel or revoke this arrangement at any time and you may appoint another agent or change the method of payment.

You may appoint a temporary type 1 agent for a short period – usually not more than three weeks – if you are temporarily unable to collect the money because you are suffering from a serious illness.

Type 2 agency

This arises where a social welfare officer decides (usually on the application of family members and medical practitioners) that you are incapable of acting and that an agent should be appointed. Before making such a decision, the social welfare officer usually calls to assess your circumstances and needs, and medical certification of incapacity is also needed. The agent nominated is often a family member or the person in charge of a nursing home or hospital.

A type 2 agent is usually appointed where there is some mental incapacity. The agent deals with all aspects of the social welfare payment.

In the case of a ward of court or an attorney appointed under an enduring power of attorney (see below), the Department of Social Protection makes payments directly to the committee of the ward or to the attorney by nominating the committee or the attorney as the agent for the social welfare recipient.

Type 2 agents have the same legal obligation to ensure that the money is used for your benefit. They are also obliged to deal with other aspects of your social welfare payment including notifying the Department of changes to your means if you are on a means-tested payment or informing them of changes to your dependants.

Trusts

Property, including money assets, may be held in trust on behalf of another person or to achieve a particular purpose. A trust exists when a person (called the trustee) holds the property of another (called the settlor) for the benefit of named people. The beneficiaries may be the settlor or may be other people.

Enduring powers of attorney

An enduring power of attorney (EPA) is a legal instrument which allows you to appoint another person to make personal and property decisions on your behalf should you lose legal capacity. You need legal capacity to execute this power. An EPA must be drawn up by a solicitor and you also have to get medical evidence of your capacity.

Wards of court

The ward of court system is currently the only means by which a substitute decision maker can be imposed on an adult. In order to be made a ward of court, you must be of "unsound mind" and not be capable of managing your person or property.

There are a number of different application procedures available including an emergency procedure. The usual procedure involves a person (called the petitioner) asking the High Court to hold an inquiry into whether you (called the respondent) are of unsound mind and capable of managing your person or property.

If the court decides that you should be taken into wardship, it may appoint a committee of the person (who may be one or more people) to deal with your personal affairs and a committee of the estate to deal with your money, property and business interests. Usually one person is appointed to fill both roles.

If you are made a ward of court, you effectively lose your right to make decisions. The court has the right to make all decisions. The committee is usually given the right to make certain decisions but is always subject to the supervision and direction of the court. Usually the committee is given charge of your day-to-day care but, for example, cannot change where you live without getting the approval of the court. You may

not give consent to medical and surgical procedures – again, the court makes these decisions. The court applies the test of best interests to all decisions. It may take the views of the committee and/or other family members into account but is not in any way bound by them.

You continue to own any money or property that you have. Your money is usually lodged in the courts and managed by the Courts Service. The court may arrange the sale of property if that becomes necessary. You are generally not considered capable of making a will but if you had made a will while you were legally capable, it remains valid.

For further information, contact:

Office of the Registrar of Wards of Court

15/24 Phoenix Street North, Smithfield, Dublin 7.

Tel: (01) 888 6189/6140

courts.ie

Consent to medical treatment

In general, medical and surgical procedures may not be carried out without the informed consent of adult patients.

Adults who are capable of making decisions have the right to refuse any medical or surgical treatment and to insist that such treatment be discontinued even if the inevitable consequence is severe pain or even death. Children under the age of 16 do not have the legal capacity to consent to medical treatment and the consent of the parents is necessary – this is the case whether or not the child has a disability. People aged 16 and over are presumed to have the capacity to make such decisions unless the contrary is shown. If the person is a ward of court, then the

President of the High Court makes the decision on medical treatment. An attorney appointed under an enduring power of attorney does not have the power to make decisions on medical treatment.

The law is not clear on what should happen if you are mentally incapable of making a decision about treatment or you are unable to communicate a decision. If you are seriously ill and not in a position to give or withhold consent, the doctor may carry out what would be considered usual procedures arising from necessity. However, problems arise when the situation is not an emergency and you are not capable of giving or withholding consent. It is common for doctors to ask family members to sign consent forms in these circumstances. There is no legal basis for this. Medical ethics (but not the law) require doctors to consult family members if you are unable to make or communicate decisions. However, while the views of the family may be taken into account, they have no legal right to give or withhold consent.

Advance Care Directives

There is no legislation on Advance Care Directives in Ireland so a precise definition is difficult. In general, it is a statement about the kind and extent of medical or surgical treatment you want in the future should you be unable to make a specific decision at the relevant time. People make directives to the effect that they do not want to undergo general or specific medical and surgical procedures. Sometimes these directives are described as “living wills”, “advance statements” “advance decisions” or “advance refusals”.

An advance directive which is clear and specific may be regarded as giving or withholding consent to specific treatment when you were in a position to make an informed choice.

Wills

Everyone should make a will. In general, it is advisable to get legal advice about this. People with intellectual disabilities may not have the legal capacity to make a will. If there is doubt about legal capacity, it is advisable to get a medical assessment of capacity at the time the will is made. This is not legally required and does not constitute absolute proof but it would be helpful if there is any dispute after your death. Inclusion Ireland has a booklet on this subject: *Making a Will – What you should know – A guide for parents and families of people with intellectual disability*.

You should keep a checklist of where your will and possessions are kept. Citizens Information Centres have a useful checklist on which you can record where your possessions and important documents are kept. It is available free to callers and online at **citizensinformation.ie**.

Legal aid

Legal Aid Board

You can get civil legal advice and/or legal aid from various law centres, set up by the Legal Aid Board. In order to qualify for legal services from the Board, you must satisfy a means test and your annual disposable income must be less than €18,000. Eligible people usually have to pay a contribution towards the costs. If you wish to obtain legal advice, you must pay a contribution. It may be as low as €10 if your disposable income is less than €11,500. If you obtain legal aid, you must pay a contribution based on your disposable income and your disposable capital, if any.

Legal Aid Board

Head Office, Quay Street, Cahirciveen, Co. Kerry.

Lo-call: 1890 615 200 or Tel: (066) 947 1000

Email: info@legallaidboard.ie

Dublin Office

47 Upper Mount Street, Dublin 2.

Tel: (01) 644 1900

legallaidboard.ie

Free Legal Advice Centres (FLAC)

Free Legal Advice Centres (FLAC) is a voluntary organisation, which campaigns for full and equal access to justice for all members of Irish society. The Citizens Information Board provides funding to FLAC to operate a free and confidential legal advice service in Citizens Information Services (CISs) around the country. The service is operated by qualified lawyers who volunteer their expertise and time, with a particular focus on the areas of social welfare and employment law. They also support the volunteer legal advisors providing clinics in CISs.

Free Legal Advice Centres (FLAC)

13 Lower Dorset Street, Dublin 1.

Tel: (01) 874 5690 or Fax: (01) 874 5320

flac.ie

Chapter 14

Complaints, appeals and the role of the Ombudsman

If you are unhappy about the service you have received or if you feel that you have been unjustly treated when claiming your entitlements, you can complain to the relevant body. Here we outline the complaints and appeals processes for social welfare and health-related payments.

If you are not satisfied with the outcome of an appeal, you can contact the Office of the Ombudsman or the Ombudsman for Children which can investigate complaints about certain public services. We also cover the role of the Ombudsman under the Disability Act 2005 (see Chapter 15 for more on the Disability Act).

Social welfare complaints and appeals

Complaints

The Department of Social Protection (DSP) deals directly with complaints about the service customers receive (for example delays, mistakes or other comments on services). You can find out more about making a complaint to the DSP in the leaflet SW104.

Appeals

If you are refused a social welfare payment or get less than you expected, you can appeal the decision to the Social Welfare Appeals Office. This office operates independently of the Department of Social Protection. You should note that the Appeals Office only deals with what are known as legislative schemes. Other administrative schemes, such as the Household Benefits Scheme, do not come under the Appeals Office's remit. You will find a list of the schemes which come within the jurisdiction of the Social Welfare Appeals Office on their website (**socialwelfareappeals.ie**).

How can I appeal a decision of the DSP?

If you wish to appeal a decision, you should do so within 21 days. You can use a special form to make your appeal or you can write a letter – the most important thing is to explain your case fully so the Appeals Officer has all the information they need to make a decision.

You should include the following information in your appeal:

- » Your name
- » Your address
- » Your Personal Public Service (PPS) Number
- » The type of payment you wish to claim
- » The decision you are appealing against
- » The reasons why you believe the decision is wrong

You can also include the Deciding Officer's written decision or a copy of it. If you wish to obtain any information or documents used in reaching the decision, you should contact the section of the Department of Social Protection that dealt with your application.

How to appeal a decision

You can get more information about appealing a decision of a social welfare deciding officer in the leaflet SW56, available from:

The Social Welfare Appeals Office

D'Olier House, D'Olier Street, Dublin 2.

Lo-call: 1890 747 434

**Email: swappeals@welfare.ie
socialwelfareappeals.ie**

There is no formal appeals system for the Household Benefits Package (free electricity, gas, and so on) or Free Travel but entitlement can be reviewed at any time.

In the case of Supplementary Welfare Allowance (SWA) weekly payment or rent supplement or other supplements, you should first of all appeal to the designated Appeals Officer in the Health Service Executive (see *Health service complaints* below for more information on the HSE). If you are still dissatisfied, you may lodge a further appeal to the Social Welfare Appeals Office. You do not have the right of appeal to the Social Welfare Appeals Office in the case of exceptional needs payments, because of their discretionary nature.

If you are dissatisfied with the outcome of an appeal (to either the HSE or the Social Welfare Appeals Office), you may take your case to the Ombudsman (see below for more information).

Health service complaints

The Health Service Executive (HSE) has a statutory complaints system which allows anyone receiving public health or personal social services in Ireland to make a complaint about the actions or failures of the HSE. The complaints system also covers service providers with HSE contracts who provide health or personal social services on behalf of the HSE.

Making a complaint

You may make a complaint about any action of the HSE or a service provider that:

- » In your view, does not accord with fair or sound administrative practice, and
- » Adversely affects you or the person on whose behalf the complaint is made.

If you are not able to make a complaint because of age, illness or disability, the complaint may be made for you by a close relative or carer.

You must make your complaint within 12 months of the date of the action you are complaining about or within 12 months of the date you became aware of the action. A complaints officer may extend the time limit in special circumstances.

There are limits to what may complain about. For example, you may not use the procedures to complain about the Supplementary Welfare Allowance scheme. There is already a complaints system available for this scheme and you can appeal to the Social Welfare Appeals Office if you are not happy with the outcome (see above). You cannot complain about a matter that relates solely to the clinical judgment (medical decision) of a person acting on behalf of the HSE or a service provider.

Complaints officers may be appointed by the HSE or by a service provider. They deal with the complaint and make a recommendation. You may then ask for a review of that recommendation and there will be an internal review.

Written complaints are acknowledged within five working days and investigated within 30 working days. You will get a written response to your complaint.

How to make a complaint

The HSE has leaflets entitled *Your Service, Your Say* in all health service locations throughout the country. You can make comments and observations on these or you can email such comments to **yoursay@hse.ie** or use the website **hse.ie** to register a complaint or comment. The HSE's national information line is CallSave 1850 24 1850.

Appeals of HSE decisions

The HSE's Consumer Affairs Division administers the statutory system of appeals for the Supplementary Welfare Allowance scheme and for the Nursing Homes Support Scheme. It also provides a non-statutory appeals service in relation to other schemes and services.

If you have exhausted the health service complaints machinery, you may complain to the Ombudsman or the Ombudsman for Children, even if your complaint is about an action taken by a service provider under an agreement with the HSE.

Complaints under the Disability Act 2005

Needs assessment complaints

Section 14 of the Disability Act 2005 provides for an independent complaints system for people with disabilities who are dissatisfied with decisions about:

- » How their needs are assessed
- » The contents of service statements and
- » The delivery of services outlined in service statements

Complaints must be made within three months. The complaints officer may dismiss the complaint as frivolous or vexatious but must give reasons in writing for doing this. In many cases, the officer may try to resolve the complaint informally. If this fails or if the issue is not suitable for informal resolution, the complaints officer formally investigates the complaint.

The disability complaints system has a dedicated appeals officer – this is not available under the general system. The disability complaints system also provides for appeal to the courts in relation to the implementation of recommendations. Currently (2010) the system applies only to needs assessments for children under five.

Disability Act 2005, Sections 25–28 complaints to an Inquiry Officer

You can make a complaint against a public body if they do not comply with the provisions of Sections 25, 26, 27 and 28 of the Disability Act 2005. These sections cover services for people with disabilities. In summary the sections cover the following:

- » Public buildings, by 2015, must comply with accessibility requirements in line with Part M of the Building Regulations.
- » Since December 2005, services for persons with and without disabilities should be integrated. Assistance in accessing the service should be provided and there should be at least one Access Officer on the staff to assist and guide people with disabilities in accessing the service.
- » Goods and services provided to public bodies should be appropriate as far as is practicable.
- » Communication (oral, written or electronic) should be provided in a form that is accessible to persons with hearing or visual impairments. Information relevant to persons with an intellectual disability should be easy to understand and in clear language.

If you wish to make a complaint, you need to contact the body directly with your complaint. The body must investigate your complaint, outline whether there has been a failure by the public body and, if so, what will be done to ensure future compliance.

Compliance by a public body with the statutory Code of Practice on Accessible Public Services (2006) is deemed to be compliance with the relevant provisions of the Disability Act.

If you are not satisfied by the response of the public body, you can bring your complaint to the Ombudsman (see below).

The Office of the Ombudsman

The main function of the Office of the Ombudsman is to investigate complaints from members of the public about how they have been treated by certain public services. For example the Ombudsman can examine decisions, refusals to take action and administrative procedures of public bodies. These services include government

departments and offices, local authorities (except for reserved functions – this means functions exercised exclusively by elected members of local authorities), the Health Service Executive (HSE) and An Post. The Ombudsman can investigate issues which have been through the social welfare appeals system.

The Disability Act 2005 also gives the Ombudsman powers to investigate complaints about compliance with Part 3 of the Act. Part 3 of the Act sets out the requirements on public bodies in relation to:

- » Access to public buildings
- » Access to services
- » Accessibility of services supplied to a public body
- » Access to information
- » Access to heritage sites
- » Sectoral plans

Making a complaint

Anyone may complain to the Ombudsman. Generally speaking, you must have exhausted the existing complaints machinery – for example, if you have a complaint about the Department of Social Protection, you should go through the normal appeals machinery before contacting the Ombudsman. If you wish to make a complaint to the Ombudsman under the Disability Act 2005 you must first put your case to the public body concerned and allow it time to investigate the matter. If your complaint is about the accessibility of public buildings, services, information or heritage sites, then your complaint will be investigated by an Inquiry Officer of the public body.

If your complaint relates to a sectoral plan, the sectoral plan will set out information about the complaints procedure to be followed. The website of the Office of the Ombudsman has further information on the role of the Ombudsman under the Disability Act 2005.

You must make your complaint to the Ombudsman as soon as possible. The time limit for making a complaint about a decision or action of a body is 12 months. Time starts to run from the date the decision is made, or action is taken or from the date that you become aware that the decision or action occurred. You may make your complaint in writing, by telephone or by email (see the contact details below). You should include any relevant documentation or correspondence.

How to apply

Office of the Ombudsman

18 Lower Leeson Street, Dublin 2.

Lo-call: 1890 223 030 or Tel: (01) 678 5222

Email : ombudsman@ombudsman.gov.ie

ombudsman.gov.ie

The Ombudsman for Children

If you wish to make a complaint on behalf of a child, you can contact the Ombudsman for Children. This is a statutory office established under the Ombudsman for Children Act 2002.

The main functions of the Office are:

- » To promote the rights and welfare of children, and
- » To investigate complaints made by children or on behalf of children against public bodies, schools and public hospitals.

Chapter 14 Complaints, appeals and the role of the Ombudsman

Under the Act, a child is someone under the age of 18 (with the exception of young people under 18 who are members of the Defence Forces). The Ombudsman for Children can investigate government departments, health boards, local authorities, schools, public hospitals and the prison service.

The Ombudsman for Children may investigate on her/his own initiative or as a result of a complaint by a child, a family member or a professional who has dealings with the child. If a parent is not making the complaint, one parent must be told that a complaint is being made.

Before making a complaint to the Ombudsman, you must first use the complaints and appeals machinery of the body against which you have a complaint. If you are not satisfied with the outcome, you can then contact the Ombudsman to make your complaint. The Ombudsman may not investigate complaints where legal proceedings have already commenced.

How to apply

To make a complaint, you should write to the Ombudsman for Children. You should enclose a copy of the letter(s) you sent to the body and give the reasons why you are not satisfied with the outcome of your complaint. You will be contacted by the office of the Ombudsman for Children who will discuss your complaint with you. Contact:

Ombudsman for Children

Millennium House, 52-56 Great Strand Street, Dublin 1.

Lo-call: 1890 654 654 or Tel: (01) 865 6800

Email: oco@oco.ie

oco.ie

Chapter 15

Equality for people with disabilities

In principle, people with disabilities have the same legal, political, social and economic rights as others. However, there may be difficulties in having those rights implemented. The National Disability Strategy in conjunction with the Disability Act 2005 and the Citizens Information Act 2007 aimed to establish new rights for people with disabilities and to provide a co-ordinated approach to services for people with disabilities. However, many elements of the strategy are currently on hold. We also outline Ireland's anti-discrimination legislation and cover rights for people with disabilities in an international context.

National Disability Strategy

The National Disability Strategy was launched in September 2004. The strategy includes:

- » The Education for Persons with Special Needs Act 2004
- » The Disability Act 2005
- » The Citizens Information Act 2007
- » Six disability action plans (sectoral plans) that set out services to be provided to people with disabilities
- » A investment programme for disability support services that runs over a number of years

The Education for Persons with Special Needs Act 2004

The Education for Persons with Special Educational Needs (EPSEN) Act provides that people with special educational needs are educated where possible in an inclusive environment and have the same rights to education as persons who do not have special educational needs. The Act established the National Council for Special Education (NCSE).

The Act defines special educational needs as a restriction in the capacity of the person to participate in and benefit from education on account of an enduring physical, sensory, mental health or learning disability, or any other condition which results in a person learning differently from a person without that condition. The Act is not fully in force. It was announced in 2009 that further implementation of the EPSEN Act was being deferred.

The Disability Act 2005

The Disability Act provides for various measures including an independent needs assessment for people with disabilities, independent redress and enforcement mechanisms; obligations on public bodies to consider and respond to the needs of people with disabilities; six sectoral plans in the key service areas and targets for the employment of people with disabilities in the public sector. It was announced in 2009 that further implementation of the Disability Act was being deferred.

The Citizens Information Act 2007

The Act provides for the establishment of the Personal Advocacy Service (PAS). Although the relevant sections of the Act have not been commenced due to budgetary considerations the new National Advocacy Service will provide advocacy services for people with disabilities (see page 2).

Sectoral plans

The sectoral plans set out how it is proposed that services will be improved for people with disabilities. To date, the sectoral plans for six government departments have been published:

- » The Department of Communications, Energy and Natural Resources
- » The Department of the Environment, Heritage and Local Government
- » The Department of Enterprise, Trade and Employment (Now the Department of Enterprise, Trade and Innovation)
- » The Department of Health and Children
- » The Department of Social and Family Affairs (Now the Department of Social Protection)
- » The Department of Transport

The plans set out services provided for people with disabilities, measures to facilitate access to these services and planned improvements. Each plan must take the plans of other departments into account so the plans overlap in some areas. The plans are available on the websites of the relevant departments and you can find links to them from the website of the Department of the Taoiseach: **taoiseach.gov.ie**.

The international context

The EU

The primary responsibility for policy on rights and services for people with disabilities lies with national governments. The EU is mainly concerned with promoting co-operation between governments and raising awareness of disability issues.

EU legislation on discrimination is part of Irish law and is described below.

When setting standards in various areas, for example, transport and telecommunications, the EU legislation usually includes rules on accessibility for people with disabilities. This then becomes part of Irish legislation. The EU is currently preparing the EU Disability Strategy 2010 - 2020.

EU Charter of Fundamental Rights

The EU Charter of Fundamental Rights now has the same status as the treaties governing the EU. It lists the civil, political, social and economic rights recognised by the EU. Specific principles apply to people with disabilities. The Charter is implemented in the same way as EU law generally, that is, through the administrative system and the courts of Ireland with an ultimate appeal to the European Court of Justice.

UN Convention on the Rights of Persons with Disabilities

The UN Convention on the Rights of Persons with Disabilities is an international treaty that identifies the rights of people with disabilities and the obligations of countries which have ratified the convention to promote, protect and ensure those rights. It came into effect in May 2008. By August 2010, 146 countries had signed the convention and 89 had ratified it.

Ireland has signed the convention but has not yet ratified it. The proposed mental capacity legislation (see also page 169) will, when enacted, give effect to the UN Convention on the Rights of Persons with Disabilities and the Hague Convention on the International Protection of Adults. Countries which have ratified the convention

are known as “States Parties” and they are obliged to abide by the convention. Countries which have not ratified it are not obliged to abide by it.

The individual countries which have ratified the convention are primarily responsible for implementing it. The convention established a Committee on the Rights of Persons with Disabilities. This committee is composed of independent experts and is responsible for reviewing periodic reports submitted by the States parties on the steps they have taken to implement the convention. This committee is supported by the Office of the UN High Commissioner for Human Rights (**unhchr.org**)

The Optional Protocol to the convention

The Optional Protocol to the convention is also an international treaty. Countries which ratify the convention do not necessarily also ratify the protocol – there is a separate ratification procedure for the protocol. The protocol provides for a procedure whereby individuals may bring petitions to the Committee on the Rights of Persons with Disabilities claiming breaches of their rights. It also provides for inquiries to be conducted by the Committee into grave or systematic violations of the convention.

Pre-convention declarations

Before the convention on the rights of people with disabilities was agreed, the UN had adopted a number of non-legally binding instruments to promote the rights of people with disabilities. These have now been largely superseded by the convention.

www.un.org/disabilities

Other UN conventions

Other binding UN conventions on human rights apply to people with disabilities in the same way as to other people. The main other human rights conventions are:

- » The International Covenant on Economic, Social and Cultural Rights
- » The International Covenant on Civil and Political Rights
- » The Convention on the Rights of the Child

All of these conventions include a provision protecting against discrimination. The Convention on the Rights of the Child specifically recognises the need to protect against discrimination on the grounds of disability. Ireland has ratified these conventions. (un.org).

Anti-discrimination legislation

There is specific legislation outlawing discrimination on the grounds of disability in employment (the Employment Equality Acts 1998-2004) and in access to goods and services (the Equal Status Act 2000-2004). The anti-discrimination legislation does not prevent the development of positive action for people with disabilities.

Employment Equality Acts 1998-2008

The Employment Equality Acts 1998-2008 outlaw direct and indirect discrimination at work and in employment conditions on nine grounds, one of which is disability.

The Acts cover employees in both the public and private sectors, including people employed through employment agencies and applicants for employment and training. It outlaws discrimination in all areas relevant to employment: by employers, in collective agreements, in advertising, by employment agencies, in vocational training, by certain vocational bodies.

In the Acts discrimination is defined as the treatment of one person in a less favourable way than another person is, has been or would be treated. Disability is defined as including total or partial absence of bodily or mental facilities, chronic disease, whether manifest or not, learning and personality disorders.

An employer may not discriminate on grounds of disability but that does not mean that the employer must recruit or promote someone who is not willing to do or fully capable of doing the job in question. A person with a disability may be capable of doing a job if special services or facilities are provided and, if this is so, the employer may not consider him/her incapable provided those special facilities or services can be provided without imposing a disproportionate burden on the employer. The financial resources of the employer are taken into account.

Equal Status Acts 2000-2008

The Equal Status Acts 2000-2008 give protection against discrimination in non-employment areas including education, provision of goods, services and accommodation and disposal of property. Services are defined broadly to include access to public places, banking and insurance services, entertainment, facilities for refreshment and transport. The Acts prohibits discrimination on a number of grounds, including disability. Cases may be taken to the Equality Tribunal on

behalf of people with intellectual or psychological disabilities by parents or guardians. The definitions of discrimination and disability are similar to those in the Employment Equality Acts.

Organisations

National Disability Authority

The National Disability Authority (NDA), a statutory body, operates under the aegis of the Department of Justice and Law Reform. The NDA advises the Minister and keeps him or her informed about disability issues that might affect policy and practice. The focus of its work is on advising government departments and agencies on disability matters.

The NDA advises on the co-ordination and development of policy, undertakes research, advises on standards and codes of practice and monitors their implementation and monitors annually the employment of people with disabilities in the public service. It assists in the co-ordination and development of disability policy and promotes equality, participation and inclusion.

A Centre for Excellence in Universal Design was established in 2007. Universal design refers to the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people, regardless of their age, size or disability

National Disability Authority

25 Clyde Road, Dublin 4.

Tel: (01) 608 0400

Email: nda@nda.ie

nda.ie

The Equality Authority

The Equality Authority works to eliminate discrimination and to promote equality of opportunity. It has an in-house legal service and provides a free confidential information and advisory service to employers, service providers, individuals, trade unions and the legal profession on the implementation of the Employment Equality Acts 1998-2008 and the Equal Status Acts 2000-2008. It deals with queries in relation to equality and discrimination.

The Equality Authority has a range of publications including *Positive Action for People with Disabilities*, *Reasonable accommodation of people with disabilities in the provision of goods and services* and *A Disability Resource Pack*.

Equality Authority

Clonmel Street, off Harcourt Street, Dublin 2.
Lo-call: 1890 245 545 or Tel: (01) 417 3333
equality.ie

Equality Tribunal

The Equality Tribunal investigates complaints of discrimination. Complaints cases arising under both employment equality and equal status legislation may be referred to the Director of Equality Investigations. The Director may, if the parties agree, refer the case for mediation if it appears possible to resolve the dispute in this way. Otherwise, the case will be investigated by the Equality Tribunal. Decisions of the Equality Tribunal and mediation settlements are binding and enforceable through the Circuit Court. Either party may, however, appeal a decision of the Equality Tribunal to the Labour Court. If you consider that you have been discriminated against you should initially complain to the employer or service provider. If this is not successful,

you may complain to the Equality Tribunal. You should do this within six months of the alleged discrimination: an extension of a further six months is available if there is reasonable cause for such a delay.

The Equality Tribunal

3 Clonmel Street, off Harcourt Street, Dublin 2.

Lo-call 1890 344 424 or Tel: (01) 477 4100

equalitytribunal.ie

Appendix 1

Further information and support

You can get information, advice and assistance in accessing your entitlements and rights from a variety of voluntary and statutory organisations. We give these addresses in the body of the text where relevant and give a full list here. You will find the addresses of your local social welfare offices and Local Health Offices on **citizensinformation.ie/servicefinder** and in the telephone directory.

Citizens Information

Citizens Information Services (CISs) throughout the country provide a free and confidential information service on rights, entitlements, benefits, taxation, local or other information. You can find them in the Golden Pages and on **citizensinformation.ie/servicefinder**.

Citizens Information Phone Service

Lo-call: 1890 777 121 (within Ireland)
Tel: 00 353 21 452 1600 (outside Ireland)
SMS: 086 978 8300

Email: information@citizensinformation.ie

Citizens Information Board

George's Quay House, 43 Townsend Street, Dublin 2
Tel: (01) 605 9000
Email: **ciboard@ciboard.ie**
citizensinformationboard.ie

See **citizensinformation.ie** for online information.

Voluntary organisations

The Citizens Information Board's *Directory of National Voluntary Organisations* gives a comprehensive list of voluntary organisations. The directory is available from the Citizens Information Board. We list some of the organisations that are relevant to people with disabilities here.

AHEAD – Association for Higher Education Access and Disability

Newman House, 86 St Stephen's Green, Dublin 2.

Tel: (01) 475 2386

**Email: ahead@iol.ie
ahead.ie**

Carers Association

Market Square, Tullamore, Co. Offaly.

Tel: (057) 9322920

**Email: info@carersireland.com
carersireland.com**

Central Remedial Clinic

Vernon Avenue, Clontarf, Dublin 3.

Tel: (01) 805 7400

**Email: info@crc.ie
crc.ie**

Centre for Independent Living

Carmichael House, North Brunswick Street, Dublin 7.

Tel: (01) 873 0455

**Email: info@dublincil.org
dublincil.org**

Disability Federation of Ireland

Fumbally Court, Fumbally Lane, Dublin 8.

Tel: (01) 454 7978

**Email: info@disability-federation.ie
disability-federation.ie**

Enable Ireland

Sandymount Avenue, Dublin 4.

Tel: (01) 269 5355

**Email: info@enableireland.ie
enableireland.ie**

Forum of People with Disabilities

21 Hill Street, Dublin 2.
Tel: (01) 878 6077

**Email: inforum@indigo.ie
inforum.ie**

Inclusion Ireland – Association for People with an Intellectual Disability

Unit C2, The Steelworks,
Foley Street, Dublin 1.
Tel: (01) 855 9891

**Email: info@inclusionireland.ie
inclusionireland.ie**

Irish Advocacy Network

Old Rooskey House,
Rooskey, Co. Monaghan.
Tel: (047) 38918

**Email: admin@irishadvocacynetwork.com
irishadvocacynetwork.com**

Irish Deaf Society

30 Blessington Street, Dublin 7.
Tel: (01) 860 1878

**Email: ids@indigo.ie
irishdeafsociety.org**

Irish Wheelchair Association

Áras Chúchulainn,
Blackheath Drive, Clontarf,
Dublin 3.

Tel: (01) 818 6400
**Email: info@iwa.ie
iwa.ie**

Mental Health Ireland

Mensana House,
6 Adelaide Street, Dun Laoghaire,
Co. Dublin.

Tel: (01) 284 1166
**Email: info@mentalhealthireland.ie
mentalhealthireland.ie**

DeafHear.ie

35 North Frederick Street, Dublin 1.

Tel: +353 (0)1 817 5700
Minicom: +353 (0)1 817 5777
Fax: +353 (0)1 878 3629

**Email: info@deafhear.ie
Text messages: +353 (0)1 878 3629
deafhear.ie**

National Council for the Blind of Ireland

Whitworth Road, Drumcondra,
Dublin 9.

Tel: (01) 830 7033
Lo-call: 1850 334 353
**Email: info@ncbi.ie
ncbi.ie**

**National Federation of
Voluntary Bodies Providing
Services to People with
Intellectual Disability**

Oranmore Business Park,
Oranmore, Co. Galway.

Tel: (091) 792 316

**Email: secretariat@fedvol.ie
fedvol.ie**

**People with Disabilities in
Ireland**

4th Floor Jervis House,
Jervis Street, Dublin 1.

Tel: (01) 87 21 74 4

**Email: info@pwdi.ie
pwdi.ie**

**Free Legal Advice Centres
(FLAC)**

13 Lower Dorset Street, Dublin 1.

Tel: (01) 874 5690

flac.ie

Government departments and statutory organisations

Assist Ireland

Lo-call: 1890 277 478 or

Text: 086 383 7644

**Email: support@assistireland.ie
assistireland.ie**

Department of Education and Skills

Marlborough Street, Dublin 1.

Lo-call: 1890 40 20 40 or

Tel: (01) 8896400

**Email: info@education.ie
education.ie**

Department of Environment, Heritage and Local Government

Custom House, Dublin 1.

Lo-call: 1890 202 021 or

Tel: (01) 888 2000

environ.ie

Department of Health and Children

Hawkins House, Hawkins Street, Dublin 2.

Lo-call: 1890 200 311 or

Tel: (01) 635 4000

dohc.ie

Department of Social Protection

Information Services

College Road, Co. Sligo

Lo-call: 1890 66 22 44

welfare.ie

SMS Text Messaging Service

To request forms, text the form code below followed by your name and address to 51909 (from the Republic of Ireland only).

Standard text rates apply.

Appendix 1 Further information and support

Social Welfare payment or scheme	Form Code
<i>Bereavement Grant</i>	FORM BG
<i>Carer's Allowance</i>	FORM CARA
<i>Carer's Benefit</i>	FORM CARB
<i>Disability Allowance</i>	FORM DA
<i>Family Income Supplement</i>	FORM FIS
<i>Free Travel</i>	FORM TRAVEL
<i>Fuel Allowance</i>	FORM FUEL
<i>Household Benefits</i>	FORM HHB
<i>Invalidity Pension</i>	FORM INV
<i>Living Alone Allowance</i>	FORM LAA
<i>Maternity Benefit</i>	FORM MAT
<i>One Parent Family Payment</i>	FORM OPFP
<i>Respite Care Grant</i>	FORM RCG
<i>State Pension (Non-Contributory)</i>	FORM SPNC
<i>State Pension (Transition/Contributory)</i>	FORM SPC
<i>Widow(er)'s Contributory Pension</i>	FORM WCP
<i>Widow(er)'s Non-Contributory Pension</i>	FORM WNCP
<i>Domiciliary Care Allowance</i>	Form DCA

For specific enquiries you can contact the relevant section:

Bereavement Grant Section

Social Welfare Services,
Ballinalee Road, Longford.
Tel: (043) 334 0000 or
Lo-call: 1890 92 7770

Disablement Benefit Section

Social Welfare Services,
Ballinalee Road, Longford.
Tel: (043) 334 0000 or
Lo-call: 1890 92 7770

Blind Pension Section

Social Welfare Services,
College Road, Sligo.
Lo-call: 1890 500 000

*Family Income Supplement
Section*

Social Welfare Services,
Ballinalee Road, Longford.
Tel: (043) 334 0000 or
Lo-call: 1890 92 7770

Carer's Allowance Section

Social Welfare Services,
Ballinalee Road, Longford.
Tel: (043) 40000 or (01) 704 3000

Household Benefits Section

Social Welfare Services,
College Road, Sligo.
Tel: (043) 334 0000 or
Lo-call: 1890 92 7770

Carer's Benefit Section

Social Welfare Services,
Ballinalee Road, Longford.
Tel: (043) 334 0000 or
Lo-call: 1890 92 7770

Free Travel Section

Social Welfare Services,
College Road, Sligo.
Lo-call: 1890 500 000

Disability Allowance Section

Social Welfare Services,
Ballinalee Road, Longford.
Tel: (043) 334 0000 or
Lo-call: 1890 92 7770

Illness Benefit Section

PO Box 1650, Dublin 1.
Tel: (01) 679 7777

Injury Benefit Section

Áras Mhic Dhiarmada,
Store Street, Dublin 2.
Tel: (01) 704 3000

Appendix 1 Further information and support

Invalidity New Claims Section,
Social Welfare Services,
Ballinalee Road, Longford.
Tel: (043) 334 0000 or
Lo-call: 1890 92 7770

*Medical Review and Assessment
Section*
157–164 Townsend Street,
Dublin 2.
Tel: (01) 6732125

*Occupational Injuries
(Medical Care) Section*
Áras Mhic Dhiarmada,
Store Street, Dublin 1.
Tel: (01) 704 3000

Respite Care Grant Section
PO Box 10085, Dublin 2
Tel: (01) 673 2222 / (01) 703 32 40

Rent Allowance Section
Ballinalee Road, Longford.
Tel: (043) 334 0000 or
Lo-call: 1890 92 7770

*Social Welfare Services
(formerly Pension Services Office)*
College Road, Sligo
Lo-call: 1890 500 000

Treatment Benefit Section
Letterkenny, Co. Donegal.
Lo-call: 1890 400 400

Widowed Parent's Grant Section
Social Welfare Services,
College Road, Sligo.
Lo-call 1890 500 000

Equality Authority
Clonmel Street, off Harcourt
Street, Dublin 2.
Lo-call: 1890 245 545 or
Tel: (01) 417 3333
equality.ie

Equality Tribunal
3 Clonmel Street,
off Harcourt Street, Dublin 2.
Lo-call: 1890 344 424 or
Tel: (01) 477 4100
equalitytribunal.ie

FÁS
27-33 Upper Baggot Street,
Dublin 4
Tel: (01) 607 0500
Email: info@fas.ie
fas.ie

General Register Office

Government Offices,
Convent Road, Roscommon.
Lo-call: 1890 252 076 or
Tel: (090) 663 2900
groireland.ie

Health Insurance Authority

Canal House, Canal Road,
Dublin 6.
Tel: (01) 406 0080
hia.ie

Health Service Executive

Head Offices
Oak House, Limetree Avenue,
Millennium Park, Naas,
Co. Kildare.
Tel: (045) 880 400
and
Parkgate St. Business Centre,
Dublin 8.
Tel: (01) 635 2500

Information line: 1850 24 1850
See **hse.ie** for a list of local health
offices

**International Pension Centre
(UK)**

Department for Work and
Pensions, Tyneview Park,
Benton, Newcastle-Upon-Tyne,
NE98 1BA, UK.
Tel: 0044 191 218 7777
dwp.gov.uk

**Irish Government website:
gov.ie**

This website provides links to all
government departments and
almost all statutory agencies.
It also provides information on
legislation and parliamentary
proceedings.

Legal Aid Board

Head Office, Quay Street,
Cahirciveen, Co. Kerry.
Lo-call: 1890 615 200 or
Tel: (066) 947 1000
Email: info@legalaidboard.ie

Dublin Office
47 Upper Mount Street, Dublin 2.
Tel: (01) 644 1900
legalaidboard.ie

Mental Health Commission

St Martin's House,
Waterloo Road, Dublin 4.
Tel: (01) 636 2400
Email: info@mhcir.ie
mhcir.ie

National Council for Special Education

1-2 Mill Street, Trim, Co. Meath.
Tel: (046) 948 6400
Email: info@ncse.ie
ncse.ie

National Disability Authority

25 Clyde Road, Dublin 4.
Tel: (01) 608 0400
Email: nda@nda.ie
nda.ie

National Educational Psychological Service

24-27 North Frederick Street,
Dublin 1.
Tel: (01) 889 2700
Email: neps@neps.gov.ie

National Employment Rights Authority

O'Brien Road, Carlow.
Lo-call: 1890 80 80 90
Tel: (059) 917 8800
Email:
info@employmentrights.ie
nera.ie

Office of the Disability Appeals Officer,

1st Floor Dolcain House,
Monastery Road,
Clondalkin,
Dublin 22.
Tel: (01) 4614211
Lo-call: 1850 211583
odao.ie

Office of the Ombudsman

18 Lower Leeson Street, Dublin 2.
Lo-call: 1890 223 030
Tel: (01) 678 5222
Email : ombudsman@
ombudsman.gov.ie
ombudsman.gov.ie

Office of the Registrar of Wards of Court

15/24 Phoenix Street North,
Smithfield, Dublin 7.
Tel: (01) 888 6189/6140
courts.ie

Ombudsman for Children

Millennium House, 52-56 Great Strand Street, Dublin 1
Lo-call: 1890 654 654
Tel: (01) 865 6800
Email: oco@oco.ie
oco.ie

Pobal

Holbrook House, Holles Street, Dublin 2.
Tel: (01) 2400700
Email:enquiries@pobal.ie
pobal.ie

Public Appointments Service

26/30 Upper Abbey Street, Dublin 1.
Lo-call: 1890 449 999 or
Tel: (01) 858 7400
publicjobs.ie

Revenue Commissioners

Central Repayments Office,
Coolshannagh, Monaghan,
Co. Monaghan.
Lo-call: 1890 202 033
revenue.ie

Disabled Drivers Section,
Central Repayments Office
Coolshannagh, Co. Monaghan.
Lo-call: 1890 606 061 or
Tel: (047) 38010

VAT Repayments Section

Government Buildings, Kilrush Road, Ennis, Co. Clare.
Lo-call: 1890 202 033
revenue.ie

Sign Language Interpreting Service (SLIS)

Hainault House, The Square, Tallaght, Dublin 24.
Tel/Minicom: (01) 413 9670 or
Mobile: (087) 980 6996
Fax: (01) 413 9677
Email: slis@slis.ie
slis.ie

Social Welfare Appeals Office

D'Olier House, D'Olier Street, Dublin 2.
Lo-call: 1890 747 434
Email: swappeals@welfare.ie
socialwelfareappeals.ie

State Examinations Commission

Cornamaddy, Athlone, Co. Westmeath
Tel: (090) 644 2700
examinations.ie

Sustainable Energy Authority of Ireland

Wilton Park House, Wilton Place, Dublin 2.
Tel: (01) 808 2100
Email: info@seai.ie
seai.ie

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Feedback form

Entitlements for people with disabilities

We would appreciate your comments on this publication. Please tell us what you found useful and what further information or other topics you would like to see in future editions.

Was the information useful?

Was it easy to understand?

Please list any sections which you found difficult to understand.

What did you think of the way that the information is laid out, the order of topics etc.?

Are there any improvements or inclusions which you would like to suggest for the next edition?

Please return your comments to:

Information Publications, Citizens Information Board,
George's Quay House, 43 Townsend Street, Dublin 2

Disability payments: weekly maximum rates (2010)

Payments to people with disabilities	Personal rate¹	Qualified adult²		Qualified child³
Illness Benefit	€196.00	€130.10		€29.80
Invalidity Pension Aged under 65 Aged 65 and over	€201.50	Under 66	Over 66	€29.80
	€230.30	€143.80	€206.30	€29.80
Disability Allowance	€196.00	€130.10		€29.80
Supplementary Welfare Allowance	€196.00	€130.10		€29.80
Blind Pension	€196.00	€130.10		€29.80
Blind Welfare Allowance	€61.60	n/a		€4.40
Domiciliary Care Allowance		(Monthly) €309.50 per child		
Mobility Allowance High rate Low rate		(Monthly) €208.50 €104.25		

Carer's payments	Caring for one	Caring for 2 or more	Qualified child
Carer's Allowance Aged under 66 Aged 66 or over	€212.00	€318.00	€29.80
	€239.00	€358.50	€29.80
Carer's Benefit	€213.00	€319.50	€29.80
Respite Care Grant	€1,700.00 yearly per person cared for (Paid on the first Thursday in June)		

1. The personal rate is the amount received by the person with a disability.
2. The qualified adult rate is for the adult dependant of the person with the disability.
3. The qualified child rate is for each dependent child of the person with the disability.

The Citizens Information Board provides independent information, advice and advocacy on public and social services through citizensinformation.ie, the Citizens Information Phone Service and the network of Citizens Information Services. It is responsible for the Money Advice and Budgeting Service and provides advocacy services for people with disabilities.

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