



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

Entitlements for people with disabilities

Preface

This is the fourteenth 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 (call 0761 07 4000). It provides information on rights and entitlements on the Citizens Information website, **citizensinformation.ie**.

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

June 2012

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Introduction

There is a range of benefits and supports available for people with disabilities. These supports serve a number of different purposes – some aim to help ensure a basic standard of living, some give support to employees with disabilities and others are designed to help people with a specific disability.

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

In Chapter 2 we explain the main disability-related payments. 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 summarise these other supports in Chapter 3 and direct you to 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. In Chapters 6–13 we 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. Finally, in Chapter 15 we outline the main provisions of the National Disability Strategy in the context of relevant national and international law.

The information in this book is subject to change. Schemes may be phased out, new ones introduced, and rules amended. Other information sources are referred to throughout the book and it is always worth checking for the latest and most up-to-date information.

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 Centre. Visit **centres.citizensinformation.ie** to find your nearest Citizens Information Centre.

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 0761 07 4000 or contact CIPS by email at **information@citizensinformation.ie**. The phone service is available from Monday to Friday, 9am to 9pm.

CIPS also operates a Live Advisor instant chat service. Live Advisor is available between the hours of 9am and 5pm (Monday to Friday) and is targeted specifically toward people with hearing and speech difficulties and to others who have difficulty communicating by telephone.

The Citizens Information website, **citizensinformation.ie**, gives detailed up-to-date information on public services including all the benefits and entitlements covered in this booklet.

National Advocacy Service

The National Advocacy Service for people with disabilities (NAS) was set up to provide independent, representative advocacy services for people with disabilities. It is organised and managed on a regional basis by the boards of five Citizens Information Services and is supported by the Citizens Information Board.

NAS has five regional teams who provide advocacy to people with all types of disability, with a particular remit for more vulnerable people with disabilities. People with disabilities may get in touch with the NAS directly or they may be referred to it by family, friends or services. Disability service providers may seek an advocate to work with individuals who use their services.

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. It works with clients by supporting them in drawing up realistic budgets and maximising their incomes.

MABS offices operate on an appointment system and you can find contact details for them on the MABS website, **mabs.ie**. There is also a MABS helpline available from 9am to 8pm, Monday to Friday, phone 0761 07 2000. Clients can make appointments with a local office by calling the helpline number. You can also send an email to **helpline@mabs.ie** if you have any questions.

Feedback

We hope that this book will be useful for people with disabilities and their families and carers, as well as for information providers 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. Please send feedback and comments to:

Information Resources

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.

It also explains the general process of applying for a payment, scheme or service. If you think you may be entitled to any benefit, you should apply. 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 are based on Pay Related Social Insurance (PRSI) contributions and are not means tested. You are eligible for social insurance benefits if you meet 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.

Chapter 1 Qualifying for benefits

- » Means-tested social assistance payments are for people 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 that are paid regardless of your social insurance record or income and only require 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 you must satisfy the habitual residence condition (see page 6).

PRSI contributions

To get a social insurance payment there are certain rules about the number and type of PRSI contributions you must have.

Number of contributions

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

- » You must have a minimum total number of weeks of PRSI contributions paid
- » You must also have a minimum number of weeks of PRSI contributions paid and/or credited in the relevant tax year

For most claims in the year 2012, the relevant tax year is 2010. For Invalidity Pension, it is 2011. 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.

Credited contributions

Credited contributions (credits) are PRSI contributions that are awarded to you when you do not make 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. Credits may be awarded to eligible carers who are getting Carer's Allowance or Carer's Benefit, or who are on carer's leave. 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). But if you subsequently work and pay contributions for 26 weeks, you then qualify for credited contributions.

If you retire early, you should make sure that you do what is required to keep your PRSI contribution record with the Department of Social Protection up to date. If you retire before age 65 (66 from 2014), and you 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 Scheme

You may be able to avail of the Homemaker's Scheme if you gave up work to care full-time for a child or for an ill or disabled person who needs full-time care or attention. This means that any years spent as a homemaker are ignored when working out your yearly average contributions for a State Pension (Contributory), up to a maximum of 20 years. For the year in which you become a homemaker,

Chapter 1 Qualifying for benefits

homemaker's credits are awarded for the remainder of that year. In the year you stop being a homemaker, homemaker's credits are awarded for the year up to that date.

To benefit from this scheme, you must have worked and paid PRSI before reaching the age of 56. To apply, you should register with the Homemaker's Scheme Section of the Department of Social Protection within one year of becoming a homemaker. You do not have to register if you are getting Carer's Allowance, Carer's Benefit, the Respite Care Grant or Child Benefit.

A credit-based system is under consideration but no date has yet been set for implementation. The new system will grant credits for time spent homemaking instead of disregarding that time in the eligibility calculations for your yearly average contributions.

Voluntary contributions

If you are aged under 66 and you are no longer required to pay PRSI contributions, you can opt to become a voluntary contributor in order to keep up your entitlement to the State Pension (Contributory) or the Widow's, Widower's or Surviving Civil Partner's Pension (Contributory). You should check with the Department of Social Protection as to whether you need to make the extra contributions.

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 means-tested payment, the weekly rate of payment you get 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 may get 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 in accordance with set rules. It is difficult for an individual to assess their own means accurately. That is why it is 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 per €1,000
Next €10,000	€2 per €1,000
Balance	€4 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, in a civil partnership or living with a partner, then you are assessed with half of your combined capital.

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

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The formula used for Supplementary Welfare Allowance is as follows:

Capital	Weekly means assessed
First €5,000	Nil
Next €10,000	€1 per €1,000
Next €25,000	€2 per €1,000
Balance	€4 per €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 the 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 to the following means-tested payments:

- » Jobseeker's Allowance
- » State Pension (Non-Contributory)
- » Blind Pension
- » Widow's, Widower's or Surviving Civil Partner'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 that 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.

If you have the legal right to live in Ireland, five criteria are used to decide if you are habitually resident:

- » Length and continuity of residence in Ireland or other parts of the Common Travel Area (that is, Ireland and the UK, including the Channel Islands and the Isle of Man)
- » Length and purpose of any absence from Ireland
- » Nature and pattern of employment
- » Your main centre of interest
- » Your future intention to live in Ireland, as it appears from all the circumstances

Applying for a payment

Most social welfare payments are paid by the Department of Social Protection through your local social welfare office. However, there are exceptions. You apply to the Department of Social Protection's representative in your local health centre (formerly known as the Community Welfare Officer) for Supplementary Welfare Allowance, Rent Supplement or Mortgage Interest Supplement.

Chapter 1 Qualifying for benefits

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

Personal Public Service Number

You will need your Personal Public Service (PPS) Number when applying for a payment. The PPS Number is your unique reference number for all dealings with the public service, including social welfare, tax, education and health services.

All children are 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 a PPS Number, you should contact a local social welfare office that can register you for one. You will 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 will also need evidence of your address, for example, a household bill in your name.

Medical assessments

Some payments require evidence of your disability. 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 examination and cannot attend, or if you need help in relation to it, contact:

Medical Review and Assessment Section
Department of Social Protection
Oisín House

212–213 Pearse Street
Dublin 2
Tel: (01) 673 2330

Rates of payment

The table at the back of this book shows what the maximum rates in 2012 are for the most important payments for people with disabilities.

Rates are liable to change. You can check **citizensinformation.ie** or **welfare.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.

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

Increase for a Qualified Adult

An adult dependant, also known as a qualified adult, is usually a spouse, civil partner or cohabitant. Cohabitants are two adults, whether of the same or opposite sex, who are not close relatives and who are not married to each other or in a civil partnership but who live together as a couple in an intimate and committed relationship.

If you are getting a social welfare payment you can get an extra amount for an adult dependant, called an Increase for a Qualified Adult. In general, you may get an Increase for a Qualified Adult if your spouse, civil partner or cohabitant is not getting his or her own social welfare payment and has income of less than €310 per week. If your spouse, civil partner or cohabitant has an income of more than €100 per week, the increase is paid at a reduced rate.

The rules governing dependency are quite complex. For example, a different means test applies if you are getting Jobseeker's Allowance, Pre-Retirement Allowance, Disability Allowance, or Farm Assist. Also, there are some payments which your qualified adult can get in his or her own right without it affecting your Increase for a Qualified Adult.

If you qualify for an increase in your 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 applied for any State pension since 27 September 2007, the Increase for a Qualified Adult is automatically paid directly to your adult dependant.

Increase for a Qualified Child

Increases are paid for child dependants, known as qualified children. You get the full rate of Increase for a Qualified Child if you are a lone parent or if you qualify for an Increase for a Qualified Adult for your

spouse or partner. You will get a half-rate increase if the income of your spouse, civil partner or cohabitant exceeds €310 per week. With Illness Benefit, Jobseeker's Benefit, Injury Benefit, Incapacity Supplement and Health and Safety Benefit, you will not get the increase if the income of your spouse, civil partner or cohabitant is over a certain limit (€400 in 2012). From July 2012 this also applies to new claimants for Invalidity Pension, Carer's Benefit, State Pension (Contributory or Transition).

If you and your spouse, civil partner or cohabitant are each getting a social welfare payment, you each get half the increase. (A half-rate Increase for a Qualified Child is not payable with Supplementary Welfare Allowance, you get the full rate if you get an Increase for a Qualified Adult.)

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 Citizens Information Centre
- » Online at **welfare.ie** or **citizensinformation.ie**

In the case of Health Service Executive (HSE) payments you can get information from:

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

Chapter 1 **Qualifying for benefits**

We also tell you where to get more information about each benefit in the relevant section of this book.

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 payment 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 – they are payments 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, Blind Pension and Blind Welfare Allowance 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.

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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).

Once you reach the age of 66, your specific disability payment may cease and you may then be eligible for a State pension.

PRSI credits are awarded if you are getting Illness Benefit or Invalidity Pension. You may also get credits with Injury Benefit. If you use up your entitlement to Illness Benefit or Injury Benefit you can continue to submit medical certificates to ensure that you continue to get credits. If you have applied for Illness Benefit or Injury Benefit and don't qualify, you may still be entitled to credits if you have paid or credited contributions in the last two tax years.

Illness Benefit

Illness Benefit is a short-term payment made to PRSI-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 a certain number of PRSI contributions:

- » At least 104 weeks (two years) PRSI paid since you first started work and either
- » 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 or
- » The last complete tax year or
- » The current tax year

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 2012, the relevant tax year is 2010. This arrangement allows the Department of Social Protection time to receive PRSI contribution information from the Revenue Commissioners which collects the contributions. The contributions must be in PRSI Class A, E, H or P.

How long can I get Illness Benefit?

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 (2010 for claims made in 2012) 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 5 January 2009 and you have paid 260 weeks PRSI 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.

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 may help you qualify for other benefits, such as free travel and the Household Benefits Package (see Chapter 3).

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 from your doctor. You then need to send in a medical certificate (called MC2) during each week of your illness.

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

Alternative payments

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

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 paid PRSI contributions. However if you have been getting Illness Benefit for at least two years, return to work and become ill again within 26 weeks, you can return to Illness Benefit at the same rate without serving waiting days (this applies to continuous claims made before 5 January 2009).

Occupational sick pay

You should notify your employer 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 payment. In other cases, your employer may deduct the amount of the social welfare payment from your pay.

Some employers may not pay sick pay 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 you 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

Illness Benefit is taxable from the first day of payment (excluding any increases for child dependants). Before 2012, the first six weeks of Illness Benefit in each tax year was exempt from tax. See Chapter 10 for more information on taxation.

Work

If you are getting Illness Benefit for at least six months, and you wish to return to work but your capacity to work is reduced by your medical condition, you may qualify for Partial Capacity Benefit. This allows you to work and continue to get a payment. See page 145 for further details.

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 can get more information from your local social welfare office or Citizens Information Centre, or online at **welfare.ie** or **citizensinformation.ie**. You can also contact:

Illness Benefit Section
Department of Social Protection
PO Box 1650
Dublin 1
Tel: (01) 704 3300
Lo-call: 1890 928 400

Invalidity Pension

This is a payment for PRSI-insured people who cannot work because of a long-term illness or disability. You may also get other benefits with it such as free travel or the Household Benefits Package. People with a disability generally transfer to Invalidity Pension from another social welfare payment such as Illness Benefit. However, in certain cases of very serious illness or disability, you can transfer directly from employment to Invalidity Pension.

How do I qualify for Invalidity Pension?

You must satisfy the medical and PRSI conditions. The medical conditions are:

- » You must have been unable to work for at least 12 months and be likely to be unable to work for at least another 12 months
- or
- » You must be permanently unable to work

The PRSI conditions are that you must have at least 260 (that is, five years) 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 2012, the relevant year is 2011). The contributions must be in PRSI Class A, E or H.

How long can I get Invalidity Pension?

Invalidity Pension is payable up to the age of 66 if you continue to satisfy the qualifying conditions. At the age of 65, the personal rate of payment increases to the same rate as the 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 – you need to apply if you are on other payments.

Other benefits

Living Alone Increase is payable with Invalidity Pension 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, civil partner or cohabitant to travel free with you. If you are medically assessed as being unable to travel alone, you may be entitled to a Free Travel Companion Pass (see Chapter 8).

Returning to work

If you are getting Invalidity Pension and you wish to return to work, but your capacity to work is reduced by your medical condition, you may qualify for Partial Capacity Benefit. This allows you to work and continue to get a payment. See page 145 for further details.

How to apply for Invalidity Pension

You can get an application form (INV1) and further information from your local social welfare office or Citizens Information Centre, or online at **welfare.ie** or **citizensinformation.ie**. You can also contact:

Invalidity Pension Section
Social Welfare Services
Ballinalee Road
Longford
Tel: (043) 334 0000
Lo-call: 1890 92 77 70

Disability Allowance

This is a long-term means-tested payment for people with a disability.

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 you 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, civil partner or cohabitant are taken into account. These could include savings, earnings from work and income from any pensions. Your parents' means are not considered.

The earnings of your spouse, civil partner or cohabitant are assessed as follows:

€20 per day (up to a maximum of €60) from insurable employment will be deducted from your spouse, civil partner or cohabitant'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 payment (your personal rate of Disability Allowance added to the maximum Increase for a Qualified Adult plus any Increase for a Qualified Child that applies).

Chapter 2 The main disability-related payments

Disability Allowance – assessment of capital

Capital, for example, the value of savings, investments, shares, or any property you may have (other than your own home) is assessed as follows:

Capital	Weekly means assessed
First €50,000	Nil
Next €10,000	€1 per €1,000
Next €10,000	€2 per €1,000
Balance	€4 per €1,000

For example, if you have savings of €68,000 in the bank you are considered to have weekly means of €26.

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. You should apply for the State pension three months before reaching the age of 66.

Couples

Two personal rates of Disability Allowance are paid to a couple where each is eligible for the allowance. If you are getting Disability Allowance and your spouse, civil partner or cohabitant is getting another social welfare payment, you will each get the weekly personal rate of your payments.

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 (see Chapter 8). This allows you to travel for free and your spouse, civil partner or cohabitant to travel free with you. If you are medically assessed as being unable to travel alone you may be entitled to a Free Travel Companion Pass.

Hospital and residential care

If you are living in residential care or are a long-stay patient in hospital, you are entitled to Disability Allowance if you meet the qualifying conditions.

Rehabilitative work

You can earn a certain amount from rehabilitative or therapeutic work without it affecting your Disability Allowance. In 2012 this amount is €120 per week. If you earn over €120, 50% of your earnings between €120 and €350 will be disregarded in the means test. You must get approval from the Department of Social Protection before you start work (see Chapter 12 for further details).

Going back to education

When you have been on Disability Allowance for at least three months (nine months for third-level courses), you may be eligible for the Back to Education Allowance (see Chapter 11).

Transferring from jobseeker's payments

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 any appeal.

How to apply for Disability Allowance

You can get an application form (DA1), and further information, from your local social welfare office or Citizens Information Centre, or online at **welfare.ie** or **citizensinformation.ie**. You can also contact:

Disability Allowance Section
Social Welfare Services Office
Ballinalee Road
Longford
Tel: (043) 334 0000
Lo-call: 1890 92 77 70

Blind Pension

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

How do I qualify for Blind Pension?

You must satisfy both a means test and a habitual residence test, and be aged 18 or over. You must have an eye test. Your means and those of your spouse, civil partner or cohabitant 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 three months before reaching the age of 66.

Other benefits

You get a Free Travel Pass automatically. You may also qualify for the Blind Welfare Allowance from the HSE, the Household Benefits Package and a Living Alone Increase (see Chapter 3).

Rehabilitative work

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

How to apply for a Blind Pension

You can get an application form (BP1), and further information, from your local social welfare office or Citizens Information Centre, or online at **welfare.ie** or **citizensinformation.ie**. You can also contact:

Blind Pension Section
Social Welfare Services Office
College Road
Sligo
Tel: (071) 915 7100
Lo-call: 1890 500 000

A Braille and audio cassette tape version of the application form is also available from:

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

Web: ncbi.ie

Blind Welfare Allowance

This is a means-tested supplementary payment from the HSE to a person who is blind or visually impaired.

How do I qualify for Blind Welfare Allowance?

You may qualify if you are getting a Blind Pension from the Department of Social Protection. If you are registered with the National Council for the Blind or have a qualifying certificate of visual impairment from an ophthalmic surgeon you may qualify if you:

- » Are getting an income maintenance payment from the Department of Social Protection, such as Disability Allowance, or an equivalent social security payment from another country
- or
- » Have an income below the combined Blind Pension rate and Blind Welfare Allowance rate

How to apply for Blind Welfare Allowance

Apply to your Local Health Office.

Occupational Injuries Benefit 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 are in employment that is insurable at PRSI class 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.

Work accidents or diseases may not result in illness or disablement immediately. However, if you are injured at work, in order to safeguard your future right to OIB you should get a declaration to say your accident or disease occurred at work. This declaration form (called DB/OB1) is available from your family doctor (GP) or from:

Occupational Injuries Benefit Section
Áras Mhic Dhiarmada
Store Street
Dublin 1
Tel: (01) 704 3018

Injury Benefit

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

Chapter 2 The main disability-related payments

How do I qualify for Injury Benefit?

You must be in employment insurable at class A, D, J or M and be unfit for work due to:

- » An accident at work or while travelling to or from your work
or
- » A disease caused by the work you do (an occupational disease)

Your illness or disability must last for more than three days (excluding Sundays or paid leave).

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, Disability Allowance or Supplementary Welfare Allowance.

You may also be entitled to Disablement Benefit (see page 29) if you suffer a loss of physical or mental faculty as a result of the accident or disease. Alternatively, if you do not qualify for Illness Benefit or another social welfare payment and you are getting Disablement Benefit, you may be eligible for Incapacity Supplement.

Other payments and Injury Benefit

You only receive a reduced rate of payment if you are also getting One-Parent Family Payment or Widow's, Widower's or Surviving Civil Partner's Pension (Contributory or Non-Contributory).

If you are getting Disablement Benefit from a previous accident, you are entitled to a full-rate Injury Benefit for the current accident.

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 an application

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 **citizensinformation.ie** or contact your local social welfare office. You should apply there with the medical certificate and application form or send them to:

Injury Benefit Section
Department of Social Protection
PO Box 1650
Dublin 1
Tel: (01) 704 3018

Disablement Benefit

Disablement Benefit is a payment under the OIB scheme for insured people who have lost physical or mental abilities as the result of an accident at work or directly on the way to or from work, or as the result of an occupational disease.

How do I qualify for Disablement Benefit?

You must have been in employment that is insurable at PRSI Class A, B, D, J or M but you do not need to have paid a minimum number of contributions. You do not have to be unfit for work. If you are fit for work, you should apply as soon as possible, within three months of the injury or onset of the disease. If you are not fit for work, you should first claim Injury Benefit and apply for Disablement Benefit within three months of your Injury Benefit ending or earlier.

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.

Payment is only made where the level of disablement following the accident or disease is assessed at 15% or more.

Chapter 2 The main disability-related payments

Where the level of disablement is assessed at 20% or more the benefit can be paid by weekly or four-weekly pension (called Disablement Pension). However, where the rate is assessed at less than 20%, the benefit can be paid as a lump sum (called Disablement Gratuity) or as a Disablement Pension. The gratuity is non-taxable but the pension is taxable.

Other payments

If you are getting a Disablement Pension and cannot work, you may also qualify for Illness Benefit (see page 14). You may be eligible for Incapacity Supplement or Constant Attendance Allowance also.

Incapacity Supplement

This is a supplement paid as an increase to Disablement Pension. It applies if you are considered to be permanently incapable of work as a result of an occupational accident or disease and you do not qualify for another social welfare payment such as Illness Benefit. You may get an increase in your payment if you have qualified adult or child dependants.

Constant Attendance Allowance

This can be paid weekly as an increase to Disablement Benefit. It applies if your disability is such 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 a Living Alone Increase (see Chapter 3), or Back to Education Allowance (see Chapter 11).

How to apply for Disablement Benefit

Apply on Form OB21, available from your local social welfare office or from **citizensinformation.ie**, and send it to:

Disablement Benefit Section
Social Welfare Services
Ballinalee Road
Longford
Tel: (043) 334 4794
Lo-call: 1890 927 770

Medical care under the Occupational Injuries Benefit Scheme

If you are an insured person who is injured at work, or travelling to or from work, or who contracts an occupational disease, you can claim the cost of certain medical care expenses if they are not already covered by the HSE or by the Treatment Benefit Scheme (see chapter 6). Expenses covered include: GP visits and prescriptions, certain medical or surgical appliances, dental and optical treatment, and certain travelling expenses.

How to apply

Application form C1 is available from **welfare.ie** or from:

Occupational Injuries Benefit Section
Áras Mhic Dhiarmada
Store Street
Dublin 1
Tel: (01) 704 3018

Death benefits under the Occupational Injuries Benefit Scheme

A number of payments 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 payments are Guardian's/Orphan's Pension, a Funeral Grant, and Widow's, Widower's

Chapter 2 The main disability-related payments

or Surviving Civil Partner's Pension (payable at a higher rate than the ordinary Contributory Widow's, Widower's or Surviving Civil Partner's Pension). See page 44 for more information on payments following a death.

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 and, depending on their means, a medical card (see Chapter 6).

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.

People with disabilities on certain payments are automatically entitled to these extra benefits. 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 State pension, keep their entitlement to these extra benefits.

Household Benefits Package

The allowances that make up the Household Benefits Package are:

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

The Electricity Allowance covers normal standing charges and up to 300 units per two-month billing period.

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) you may qualify for an Electricity (Group Account) Allowance instead.

The Natural Gas Allowance is an alternative to the Electricity Allowance – you can get one or the other but not both.

If your home is not connected to an electricity or a natural gas supply but you satisfy the conditions of the scheme, you can avail of the Bottled Gas Allowance.

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. If you do not have a telephone but would otherwise be eligible, you will have to pay the installation charges if you get one installed.

The Telephone Allowance is paid as a credit on your bill, where possible. Otherwise, it can be paid to a nominated bank or post office account. You can only get the allowance if the telephone is registered in your name.

Free Television Licence

When you qualify for the Household Benefits Package, you will be notified that you will get your Free Television Licence from the next renewal date of your current licence. This remains valid 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 to apply for the Household Benefits Package

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

Household Benefits Section
Social Welfare Services
College Road
Sligo
Tel: (071) 915 7100
Lo-call: 1890 500 000

Note: If you are getting Invalidity Pension, Disability Allowance or Blind Pension and you are getting any of the allowances under the Household Benefits Package, you may keep the allowances if you transfer to certain other payments from the Department of Social Protection. You may not keep the allowances if you transfer to Jobseeker's Benefit or Allowance, Illness Benefit, 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 payments and are unable to pay for their heating needs. The scheme operates for 26 weeks from mid-October to mid-April. The allowance is usually included in your normal weekly payment. Only one Fuel Allowance is payable to a household.

How do I qualify for a Fuel Allowance?

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

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

- » A dependent spouse, civil partner or cohabitant and/or a dependent child or children
- » A person who is caring for you because you have a disability or who is getting Carer's Allowance
- » One or more people who meet the conditions for the Fuel Allowance or who are getting short-term Jobseeker's Allowance

The means test allows for a combined household income of €100 per week above the maximum rate of State Pension (Contributory). This means that you can have capital of up to €58,000 (equivalent to €100 a week under the capital means assessment rules) and be eligible for a Fuel Allowance. The formula used in assessing capital is the same as that used for other means-tested payments (see Chapter 1).

How to apply for a Fuel Allowance

You apply to the section of the Department of Social Protection that pays your main payment. However if you are getting Supplementary Welfare 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.

The Supplementary Welfare Allowance Scheme

The Supplementary Welfare Allowance Scheme is a means-tested support for people who are not able to meet their needs and those of their dependants. 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 (SWA), and other payments which include rent and mortgage interest supplements, diet supplements, heating supplements, payments for exceptional needs and payments for urgent needs or emergencies. If you have a disability and have additional specific needs, you may be eligible for one of the supplements.

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. A person who is waiting for a long-term benefit or allowance to be processed can apply.

Supplementary Welfare Allowance

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 for people living in privately-rented accommodation to help them 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.

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 (see Chapter 6) may be accepted as verification of the fact that a special diet has been prescribed. Different rates of supplement are paid for four different 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 with heating costs, for people who have extra heating needs, for example, people who are ill or have a disability and 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 payment can be: for special clothing for a person who has a serious illness; for bedding or cooking utensils for someone setting up a home for the first time; for the cost of visiting relatives in hospital or prison; or for costs in relation to funerals. It may be paid to people who are getting the basic Supplementary Welfare Allowance or other 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 getting Supplementary Welfare Allowance. The habitual residence condition does not apply to Urgent Needs Payments.

How to apply for the Supplementary Welfare Allowance Scheme

You should apply to the Department of Social Protection's representative (formerly known as the Community Welfare Officer) at your local health centre. You have the right to appeal against a decision if you are not satisfied with the outcome of your claim. You can appeal to the independent Social Welfare Appeals Office. The Social Welfare Appeals Office deals with appeals relating to basic SWA and SWA supplements but does not decide on appeals relating to Exceptional or Urgent Needs Payments (see Chapter 14 for more on appeals).

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 getting certain payments from the Department of Social Protection and who are living alone.

How do I qualify for Living Alone Increase?

You must be aged 66 or over, living alone and getting one of the following payments:

- » State Pension (Contributory or Non-Contributory)
- » Widow's, Widower's or Surviving Civil Partner's (Contributory) 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, Incapacity Supplement or Blind Pension.

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 a self-contained extension of a family member's home, you may get the Living Alone Increase.

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.

If you live alone during the day and go to stay with friends or relatives at night, or live on your own during the week but a relative stays at weekends, 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.

Chapter 3 Other benefits

How to apply for the Living Alone Increase

This payment is paid as an increase on your main payment. You must apply separately for this increase to the section of the Department of Social Protection (DSP) that pays your main pension or other payment.

You can get the application form (LA 1) at your local social welfare office or 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. To get a One-Parent Family Payment you must have at least one qualified child below the relevant age limit. The age limit is being gradually reduced to 7 years of age (by 2015). This reduction to the age limit is being applied to new and existing customers on a phased basis.

If your child has a disability, you can continue to get a One-Parent Family Payment until your child is 16, when they qualify for Disability Allowance in their own right.

Child Benefit

This benefit is paid monthly for children up to the age of 16 (provided you meet the habitual residence condition described in 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 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. 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 payment is for people who reach age 65 and have enough social insurance contributions. 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 €5,000 per year if self-employed. When you reach age 66, you will be entitled to the State Pension (Contributory), and you may work full-time if you wish. The State Pension (Transition) will be discontinued from 2014.

State Pension (Contributory)

This payment is for people aged 66 or over who satisfy the PRSI contribution conditions. You can have other income and still get a State Pension (Contributory).

State Pension (Non-Contributory)

This is a means-tested payment for people aged 66 or over who do not qualify for State Pension (Contributory). You must meet the habitual residence condition.

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.

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 getting a social welfare pension and you are aged 66 or over or if you are under 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 apply for the increase, contact the section of the Department of Social Protection that pays the Irish equivalent of your EU payment.

How to apply for pensions

You should apply for your pension at least three months before reaching the required age. Application forms are available from your local social welfare office and online at **citizensinformation.ie** and **welfare.ie**. Completed forms should be sent to:

Social Welfare Services
College Road
Sligo
Tel: (071) 915 7100
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 or online at **citizensinformationboard.ie**.

Benefits and entitlements following a death

When a person dies while receiving a social welfare payment, their spouse, civil partner or cohabitant continues to receive the payment for six weeks after the death – provided the spouse, civil partner or cohabitant is a qualified adult 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 payments such as Widows, Widower's or Surviving Civil Partner's Pension.

If the deceased died as a result of an occupational accident or disease or was getting a Disablement Pension assessed at 50% or higher, their surviving spouse or civil partner may be entitled to a Death Benefit pension (see page 31).

You can find detailed information about related payments and 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 or the Citizens Information Board website, **citizensinformationboard.ie**.

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. The term is not used here to refer to 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 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 may 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.

Carer's Benefit

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

How do I qualify for Carer's Benefit?

You must have 156 paid PRSI contributions 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 before that

In 2012 the relevant tax year is 2010. 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.

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 page 48). The maximum weekly earnings

allowed for people who wish to engage in limited employment or self-employment is €332.50 in 2012. In the case of the income of a married couple, civil partners or cohabitants, the first €665 of their combined weekly income is disregarded.

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 social insurance 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 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

You can get an application form (CARB1), and further information, from your local social welfare office or Citizens Information Centre, or online at **welfare.ie** or **citizensinformation.ie**. You can also contact:

Carer's Benefit Section
Ballinalee Road
Longford
Tel: (043) 334 000
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, drink, wash, bathe or 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 52).

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 who are married, civil partners or cohabitants, the disregard is €665.

This disregard does not apply to foreign social security payments. If you are getting a social welfare payment from another country, an amount up to the maximum rate of the Irish State Pension (Contributory) is exempt from the means test. Any foreign social welfare payment above the maximum Irish State Pension (Contributory) is treated as income for the means test.

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. However, the half-rate Carer's Allowance is not payable with Jobseeker's Benefit, Jobseeker's Allowance or Supplementary Welfare Allowance.

If you are being claimed for as a qualified adult on your spouse's, civil partner's or cohabitant'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 in addition to your payment.

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

Working

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

- » 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 *Income disregards* page 49).
- » Attend an educational or training course or take up voluntary work for up to 15 hours per week.
- » Engage in limited self-employment in the home. This income is assessed as means (see *Income disregards* page 49).

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 person being cared for is undergoing medical or other treatment in hospital for a period of not more than 13 weeks. If he or she is admitted to live in a nursing home or hospital, the carer must notify the Department of Social Protection accordingly and the entitlement to Carer's Allowance ceases.

How to apply for Carer's Allowance

You can get an application form (CR1), and further information, from your local social welfare office or Citizens Information Centre, or online at **welfare.ie** or **citizensinformation.ie**. You can also contact:

Carer's Allowance Section
Social Welfare Services
Ballinalee Road
Longford
Tel: (043) 334 000
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. 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 Ireland. (Ordinary residence means 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 that causes your child to need substantially more care and attention and/or supervision than another child of the same age. 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.)

- » Your description of the care and attention required by your child. (This is 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.)

If you qualify for Domiciliary Care Allowance, you will also qualify for an annual Respite Care Grant, which is paid automatically in June each year. See page 54 for information on this grant. You may also qualify for Carer's Allowance.

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). You will not get Domiciliary Care Allowance 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.

How to apply for Domiciliary Care Allowance

You can get an application form (Dom Care 1), and further information, from your local social welfare office or Citizens Information Centre, or online at **welfare.ie** or **citizensinformation.ie**. You can also contact:

Domiciliary Care Allowance
Department of Social Protection
College Road
Sligo
Tel: (071) 919 3316
Lo-call: 1890 500 000

Respite Care Grant

Respite care may involve providing alternative care for a person with a disability in order to enable the carer to take a short break, a holiday or a rest. 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 Occupational Injuries Benefit Scheme – see Chapter 2). It is also payable to anyone providing full-time care to a person aged 16 or over for at least six months. You must not be working or studying outside the home for more than 15 hours per week or getting an unemployment payment or credits (because this would require you to be available for full-time work). A grant is paid for each person being cared for.

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 are not getting a qualifying payment, you should complete application form RCG1. If you are caring for more than one person, you will need a form RCG1(a) for each additional person.

You can get application forms, and further information, from your local social welfare office or Citizens Information Centre, or online at **welfare.ie** or **citizensinformation.ie**. You can also contact:

Respite Care Grant Section
Department of Social Protection
PO Box 10085
Dublin 2
Tel: (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 a disabled child (aged 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 (see page 3 for more details).

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 or civil partner who works in the home caring for a person with a permanent disability (see Chapter 10 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 2001 provides for employees to take leave to care for an incapacitated person while preserving their employment rights. In order to get carer's 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).

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 a 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. Only one employee can be on carer's leave in respect of the same person at the same time. If two people live together and both require full-time care, you can take leave for both people. In this 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 or Allowance in order to get the leave but you must apply for carer's leave to the Department of Social Protection on the Carer's Benefit application form (CARB1 – see page 48). The Department will make a decision as to whether the person requires full-time care. You must 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 your local Citizens Information Centre or:

Workplace Relations Customer Service
O'Brien Road
Carlow
Tel: (059) 917 8990
Lo-call: 1890 80 80 90
Web: **www.workplacerelations.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 payments, you should still sign on as you may be entitled to credited contributions. You may 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 are getting Carer's Allowance, you can also get Illness Benefit if you are ill and incapable of work and satisfy the PRSI contribution conditions, but your Carer's Allowance will be reduced for the duration of your Illness Benefit claim.

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 or the Citizens Information Board website, **citizensinformationboard.ie**.

Chapter 5

Transferring payments from abroad

You may have lived and worked abroad before returning to Ireland or perhaps you plan to leave Ireland to move abroad. If so, you may be able to transfer your Irish social insurance payment to another country or transfer a payment from that country to Ireland. Here we look at transferring payments under EU rules that were introduced to co-ordinate European countries' social security schemes. We also look at bilateral social security agreements between Ireland and other countries.

EU Regulations

Social security schemes in countries that are part of the European Union (EU) or the European Economic Area (EEA) 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.

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.

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 when checking your pension entitlement in each country.

For Invalidity Pension, in some 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.

Transferring UK illness benefits to Ireland

Some disability benefits may be paid to people who have left the UK to live in Ireland or another EEA country or Switzerland.

These include:

- » Disability Living Allowance (care component only)
- » Attendance Allowance
- » Carer's Allowance

You may get these benefits if you or a family member (a parent you are dependent on or your spouse or civil partner):

- » Have paid enough National Insurance contributions to be able to claim a UK contribution-based sickness benefit

Chapter 5 Transferring benefits from abroad

- » Work in the UK or pay National Insurance in the UK due to work, but live in another EEA state or Switzerland and so are a frontier worker or posted worker
- » Are getting State Pension, Industrial Injuries Benefit, Incapacity Benefit, contribution-based Employment and Support Allowance or bereavement benefits from the UK

The exportability team at the Department for Work and Pensions can check your National Insurance records for you:

Exportability Team
Pension, Disability and Carers Service
Warbreck House
Warbreck Hill Road
Blackpool
FY2 0YE
UK
Email: exportability.team@dwp.gsi.gov.uk

If you transfer your payment to another EEA state or to Switzerland, you must continue to meet the usual entitlement conditions for the benefit you wish to claim. The only difference is that you no longer have to live in the UK.

Incapacity Benefit and Severe Disablement Allowance

Some people living in Ireland may be getting Incapacity Benefit or Severe Disablement Allowance. Both payments will be phased out by 2014. If you live outside the UK and get one of these benefits, your claim will be reviewed to see if you can get Employment Support Allowance instead.

How to apply to transfer UK benefits

The International Pension Centre deals with all enquiries regarding the payment of State Pension, bereavement benefits, incapacity benefits and other UK benefits for those living abroad.

International Pension Centre
Department for Work and Pensions
Tyneview Park
Newcastle-Upon-Tyne
NE98 1BA
Tel: +44 191 218 7777

Bilateral social security agreements

Ireland has reciprocal agreements on social security with Austria, Australia, Canada and Québec, Japan, United States of America, New Zealand, Republic of Korea, Switzerland (largely replaced by EU 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 Ireland to allow you to qualify for a payment. The benefits covered are State Pension (Contributory and Transition), Guardian's Payment (Contributory), Invalidity Pension, the Bereavement Grant (except for Austria and Switzerland) and Widows, Widower's or Surviving Civil Partner's (Contributory) Pension.

Your entitlements under these agreements are 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

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

Extra benefits and increases

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 the 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 and hospital services.

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

The Health Service Executive 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, 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. HSE Administrative Areas have Disability Services Managers to co-ordinate the delivery of services to people with disabilities. The level of service varies throughout the country.

There are 32 Local Health Offices, 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 legally 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 that if you opt for public healthcare you are entitled to a bed in a public ward and consultant services and to outpatient services in a public hospital. There are some charges for these services for people without a medical card. 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 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 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). Having a disability does not automatically entitle you to a medical card.

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. 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 if you would suffer undue financial hardship.

Each case is decided on its merits but if your income is not much above the guideline figure you may qualify if 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 have the same income guidelines as couples.

If you don't qualify for a medical card, you may qualify for a GP Visit Card (see page 68).

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 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 (income after tax, Universal Social Charge 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
Couple (spouses, civil partners or cohabitants) or lone parent with dependent children	€266.50	€298
Allowance for each of first two children aged under 16	€38	€38
Allowance for third and each subsequent child under 16	€41	€41
Allowance for each of first two children aged over 16 (without income)	€39	€39
Allowance for third and each subsequent child over 16 (without income)	€42.50	€42.50
Dependant over 16 in full-time third-level education without grant	€78	€78

Reasonable expenses incurred in respect of childcare costs and rent or mortgage payments are allowed. Weekly travel costs to work are also allowed. Each Local Health Office sets their childcare rates locally and consideration is given to the family size, age of child and type of care.

For people aged over 70 a different means test applies, with a gross weekly income limit of €700 per week (€1400 for a couple), with no standard deductions allowable (for example, for income tax). See the Citizens Information Board publication *Entitlements for over sixties* for more details about how income and capital are assessed.

Medical card retention

If you are getting a disability payment and take up employment you may retain your medical card for three years. Call the HSE Info Line on 1850 24 1850 for more information.

The HSE periodically reviews medical card entitlement. A review form is sent to you, which you must fill in and return to your Local Health Office. If you do not return your review form your application cannot be re-assessed and your card may not be re-issued.

How to apply for a medical card

You can apply online for a medical card on **medicalcard.ie**. This is the quickest method of obtaining the card.

Alternatively, you can download a medical card application form from **hse.ie** or get one from your local health centre or Local Health Office.

You complete the form and bring it to the GP you have chosen. If the doctor accepts you as a patient, he or she signs the form. You return the form to:

HSE Central Medical Card Office
Client Registration Unit
P.O Box 11745
Finglas
Dublin 11

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If you have any questions before you send your application you can contact your Local Health Office or call the HSE Info Line: Lo-call 1850 24 1850.

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

GP Visit Cards

If you are not eligible for the medical card, you may be eligible for the GP Visit Card. The card entitles you to free 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.

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.

Weekly income limits for a GP Visit Card**(Income after tax, Universal Social Charge and PRSI deductions)**

Category	Aged under 66	Aged 66–69
Single person living alone	€276	€302
Single person living with family	€246	€260
Couple (spouses, civil partners or cohabitants) or lone parent with dependent children	€400	€447
Allowance for each of first two children aged under 16	€57	€57
Allowance for third and each subsequent child under 16	€61.50	€61.50
Allowance for each of first two children aged over 16 (without income)	€58.50	€58.50
Allowance for third and each subsequent child over 16 (without income)	€64	€64
Dependant over 16 in full-time third-level education without grant	€117	€117

How to apply for a GP Visit Card

To apply for a GP Visit Card you use the same application form as for a medical card (see page 67). 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.

Medical card holders pay a 50 cent charge per prescription item (subject to a monthly ceiling of €10 per family). 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.

Drugs Payment Scheme

Under the Drugs Payment Scheme, an individual or family pays a maximum of €132 per month for all approved prescribed drugs, medicines and appliances used by the person or his or her family in that month.

Family expenditure covers the nominated adult and his or her spouse or partner and children. The children must be under 18 years of age 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 for the Drugs Payment Scheme

You should register for this scheme by completing the registration form which you can get from pharmacies or your Local Health Office or online at **hse.ie**. A plastic swipe card is issued for each person named on the registration form. This card should be presented when you are having prescriptions filled.

Long-Term Illness Scheme

People with any of the following conditions can get the drugs and medicines to treat the 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.

In Budget 2012 it was announced that free GP care would be extended to all claimants of medicines under this Long-Term Illness Scheme.

How to apply for the Long-Term Illness Scheme

You can get an application form for the Long-Term Illness Scheme from your family doctor 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 (hearing) services free of charge to:

- » Medical card holders and their dependants
- » People with Hepatitis C who hold a Health Amendment Act Card
- » Pre-school and primary school children 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 examination or school health examination are referred to the appropriate consultant for treatment. If this treatment is carried out at the outpatient department of a public hospital, the service is free and no hospital charges must be paid. Services will continue until the child is 16.

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Dental treatment is provided by the HSE's own dentists or by private dentists to medical card holders aged over 16. Currently, only emergency and urgent treatments are being carried out. However, services for high-risk patients (including those with special needs), and those requiring exceptional care, continue to be available. In general, treatments available are being prioritised in accordance with their clinical necessity and priority. 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. Aural services are usually provided by the HSE's own professionals.

If you do not have a medical card, the Treatment Benefit Scheme may cover you and your dependent spouse, civil partner or cohabitant 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 and the cost of doctor and consultant visits (see Chapter 10 for more information).

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. Anyone who satisfies the PRSI requirements at the age of 60 or 66 retains the entitlement for life. People who are getting Invalidity Pension, or getting Illness Benefit for 12 months or more, are normally also entitled to these benefits.

Treatment is provided by private dentists, opticians and ophthalmic surgeons. To qualify you must have a certain number of social insurance contributions that varies depending on your age. In general, you must have paid 13 weeks PRSI contributions in a recent tax year but there are a number of exceptions to this rule.

The dependent spouse, civil partner or cohabitant of a person entitled to Treatment Benefit may also be entitled to benefits under the scheme.

Benefits

People who qualify under the Treatment Benefit Scheme are entitled to up to half the cost of each hearing aid (up to €500) every four years. The scheme also pays half the cost of repairs to aids.

Under the dental section of this scheme, the Department pays the full cost of an oral examination once a year.

The scheme entitles you to a free eyesight test. The examination is provided by opticians or optometrists who have a contract with the Department.

Chapter 6 Health services

If you need contact lenses on medical grounds, the Department will pay half the cost up to a maximum of €500, provided you have a doctor's recommendation. This applies to a small number of eye conditions that make wearing glasses impossible.

How to apply for the Treatment Benefit Scheme

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

Treatment Benefit Section
Department of Social Protection
St. Oliver Plunkett Road
Letterkenny
Co. Donegal
Tel: (074) 916 4480
Lo-call: 1890 400 400

Hospitals

Public health services are provided in public hospitals run by the HSE or State-funded public voluntary hospitals. Private hospitals don't get State funding and are free to set their own charges which patients must pay.

There are set daily inpatient charges and some long-term stay charges for public hospitals. Holders of medical cards and certain other groups do not have to pay these charges.

Outpatient services

Outpatient services in public hospitals are free of charge but if you go to the outpatient, accident and emergency, or casualty department of a public hospital without being referred there by your GP, you may be charged €100. This charge does not apply to the categories mentioned below who don't have to pay inpatient charges.

Inpatient services

Everyone is entitled to be treated in a public bed in a public hospital but some people may have to pay maintenance charges. The following do not have to pay inpatient charges:

- » Medical card holders
- » People receiving services for prescribed infectious diseases
- » Women receiving maternity services
- » Children up to six weeks of age, children suffering from prescribed diseases and disabilities, and children referred for treatment from child health clinics and school board examinations
- » People who are entitled to hospital services because of EU Regulations

Public ward

There is a maintenance charge of €75 per day for inpatient services in a public ward. This is subject to a maximum of €750 in any 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 you have been an inpatient for more than 30 days within the previous 12 months.

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 inpatient charges. If you have been an inpatient for more than 30 days within the previous 12 months, you are liable for these charges. This applies to everyone, including medical card holders.

There are different charges depending on the level of nursing care being provided.

Class 1 refers to those receiving inpatient services in premises where nursing care is provided on a 24-hour basis. The maximum weekly charge for care will be either €175.00 or the person's weekly income less €33.00, whichever is the lesser.

Class 2 refers to people receiving inpatient services in premises where nursing care is not provided on a 24-hour basis. The maximum weekly charge will be the lesser of: €130.00, or the person's weekly income less €64.00, or 60% of the person's weekly income.

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 page 81 for details of the Nursing Home Support Scheme).

If you are in a private bed in a public or voluntary hospital, you must pay for your maintenance at a set rate. The following charges are in addition to the public hospital inpatient charges. The daily rates in 2012 are:

Hospital category	Private	Semi-private	Day care
HSE regional hospitals, voluntary and joint board teaching hospitals	€1,046	€933	€753
HSE county hospitals and voluntary non-teaching hospitals	€819	€730	€586
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 and any other consultant who is involved in caring for you.

Private health insurance

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

- » Day-care or inpatient treatment
- » Hospital outpatient 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 private health insurance. 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 schemes for 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

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.

Pre-existing conditions

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 five years if you are under 55 when you join up; seven years if you join up between the ages of 55 and 60; or 10 years if you are over 60 when 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
Hawkins House
Hawkins Street
Dublin 2
Tel: (01) 635 4000
Web: **dohc.ie**

or

Health Insurance Authority
Canal House
Canal Road
Dublin 6
Tel: (01) 406 0080
Web: **hia.ie**

Residential care

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 its 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 resident 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 local and national organisations that provide services. There are umbrella organisations for people with physical and intellectual disabilities or with autism and there are support groups for people suffering from particular illnesses. Most of these organisations also campaign for the rights of people with disabilities. There is also a number of organisations that devote themselves exclusively to promoting the rights of people with disabilities (see Appendix for contact details).

Standards in residential services for people with disabilities

The Health Information and Quality Authority (HIQA) is the independent authority responsible for setting standards for health and social care services. HIQA 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.

However, at present there is no system of independent inspection for residential services for people with disabilities. The HSE has started 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. HIQA is responsible for the registration and inspection of all residential care services for older people. *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 HSE and it replaced the Nursing Home Subvention from 27 October 2009. (If you were already getting a subvention on that date, you could choose to continue to receive it or to move to the NHSS.)

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Under the NHSS, 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 (a list is available from the HSE). Anyone who is ordinarily resident in Ireland and is assessed as needing long-term nursing home care can apply for the 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 relevant Act defines “long-term residential care services” as maintenance, health and personal care services. This includes: bed and board; laundry, nursing and personal care appropriate to the care needs of the person; and basic aids and appliances necessary to assist a person with the activities of daily living.

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 76). 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 to apply

You can download an application form from **citizensinformation.ie** or from **hse.ie**. Forms are also available from your Local Health Office or hospital. You, or someone else who pays towards the nursing home expenses, may be able to get tax relief on nursing home fees (see Chapter 10).

You can get more information from the HSE website, **hse.ie**, or from your local Citizens Information Centre.

Home Care Support Scheme

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 help people do this as an alternative to long-term care.

The Home Care Support Scheme is a HSE scheme that provides practical supports 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 who require 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. 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 cost of purchasing necessary medical and surgical aids and appliances (for example, 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 with getting 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) on certain aids and appliances that are 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
M: TEK II Building
Armagh Road
Monaghan
Tel: (047) 62100
Web: revenue.ie

Information on aids and appliances

Assist Ireland

The Citizens Information Board provides the Assist Ireland website, assistireland.ie. It contains information on assistive technology and a directory of products that are available from Irish suppliers for people with disabilities and older people. Users can search the website for a particular device or browse through the 7,000 products currently included to find out what is available and who supplies it.

The website has an information section that describes the types and uses of assistive technology in different situations, for example the assistive technology used in education, employment or the home. The information section also contains over 30 information sheets about

specific types of equipment and the things to consider when choosing it, for example, *Choosing a Shower and Accessories* or *Choosing Equipment to Get Up and Down Stairs*.

The website is of particular interest to people with disabilities and older people but should also be helpful for carers, health professionals, service providers and the general public.

Assist Ireland

Tel: (0761) 07 9200

Text: (086) 383 7644

Email: **support@assistireland.ie**

Web: **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 for contact details).

Free travel to health services

If you or your dependants 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 at your local health centre to the Department of Social Protection's representative (formerly known as the Community Welfare Officer).

Assessment of need for children under five

The Disability Act 2005 provides for 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 apply only 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 a child under five must apply in writing to the 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. These 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 when accessing these services.

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

Public health nurses

Public health nurses are employed by the HSE to provide a range of healthcare 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 (a 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 who patients and their relatives can talk to about 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 older people and people with disabilities 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 about how occupational therapists can help people who need to make adaptations to their homes.

Chiropody service

Also known as podiatry, this is sometimes provided to eligible people by the HSE or a voluntary organisation on behalf of the HSE. 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 voluntary organisations.

Laundry service

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

Day centres and day-care centres

These 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, or 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.

How to apply for the personal assistance service

For further details contact:

Irish Wheelchair Association
Blackheath Drive
Clontarf
Dublin 3
Tel: (01) 818 6400
Email: info@iwa.ie
Web: iwa.ie

Or contact your local Center for Independent Living – a list is available from:

Center for Independent Living
Carmichael House
North Brunswick Street
Dublin 7
Tel: (01) 873 0455
Web: 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, for a holiday, or to be 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.

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 (see Chapter 4 for details of the Respite Care Grant).

How to apply for respite care

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.

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 (SLIS) is the national agency for the provision of sign language interpreting services.

Sign Language Interpreting Service
40 Lower Drumcondra Road
Drumcondra
Dublin 9
Tel: 0761 078 440
Mobile: 087 980 6996
Email: **bookings@slis.ie**
Web: **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 medical professional or relevant representative of a voluntary organisation.

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 numbers:

- » 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

Library service

Public libraries are provided all over the country by the various local authorities. Many of these have special large-print 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 has talking books and large-print books for both adults and children.

National Council for the Blind of Ireland
Whitworth Road
Drumcondra
Dublin 9
Tel: (01) 830 7033
Lo-call: 1850 334 353
Web: **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.

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

Department of the Environment, Community and
Local Government
Custom House
Dublin 1
Tel: (01) 888 2000
Lo-call 1890 202 021
Web: **environ.ie**

Chapter 8

Transport and travel

There are a number of supports for people with disabilities who use public transport or a private vehicle. Free travel on public transport is available for people on certain disability payments, for people getting Carer's Allowance and for people aged 66 or over. If you have a physical disability and cannot walk, you may be eligible for a means-tested Mobility Allowance.

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 may qualify if you are aged between 16 and 66 and are unable to walk, even with the use of artificial limbs or other suitable aids, or if 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.

People living in institutions may qualify for the allowance provided they meet the medical and means requirements.

Payment

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 page 102). Mobility Allowance is not paid to those who get a Motorised Transport Grant, for three years from the date of the grant (see page 103).

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 people with disabilities under 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 usually also entitled to have their spouse, civil partner or cohabitant 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 page 98) which allows a person over 16 to accompany you free of charge.

How do I qualify for free travel?

Everyone aged 66 and over and living permanently in Ireland is entitled to the free travel scheme. If you are under 66 you may qualify if you are permanently resident in Ireland and you are:

- » Getting Disability Allowance, Blind Pension or Invalidity Pension
- » Getting Incapacity Supplement or Workmen's Compensation with Disablement Benefit for at least the past year
- » Blind or visually impaired and meet the medical conditions for Blind Pension

- » Getting a social security invalidity payment, or similar payment, for at least 12 months from another EU member state or from a country with which Ireland has a bilateral social security agreement
- » Getting Carer's Allowance or providing full-time care and attention to a person getting Constant Attendance Allowance or Prescribed Relatives Allowance
- » A widow, widower or surviving civil partner aged 60 or over, getting certain payments, whose late spouse/civil partner held a Free Travel Pass

Where can I go?

Free travel is available on road, rail and DART services operated by Dublin Bus, Bus Éireann and Iarnród Éireann. You can travel free of charge on LUAS services and on certain private bus and ferry services. 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 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. The extension of the scheme for travel within Northern Ireland does not apply to free travel passes for spouses, partners 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. You may be entitled to the pass if you are certified as a permanent wheelchair user and getting certain payments or if you are getting the Blind Pension or are registered as blind.

If you have a Travel Pass you may qualify if you are:

- » Aged 66 or over and you are medically assessed as unfit to travel alone or you are a permanent wheelchair user
- » Getting Disability Allowance, Invalidity Pension, or Disablement Benefit with Incapacity Supplement and you are medically assessed as unfit to travel alone or you are a permanent wheelchair user
- » Being looked after full-time by someone who is getting Carer's Allowance
- » Registered as a blind person or you meet the medical conditions for the Blind Pension

How to apply for a Free Travel Pass

A Free Travel Pass is issued automatically if you are resident in Ireland 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 State pension or are a qualified adult on another social welfare payment from the Department of Social Protection and are resident in Ireland.

If you do not get a Free Travel Pass automatically, you can get the application form FT1 online at **welfare.ie** or **citizensinformation.ie**, or from your local post office or:

Free Travel Section
Freepost
Social Welfare Services
College Road
Sligo
Tel: (071) 915 7100
Lo-call: 1890 500 000

Using public transport with a disability

The National Disability Authority (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 that are 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 Citizens Information Board, is based on feedback from members of the public to the Citizens Information Services and highlights their experiences accessing relevant services. The report is available on **citizensinformationboard.ie**.

Trains

Information about accessibility at specific train stations is available on the Iarnród Éireann website, **irishrail.ie**. Iarnród Éireann also produces a guide for rail travellers, including DART users, entitled *Guide for Rail*

Chapter 8 Transport and travel

Passengers with Disabilities. This is available free of charge in all staffed stations. It offers advice and also provides information on facilities available at each station. You can also get the guide from the Iarnród Éireann Accessibility Officer, telephone (01) 703 2634.

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.

Accessibility Officer
Business Development
Dublin Bus
59 Upper O'Connell Street
Dublin 1
Tel: (01) 703 3204
Email: travelassist@dublinbus.ie
Web: dublinbus.ie

Vantastic

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. It can also provide for transport outside of the Dublin area on request.

Vantastic
Chase House
City Junction Business Park
Northern Cross
Dublin 17
Freephone: 1800 242 703
Tel: (01) 687 3760
Email: **info@vantastic.ie**
Web: **vantastic.ie**

Driving with a disability

Having a medical condition or disability does not mean you will not be allowed to drive. You may have to complete a medical report if you are 70 years of age or over or you have certain disabilities or diseases. There are various supports, including special provisions for drivers with disabilities who take 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 other motorists.

Your examiner should be specially trained to be aware of your needs. If you are deaf or hard of 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 vehicles by drivers and passengers with 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 Local Health Offices and should be returned there. You will then receive an appointment for an assessment with a Medical Officer to confirm 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 vehicle
- » 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, up to a maximum of 600 gallons (2,728 litres) per year
- » Exemption from annual motor tax

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

Since 29 April 2012, an Individual Vehicle Approval (IVA) certificate is required for new vehicles to certify that adaptations meet the requirements of the National Standards Association of Ireland (NSAI). See nsai.ie for a list of licensed adaptors.

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

How to apply for the tax relief

Application forms are available from:

Revenue Commissioners
Central Repayments Office
M: TEK II Building
Armagh Road
Monaghan
Tel: (047) 62100
Email: cromon@revenue.ie
Web: 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 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. The HSE must be satisfied that you are capable of holding down a job.

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The grant may also be considered in exceptional circumstances for people with severe disabilities who live in very isolated locations and cannot use public transport.

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

How to apply for a Motorised Transport Grant

Apply to your Local Health Office.

Disabled Person's Parking Card

The Disabled Person's Parking Card (also known as the European Parking Card) is for people with severe mobility difficulties, whether they are drivers or passengers. It costs €35, is valid for two years and it applies to the person rather than the car.

People who have the 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.

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 to apply for a Disabled Person's 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
Email: **maats@iwa.ie**
Web: **iwa.ie**

Disabled Drivers Association of Ireland
Ballindine
Co. Mayo
Tel: (094) 936 4266/4054
Email: **info@ddai.ie**
Web: **ddai.ie**

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.

Toll road charges

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

Toll road operators issue special passes which are recognised by other toll road operators and which allow such vehicles pass through the tolls without paying. To obtain a special pass apply to your nearest toll road operator.

Chapter 9

Housing

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

Sometimes people with disabilities may need extra support to live independently – see information about 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 authorities are the main providers of social housing for people who cannot afford to buy their own homes. Local authority housing is allocated according to eligibility and need. Rents are based on the household's ability to pay.

Housing associations and housing co-operatives also provide housing for people who cannot afford to buy their own homes.

Local authority housing

Local authorities assess all applications for housing on the basis of eligibility and need. One of the factors determining need is whether the present accommodation meets the accommodation needs of a person with a disability.

When allocating housing to applicants, local authorities must refer to a defined *scheme of letting priorities*, which usually includes a system of points for various circumstances. They may (but do not have to) give priority to groups such as older people or people with disabilities. Many local authorities 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.

Purchase schemes for social housing

There are several schemes to enable tenants of social housing, or people who are eligible for social housing, to become home owners.

The Incremental Purchase Scheme (IPS) was launched in 2010 to replace the existing Tenant Purchase Scheme, which is being wound down in 2012. You do not have to be a local authority tenant already – the IPS allows people who qualify for social housing to buy a new house from a local authority or approved housing body (housing association or co-operative) at a discount.

The Tenant Purchase of Apartments Scheme has been introduced to enable tenants of some local authority apartments and flats to buy their homes.

Apply to your local authority.

Housing associations and co-operatives

Housing associations and co-operatives (known collectively as *approved housing bodies* or *voluntary housing organisations*) are independent non-profit organisations that provide rented housing for older people, people with a disability or people who cannot afford to buy a home.

Housing associations are usually formed to meet 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 self-help associations or societies that are jointly owned by members or users, in which tenants share responsibility for the management and upkeep of their homes. Some voluntary housing organisations offer non-housing services such as group meals, social activities and welfare advice. In order to be housed by a voluntary housing organisation, you must be registered on the local authority housing waiting list in your area and there may also be an income or means test.

Tenants of voluntary housing organisations have similar rights to local authority tenants except that they do not have the right to buy out 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 people with disabilities.

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

How to apply to a voluntary housing organisation

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

Irish Council for Social Housing
50 Merrion Square East
Dublin 2
Tel: (01) 661 8334
Email: **info@icsh.ie**
Web: **icsh.ie**

National Association of Building Co-operatives
33 Lower Baggot Street
Dublin 2
Phone: (01) 661 2877
Email: **admin@nabco.ie**
Web: **nabco.ie**

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, building an extension to create more space, adding a ground floor bathroom or toilet or installing a stair-lift. 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. Grant schemes that may help with the cost include the Housing Adaptation Grant for People with a Disability, the Mobility Aids Grant Scheme and the Housing Aid for Older Persons Scheme. The details of the different schemes are explained in the following pages.

When the local authority receives your application for one of the grant schemes, it may request an assessment from an occupational therapist (OT). An OT is someone who is qualified to assess and advise you on your daily living needs. You can contact an OT through the community care section of your Local Health Office. Alternatively, you may wish to hire an OT privately, as there may be a waiting list for the public OT service. The Association of Occupational Therapists of Ireland (AOTI) publishes a listing of OTs in private practice and has a searchable database on its website aoti.ie. If you get a grant for the adaptations you may be able to get back some of the costs of hiring the OT.

Other 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. This means-tested grant is for the provision or adaptation of accommodation to meet the needs of people with a disability. The maximum grant is €30,000 (or €14,500 for houses that are less than 12 months old).

Who is eligible?

The grant can be paid to people in:

- » Owner-occupied housing
- » Houses being purchased from a local authority under the Tenant Purchase Scheme
- » Private rented accommodation (the duration of your tenancy can affect grant approval)
- » Accommodation provided under the voluntary housing Capital Assistance and Rental Subsidy schemes
- » Accommodation occupied by persons living in communal residences

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

- » Priority 1: A person who is terminally ill or fully/mainly dependent on family or carer; or where alterations/adaptions would facilitate discharge from hospital or alleviate the need for hospitalisation in the future

Chapter 9 Housing

- » Priority 2: A person who is mobile but needs assistance with, for example, washing or toilet facilities; or where the disabled person's ability to function independently would be hindered without the alterations/adaptions
- » Priority 3: A person who is independent but requires special facilities to improve the quality of life, for example, a 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% (which 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 FÁS apprenticeship
- » €5,000 if the person who the grant is for has a full-time carer who is a relative
- » 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 and grant application are in respect of the same person)

How to apply for a Housing Adaptation Grant

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 stair-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 outlined for the Housing Adaptation Grant. 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 your income is above the limit 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 for a Mobility Aids Grant

You should contact the housing department of your local authority for further information.

Housing Aid for Older Persons Scheme

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

Local authorities vary as regards what type of work they will grant aid under the scheme. You should check with your own local authority to see which types of work its scheme will cover. The type of work which is grant-aided can include some or all of the following: structural repairs or improvements; re-wiring; repair or replacement of windows and doors; cleaning and painting; radon remediation; provision of water, sanitary services and heating; and any other repair or improvement work considered necessary.

How do I qualify for the Housing Aid for Older Persons 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 Persons 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 Persons Scheme is €10,500. Those with annual household incomes of less than €30,000 may get 100% of the approved cost of works, 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 or her C2 or Tax Clearance Certificate to the local authority.

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

How to apply for the Housing Aid for Older Persons scheme

Contact the housing department of your local authority for more information. The grant will not be paid if you start the 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 for 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. For a two-income household, multiply the gross income (before tax) of the higher earner by 2.5 and add the gross income of the other earner (using income amounts from the last tax year). If the result 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 for a home improvement loan

Apply to your local authority.

Warmer Homes Scheme

The Warmer Homes Scheme is operated by the Sustainable Energy Authority of Ireland (SEAI). It aims to improve the energy efficiency and warmth of homes owned by people on low incomes. The home must have been built before 2002. The work that may be funded includes attic insulation, draught-proofing, lagging jackets, energy-efficient lighting and cavity wall insulation. This scheme is being merged into the Better Energy Homes Scheme.

How to apply for the Warmer Homes Scheme

Contact the Sustainable Energy Authority of Ireland on Freephone 1800 250 204 or by email: **warmerhomes@seai.ie**. The website is **seai.ie**.

Better Energy Homes Scheme

This scheme provides grants to certain homeowners to improve the energy efficiency of their home. You can get a grant for solar heating, roof and wall insulation, high efficiency boiler installation and a heating controls upgrade. There are maximum grant amounts for each.

To qualify, you must be the owner of a home built before 2006 and apply for a minimum grant of €400 before starting work. Grants are paid after the work is completed and you have paid the contractor. You must use a contractor approved by the SEAI and after the works are done you must have a Building Energy Assessment carried out by an approved assessor.

How to apply for the Better Energy Homes Scheme

Contact the Sustainable Energy Authority of Ireland on Callsave 1850 927 000 or by email: **info@betterenergyhomes.ie**. Website: **seai.ie**.

Help with rent or mortgage interest

The Supplementary Welfare Allowance Scheme includes a Rent Supplement for private tenants and a Mortgage Interest Supplement for people making mortgage payments. Tax relief is available on mortgage interest payments. There is also a special scheme for the very small number of tenants who live in formerly rent-controlled dwellings.

The website **keepingyourhome.ie** provides detailed information on the services and entitlements available if you are having difficulties paying your rent or making your mortgage repayments.

Rent Supplement

Rent Supplement is a means-tested payment for people living in private rented accommodation who cannot provide for the cost of their accommodation from their own resources. In general, you will qualify for a Rent Supplement if your only income is a social welfare payment and you satisfy the other conditions.

The amount of Rent Supplement you get will be calculated to ensure that your income after paying rent does not fall below a minimum level.

How do I qualify for Rent Supplement?

To qualify for a Rent Supplement, you must have been living, for at least six months out of the last 12 months, in one of, or a combination of, the following:

- » Private rented accommodation that you could afford when you took out the lease but now need help with due to a change in your circumstances
- » An institution, for example, a hospital or a care home
- » Accommodation for homeless people

Alternatively, you can qualify if you have your housing need assessed by your local authority and are found eligible for, and in need of, social housing support, or if you have had such an assessment in the last 12 months.

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 keep your Rent Supplement if you begin work after being unemployed or in part-time employment for the previous 12 months and you are assessed as needing housing under the Rental Accommodation Scheme (see below).

If you are in full-time education you don't qualify. However, if you are getting a Back to Education Allowance or participating in the Back to Education Programme, you may be entitled to a Rent Supplement.

How to apply for Rent Supplement

Apply to the Department of Social Protection's representative (formerly known as the Community Welfare Officer) at your local health centre.

In some areas applications for Rent Supplement are processed by centralised Rent Units rather than locally but you can still get the application form and information from your local health centre.

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 an agreed term to people with a long-term housing need. 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.

Mortgage Interest Supplement

Mortgage Interest Supplement is a means-tested payment that 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 the Supplement. If you are getting Mortgage Interest Supplement on 1 January (the liability date for the Household Charge), you do not have to pay the Household Charge for that year.

How to apply

Apply to the Department of Social Protection's representative (formerly known as the Community Welfare Officer) at your local health centre.

Mortgage interest relief

Mortgage interest relief is a tax relief based on the amount of qualifying mortgage interest that you pay in a given tax year for your principal private residence (your home).

Mortgage interest relief is administered via Tax Relief at Source (TRS). This means that your mortgage lender gives you the benefit of tax relief on the amount of mortgage interest paid. The rate of relief varies depending on whether or not you are a first-time buyer and when you bought your home. Mortgage interest relief will be abolished after 31 December 2017.

How to apply

You can register online for mortgage interest relief at **revenue.ie** after you have paid the first instalment of your mortgage.

If you cannot use the online facility, you can call the TRS Helpline on 1890 46 36 26 or email **trsadmin@revenue.ie** for assistance.

Special scheme for formerly rent-controlled dwellings

In order to qualify for a rent allowance under this scheme, your rent must have been set by the Rent Tribunal (now under the Private Residential Tenancies Board) or, in earlier years, by the District Court. Your landlord must register the tenancy with the local authority. There is a means test.

Apply to:

Rent Allowance Section
Social Welfare Services
Department of Social Protection
Ballinalee Road
Longford
Lo-call: 1890 927 770

Accessibility

Accessibility is a key element in meeting the accommodation needs of people with disabilities. Part M of the Building Regulations requires all houses that commenced construction on or after 1 January 2001 to be “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. It advises the Minister for Environment, Community 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 stair-lifts and hoists to smaller gadgets

designed for people with specific disabilities. The Assist Ireland website, **assistireland.ie**, can give you more information on some of the equipment available (see page 84).

Centers for Independent Living

Centers for Independent Living were established by and for people with disabilities with the aim of ensuring that people with disabilities achieve independent living and full participation in society. There are 26 Centers for Independent Living operating throughout Ireland, providing different services.

Center for Independent Living

Carmichael House

North Brunswick Street

Dublin 7

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

Email: **info@dublincil.org**

Web: **dublincil.org**

Chapter 10

Income tax

Some tax-free credits and allowances are intended especially for people with certain disabilities.

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. 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, 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, compensation paid to people who were illegally charged long-stay charges in nursing homes,

and compensation for personal injuries (the income arising from this compensation may also be exempt from tax if very specific conditions are met).

Even if your social welfare payment is taxable, if it is your only income it may not be enough for you to be liable to pay any tax. If you are getting a social welfare payment you will get a PAYE Tax Credit in addition to your normal tax credits. A tax credit has the effect of reducing your tax by the amount of the credit. So if a social welfare payment is your only source of income you may not pay tax because your tax credits may be as much as or more than your tax. The PAYE Tax Credit is given to the person claiming the social welfare payment and not to the adult dependant.

However, if you have a social welfare payment and another source of income, you may have to pay tax on it. Tax is not deducted by the Department of Social Protection when it gives you your payment. Instead the tax credits for your other income are reduced so that the tax you pay is the correct amount for your total income. This is called *coding in* the credits. If this is not done you have to pay tax as a self-employed person and in a lump sum by 31 October each year.

The Universal Social Charge (USC) is a tax that has replaced both the income levy and the health levy (also known as the health contribution) since 1 January 2011. It does not apply to social welfare or similar payments and there are certain other exceptions. See page 132 for details.

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.

How to apply for tax credits and allowances

Contact the Revenue office for your region. You can find details of Revenue's regional offices on the Revenue website, **revenue.ie**, or in the telephone directory.

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 €1,650 on top of their single tax credit. For spouses or civil partners who are both blind, the extra tax credit is €3,300.

Incapacitated Child Tax Credit

This tax credit of €3,300 can be claimed by the parents of a child with 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 €810 is available for married couples or civil partners (taxed jointly) where one spouse or civil partner works in the home caring for a person with a disability that requires care, 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 €6,700.

Dependent Relative Tax Credit

You can claim this tax credit of €70 if you maintain:

- » A relative, including a relative of your spouse or civil partner, who has a disability or is aged 65 or over
- » A widowed parent or surviving civil partner parent of either yourself or your spouse or civil partner, irrespective of the state of his or her health
- » A son or daughter who lives with you and on whom you rely because of old age or infirmity

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

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 €245 for a single person and €490 for a couple who are married or in a civil partnership where either spouse or civil partner is over 65.

Bereavement credits

There are special tax credits in the five years following bereavement for widowed people and surviving civil partners 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 or civil partner has a trained guide dog. The relief is at your standard rate of 20% and you claim it under the heading of health expenses.

Allowance for employing a carer

A tax allowance of up to €50,000 (at your highest 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 relief

You can claim tax relief at the standard rate on rent paid for privately-rented accommodation up to the following amounts in 2012:

Status	Aged under 55	Aged 55 or over
Single	€1,600	€3,200
Married or in a civil partnership	€2,400	€4,800
Widowed or a surviving civil partner	€2,400	€4,800

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

To qualify for the relief you must have been renting at 7 December 2010. If you were not renting on that date and you subsequently entered into a rental agreement, you will not be able to claim tax relief on your rent.

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

Nursing home fees

Tax relief for nursing home expenses is claimed under the general scheme for tax relief on medical expenses. Maintenance in a hospital or approved nursing home qualifies for relief. Most nursing homes are approved for tax relief and a list of approved nursing homes is available from Revenue. Long-stay charges paid to public hospitals and nursing homes can also qualify for tax relief. Tax relief is available to any person who is paying the fees.

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. All Revenue forms can be downloaded from **revenue.ie** or ordered using Revenue's 24-hour phone service: Lo-call 1890 306 706 or (01) 702 3050. Alternatively you can send a text message to 51829. Text the word 'FORM' followed by your PPS number and either 'MED1' or 'MED2'.

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 that you can claim from another source such as the HSE or a private health insurance company.

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 you may not claim tax relief on a covenant made in his or her favour, as they would legally be regarded as a minor (unless married). 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 and on the amount of the income of the person receiving the payment.

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 deducts tax at the standard rate from the total (gross) payment. If that person is liable to tax at the higher rate, then he or she will receive tax relief at the difference between the standard rate and the higher rate. The standard rate in 2012 is 20% and the higher rate is 41%. There is no tax benefit if he or she pays tax at the standard rate only.

Your child will qualify for a refund of the tax deducted by the person giving the covenant if the tax chargeable on your child's total income (including the gross income under the deed of covenant) is less than the annual tax credits he or she is entitled to.

For most covenants, there is a 5% income limit but this does not apply if the covenant is in favour of a person who is permanently incapacitated.

Tax relief on Deposit Interest Retention Tax (DIRT)

If you have savings in a bank, building society or ordinary post office account, interest payments are taxed at 30%. This is called Deposit Interest Retention Tax (DIRT) and is deducted at source. If you are exempt from tax because of your low income and you are permanently incapacitated or aged over 65, 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 having DIRT 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

When you save money with a credit union you buy shares in the credit union. Each year you receive a dividend payment 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 30%.

Universal Social Charge

The Universal Social Charge (USC) is a tax that has replaced both the income levy and the health levy since 1 January 2011.

All Department of Social Protection payments are exempt from the USC. Similar payments, such as payments made as part of Community Employment schemes or the Back to Education Allowance, are also exempt. Social welfare or similar payments made from abroad are exempt.

You pay the USC if your gross income is more than €10,036 per year. Once your income is over this limit, you pay the USC on all of your income. The rate depends on whether you are over 70 years of age and whether you have a medical card:

Universal Social Charge Rates 2012

Income	Under 70	Over 70 or with medical card
First €10,036	2%	2%
Between €10,036 and €16,016	4%	4%
Above €16,016	7%	4%

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. Children with disabilities are entitled to avail of free secondary education in the same way as other children. There are also specific arrangements in place for children with special educational needs.

You can read a detailed outline of educational provisions for children with disabilities in the separate publication *Entitlements 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. Also, there are several support systems for students with disabilities who are applying for or undertaking third-level courses.

In general, students apply for admission to a third-level institution through the Central Applications Office (CAO). As part of their CAO application, students with a disability can also use the DARE admissions scheme (Disability Access Route to Education) which aims to improve access to college for school-leavers with a disability.

Disability Access Route to Education (DARE)

Under the DARE scheme, a number of third-level places are allocated on a reduced-points basis to school-leavers with disabilities. To be eligible for the scheme you must provide evidence that your disability has affected your educational performance significantly. You must be aged under 23 at the start of the year in which you begin college.

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 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, your application goes forward to 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 fewer 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 would be 470 points through the CAO. However, you must meet the college matriculation requirements 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 a number of sections:

- » Section A asks for information on your disability, the supports you had at second level and how your disability impacted on your education.
- » Section B is a second-level academic reference which must be completed by your school. It provides information about your educational experience and helps decide what third-level supports you may need.
- » Section C is a form which must be completed by an accepted medical consultant or specialist. This provides verification of your disability and also helps with deciding on the third-level supports that you may need.

If you wish to apply for a college place under the DARE scheme you should apply online through the Central Applications Office (CAO) or request a paper application form if you need one. The CAO Helpline can help school leavers with their DARE application – telephone (091) 509 800. The DARE programme runs nationwide information sessions for students and their parents or guardians to deal with queries about preparing the application.

Specific provisions for students with disabilities

Most third-level institutions have Disability Liaison Officers or Access Officers who provide services such as making arrangements for sitting examinations, finding suitable accommodation and arranging special access requirements. 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 student grants on the same basis as other students. From 2012 onwards, the single grant-awarding authority Student Universal Support Ireland (SUSI) will handle all new applications for student grants. Renewals of existing grants will be handled by the authority that issued them initially.

All new grant applications will be made online but there will be a mentoring support system to provide one-to-one assistance to people who are unable to apply online. Phone SUSI at 0761 08 7874 to request information on the nearest local option to get this assistance.

A special Fund for Students with Disabilities provides assistance with matters such as transport, personal and academic support, and assistive technology and software. It is administered by participating colleges. You should apply directly to the third-level institution at the beginning of the academic year.

AHEAD

AHEAD (Association for Higher Education Access and Disability) is an independent non-profit organisation working to promote improved access to third-level education for people with disabilities. The AHEAD website has a range of information about educational supports for students with disabilities at third level.

AHEAD

UCD

Carysfort Avenue

Blackrock

Co. Dublin

Tel: (01) 716 4396

Web: **ahead.ie**

Education schemes

Back to Education Allowance

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.

You may qualify if you are getting certain payments from the Department of Social Protection and you have a disability, are unemployed or are parenting alone.

You receive a standard rate of payment. If you are getting your current payment at 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 €300.

Back to Education Allowance is paid in the same way as your current social welfare payment. It is paid for the duration of the course. If you were previously getting a jobseeker's payment, you do not get BTEA during the summer period between academic years (unless you are on work placement or work experience as part of your course). However, you can apply for Jobseeker's Benefit or Jobseeker's Allowance if you meet the qualifying conditions.

If you are starting a 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 the Student Contribution.

If you qualify for BTEA and are getting an Increase for a Qualified Adult for your spouse, civil partner or cohabitant, then he or she may also qualify if certain conditions are met.

How to apply for the Back to Education Allowance

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 Protection's leaflet SW70 gives more information on the BTEA.

Vocational Training Opportunities Scheme (VTOS)

The Vocational Training Opportunities Scheme (VTOS) allows people who are getting certain social welfare payments to take up a full-time education course at some Vocational Educational Committee (VEC) centres around the country.

How do I qualify for VTOS?

You must be aged 21 or over and getting one of the following payments immediately before starting on VTOS: Disability Allowance, Illness Benefit, Invalidity Pension, Blind Pension, Jobseeker's Allowance, Jobseeker's Benefit, One-Parent Family Payment, or Widow's, Widower's or Surviving Civil Partner's Pension (Contributory or Non-Contributory).

You must have been getting the payment (and not in paid employment) for at least six months. If you were on Carer's Allowance, Job Initiative, a FÁS training course, a Community Employment scheme, a Youthreach programme or in prison before switching to the payment, that time can also count towards the six-month qualifying period.

You may also qualify as the dependent spouse, civil partner or cohabitant of an eligible person.

Payment

Your local VEC pays you the equivalent of the maximum rate of your payment. You may also get an allowance for meals and travel. Free books and materials are provided. A training bonus of €20 per week is paid to those who were getting a qualifying social welfare payment for at least a year before starting on VTOS. Limited childcare support is also available.

How to apply for VTOS

Apply to your local VEC college or other VTOS centre for a place. Details are available from:

VTOS National Office
c/o CDU
Captain's Rd
Dublin 12
Tel: (01) 402 0427
Web: **vtos.ie**

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
- » Vocational training provided by FÁS* or by specialist agencies under contract to FÁS

*Note: The training responsibilities of FÁS have been taken over by the new further education and training authority SOLAS (Seirbhísí Oideachais Leanúnaigh agus Scileanna). References in this book to FÁS training also cover courses being run under the aegis of SOLAS.

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

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.

If you are on a means-tested payment – Disability Allowance or Blind Pension – your social welfare payment is suspended and you are paid a training allowance at the same rate as your social welfare payment. In addition, you are also paid a training bonus of €20 per week. You keep your extra benefits.

If you are on a social insurance payment – Illness Benefit or Invalidity Pension – you get the 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 get the training bonus.

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 their social welfare

payments. They are also paid a Rehabilitation Training Allowance of €31.80 per week. Rehabilitative training and sheltered work is provided largely in accredited training centres that are run, or contracted, by the HSE or in designated sheltered workshops.

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.

How to apply for training

Contact the Disability Services section in your Local Health Office for more information on rehabilitative training in your area. Contact your nearest FÁS office for information about training courses. (FÁS training responsibilities were transferred to SOLAS in 2012 but at the time of publication there is no change to service locations.)

Sheltered occupational services

The provision of sheltered occupational services, or sheltered work, gives people with disabilities the opportunity to take part in daily work in a sheltered setting where they get 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.

How to apply for sheltered work

Contact the Disability Services section in your Local Health Office for more information on sheltered occupational services in your area.

Chapter 12

Employment

This chapter looks at the employment options available for people with disabilities. A range of supports for people with disabilities in employment is provided by the employment services that transferred from FÁS to the Department of Social Protection in January 2012. These supports 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 a range of back-to-work supports including the Community Employment scheme and the Community Services Programme. People getting certain disability payments from the Department of Social Protection may also carry out rehabilitative or therapeutic work with the permission of the Department and we look in detail at how such rehabilitative work may affect these payments.

Working with a disability

There are a number of employment supports aimed at assisting employees with a disability to gain and retain employment. For an employee, the onset of a disability or the progression of an existing disability does not necessarily mean the end of employment. Instead, with some changes to the nature of your employment, your work practices or with 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. The following employment-related supports for people with disabilities are provided by the Department of Social Protection's EmployAbility Service (previously provided by FÁS employment services).

Wage Subsidy Scheme

The Wage Subsidy Scheme gives financial assistance to employers to encourage them to employ people with disabilities, who have productivity levels below 80% of usual performance, for a minimum of 21 hours per week.

Job Interview Interpreter Grant

This grant pays for an interpreter to accompany a person with a speech or hearing impairment to a job interview. It covers a standard fee for a three-hour period as well as a set rate for the interpreter's travel costs.

Personal Reader Grant

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

Workplace Equipment and Adaptation Grant

This grant provides funding to make the workplace more accessible or make equipment easier to use by people who have a disability and who are starting or already in employment. The maximum amount

of grant aid towards the cost of adapting or purchasing equipment is €6,348.70. This grant can also be used to upgrade adapted equipment that was funded previously.

Supported Employment Service

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.

Supports include job sourcing and job matching, on-the-job support and coaching, and assistance with integrating into the workplace.

Disability awareness training for employers

Grants are available 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 Scheme

The purpose of this grant is to assist employers to keep at work employees who become disabled through illness 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 these supports

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

Public service quota

The Disability Act 2005 sets out the legal obligations of public service bodies to promote and support the employment of people with disabilities. Under Part 5 of the Act, 3% of jobs in public service bodies are reserved for people with disabilities. The Public Appointments Service recruits staff to the civil service and other public service bodies.

Public Appointments Service
26/30 Upper Abbey Street
Dublin 1
Tel: (01) 858 7400
Lo-call: 1890 449 999
Web: **publicjobs.ie**

Back to work options

Partial Capacity Benefit

If you are getting Illness Benefit (for a minimum of six months) or Invalidity Pension and you wish to return to work you may qualify for Partial Capacity Benefit. This is a social welfare payment that you can continue to get while working and, since February 2012, it replaces the option of rehabilitative work with these payments.

You can qualify for Partial Capacity Benefit if your restriction on capacity for work is assessed as moderate, severe, or profound. If it is assessed as profound you continue to receive your full rate of Illness Benefit or Invalidity Pension. If it is severe you retain three-quarters of the full rate and if it is assessed as moderate you keep half the payment. Any increase for a qualified child or adult is not affected. If it is assessed as mild you will not qualify and your continued eligibility to Illness Benefit or Invalidity Pension will also be reviewed.

Chapter 12 Employment

If you were getting Invalidation Pension and you were entitled to Free Travel or to Island Allowance you can keep them if you qualify for Partial Capacity Benefit. If you were getting the Household Benefits Package you can also retain it, subject to a means test after two years.

How to apply for Partial Capacity Benefit

Contact the Partial Capacity Benefit Section of the Department of Social Protection to request an application form.

A Medical Assessor of the Department will assess the restriction on your capacity for work. This may require you to attend a medical assessment. You should include all appropriate medical evidence with your application.

Partial Capacity Benefit Section
Department of Social Protection
Floor 2
Store Street
Dublin 1
Tel: (01) 704 3950
Lo-call: 1890 928 400
Web: **welfare.ie**

Revenue Job Assist

A special tax allowance is available for people who take up a job after being unemployed for one year or more. People with a disability are eligible if they have been getting Disability Allowance, Blind Pension or Invalidation Pension for one year or more or Illness Benefit for three years or more. The allowance in the first year of employment is €3,810, with an additional €1,270 for each child, reducing to two-thirds of these amounts in year two and one-third in year three. The allowance is given at the highest rate of tax you pay. 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 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**

Community Employment

The Community Employment (CE) scheme is designed to help people who are disadvantaged or long-term unemployed to get back to work by offering part-time and temporary placements in jobs based within local communities. Participants may 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 on the Community Employment scheme.

There are two different categories of Community Employment: 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 aged 25 or over. You can participate from 18 if you are getting a disability-related payment. If you are getting Illness Benefit, you must be getting the payment for six months to qualify. If you are getting Disability Allowance, Invalidity Pension or Blind Pension you do not have to be getting the payment for a minimum period.

Chapter 12 Employment

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. For Illness Benefit you must have been getting the payment for six months to qualify. This condition does not apply if you are getting Disability Allowance, Invalidity Pension or Blind Person's Pension.

Under both options participants work 39 hours a fortnight and are paid an allowance by the sponsor. You keep the extra benefits you were getting immediately before going onto Community Employment and keep your medical card. Your Rent or Mortgage Interest Supplement will be affected.

Community Employment and disability payments

Since 16 January 2012, new participants on the Community Employment scheme cannot claim another social welfare payment at the same time as the Community Employment allowance. For more information on how participation on a CE scheme can affect your payments and benefits see page 153.

How to apply for Community Employment

Apply to your local FÁS office.

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 on a schedule that accommodates farmers or fishermen. 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 will keep your medical card and you should check the Department of Social Protection to see if your other extra benefits are affected.

How to apply for the Rural Social Scheme

You apply to the local body that implements the scheme in your area. A list of implementing bodies is available on **welfare.ie**.

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 providing employment, alleviating disadvantage, and promoting social and economic development within communities. An important aspect of the programme is the emphasis on the creation of employment opportunities for specific groups suffering social or economic disadvantage.

Applications for support are accepted from eligible voluntary and community groups submitted through local intermediaries. In general, applicants must be not-for-profit companies with the capacity to undertake service delivery and the management of staff. The programme is managed by Pobal, a not-for-profit company that manages programmes on behalf of the Irish Government and the EU.

Pobal
Holbrook House
Hollis Street
Dublin 2
Tel: (01) 240 0700
Email: **enquiries@pobal.ie**
Web: **pobal.ie**

Family Income Supplement

Family Income Supplement (FIS) is a weekly tax-free payment available to employees in Ireland with children. It gives extra financial support to people working 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 this income limit and your net family income.

Your 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 can combine your hours worked with those of your spouse, civil partner or cohabitant. You must be maintaining at least one child aged under 18 or up to 22 if in full-time education.

You cannot get FIS if you are taking part in a Community Employment Scheme, Tús or a FÁS scheme (except for Job Initiative). You must not be receiving Jobseeker's Benefit or Allowance, State Pension (Transition) or Pre-Retirement Allowance.

How to apply for Family Income Supplement

Application forms (FIS 1) are available from your local social welfare office. Return the completed form to:

Family Income Supplement Section
Social Welfare Services Office
Ballinalee Road
Longford
Tel: (043) 334 0000
Lo-call: 1890 92 77 70

JobBridge

If you have been on Disability Allowance for a total of three months in the last six months, you may be eligible for JobBridge, the National Internship Scheme. It provides an internship of six or nine months with a host organisation. If you take up an internship you keep your social welfare payment and extra benefits and get an extra €50 per week. The scheme will be open until 30 June 2013.

How to apply

Internships are advertised on **jobbridge.ie**. You apply to the host organisation and if it selects you it will give you an eligibility form to be stamped by your local social welfare office.

If you are getting Disability Allowance you must complete form DIR PMT 1 and send it with the eligibility form to Social Welfare Services, Department of Social Protection, Ballinalee Road, Longford.

Self-employment

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

Business Appraisal and Start-Up Programme

This training course allows participants to develop business plans, enhance their technical skills and conduct market research into the viability of their business idea. 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 scheme allows people on social welfare payments to take up self-employment and retain a percentage of their payment. You must have been getting:

- » Jobseeker's Allowance, or Jobseeker's Benefit with underlying entitlement to Jobseeker's Allowance, for 12 months, or
- » Illness Benefit for three years, or
- » Certain other social welfare payments for 12 months, including Disability Allowance, Blind Pension, Invalidity Pension, Incapacity Supplement and Carer's Allowance

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 Supplement or Mortgage Interest Supplement you get may be affected.

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

How to apply for the Back to Work Enterprise Allowance

You can get an application form (BTW2), and further information, from your local social welfare office or Citizens Information Centre, or online at **welfare.ie** or **citizensinformation.ie**.

Short-Term Enterprise Allowance

The Short-Term Enterprise Allowance (STEA) gives support to people who have lost their job and want to start their own business. There is no qualifying period, so you do not need to have been getting

Jobseeker's Benefit for a certain period of time, but you must have an entitlement to Jobseeker's Benefit and 104 paid PRSI contributions or must qualify for statutory redundancy.

The Short-Term Enterprise Allowance is paid at the same rate as your Jobseeker's Benefit, and ends when your entitlement to Jobseeker's Benefit ends.

How to apply for the Short-Term Enterprise Allowance

You can get an application form (STEA1), and further information, from your local social welfare office or Citizens Information Centre, or online at **welfare.ie** or **citizensinformation.ie**.

Rehabilitative work and disability payments

If you are getting Disability Allowance, Blind Pension, Injury Benefit or Incapacity Supplement you may be allowed to do work or training that is considered rehabilitative or therapeutic. This includes participation on a FÁS training course or Community Employment scheme. You must get prior approval from the Department of Social Protection (DSP) to do rehabilitative work and retain your disability payment.

This work is regarded as insurable for PRSI if a normal contract of employment exists (that is, where there is an employer/employee relationship). Class A social insurance contribution rates apply unless gross earnings are less than €38 per week, in which case Class J applies. Employment in a sheltered workshop situation is not regarded as being under a contract of service and, consequently, is not insurable.

Earnings from rehabilitative employment may affect your disability payment, and any extra benefits you may be getting. We outline the position for people who are doing vocational or rehabilitative training in Chapter 11.

Disability Allowance and Blind Pension

People on Disability Allowance or Blind Pension may be allowed to earn up to €120 per week from rehabilitative employment or self-employment without it 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 because your earnings are taken into account in the medical card means test.

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 Fuel Allowance and Household Benefits Package. If your earnings are over €120, your Rent or Mortgage Interest Supplement 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.

Illness Benefit and Invalidity Pension

If you are getting Illness Benefit (for a minimum of six months) or Invalidity Pension, Partial Capacity Benefit has replaced the option of rehabilitative employment (see page 145). However you can still do approved training and continue to get your payment. You must apply for written permission from the Department of Social Protection before you take up a training course.

Occupational Injuries Benefit Scheme and rehabilitative work

Injury Benefit is one of the benefits available under the Occupational Injuries Scheme. If you are getting Injury Benefit you can do light voluntary work. You can also do part-time work which is part of a treatment (provided you do not earn more than €50 a week) without permission. However if you wish to do other rehabilitative work or a training course you must get written permission from the DSP before starting. Exemptions allowing a person to work are not normally granted within the first 26 weeks of Injury Benefit.

Incapacity Supplement is paid to people who are getting Disablement Benefit, who can't work due to their occupational injury or disease and who do not qualify for any other disability payments. You can do rehabilitative work provided you do not earn more than €33 a week. However if you wish to do other rehabilitative work or a training course you must get written permission (called an exemption) from the DSP before starting. Requests for an exemption to do training courses are automatically granted but subsequent requests are referred to a DSP medical advisor. If you wish to take part in a Community Employment Scheme you cannot retain your Incapacity Supplement but you can retain your Disablement Benefit.

Exemptions (for both work or training courses) are granted for a specific period of time. At the end of that period you must re-apply. When you are granted an exemption for rehabilitative work you cannot work more than 20 hours a week

People getting **Disablement Benefit** (without another payment) can work (full-time or part-time) and do not need permission from the Department.

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. It also covers 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 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.

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 only lasts while you remain mentally competent (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

If you are capable of managing your own financial affairs but are unable to actually collect your social welfare payment, you may appoint an agent to do this for you either on a short-term or long-term basis. If you are unable to manage your own financial affairs, the Department of Social Protection (DSP) may appoint an agent.

If an agent is appointed to collect the payment, it is still your money and the agent is legally obliged to use it on your behalf and for your benefit. The Department may end the agency arrangement if it has reason to believe that the money is not being used for your benefit.

Chapter 13 Legal matters

There are three different types of social welfare agency arrangements: the agent is appointed by you for a short term or for a long term or the agent is appointed by the DSP.

You appoint a temporary or short-term agent

A temporary agent can be appointed for a short period of time, usually no longer than three weeks, if you are not able to collect your payment at a post office. A *Temporary Agent* form is available at post offices. Your agent should present this form and your social services card when collecting your payment.

You appoint a long-term agent

If you are unable to collect your payment and this is likely to remain the case, you may make a long-term agency arrangement. You should complete the form *Authority to Appoint an Agent* and send it to the relevant section of the DSP. The DSP then makes arrangements with the post office to facilitate the agent collecting the payment. The person nominated as agent must be over 18 years.

The DSP appoints an agent

The Department of Social Protection may appoint an agent where a social welfare officer decides (usually on the application of family members and medical practitioners) that you are incapable of managing your financial affairs and that an agent should be appointed. A form must be completed (*Appointment of Agent - Where a person is unable to manage their financial affairs*). 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.

In the case of a ward of court or an attorney who is 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 attorney as the agent for the social welfare recipient.

Such 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 DSP 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 is a legal instrument which allows you to appoint another person (called the attorney) to make personal and property decisions on your behalf should you lose legal capacity. You need legal capacity to execute this power. An enduring power of attorney 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* 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 it 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 Wards of Court
15/24 Phoenix Street North
Smithfield
Dublin 7
Tel: (01) 888 6189/6140
Web: **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.

The law in relation to children between the ages of 16 and 18 is not entirely clear. Medical professionals may carry out medical and surgical procedures on children aged 16–18 if consent is given by the child. However, it may be that the consent of the parents is also required.

People aged 18 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 care 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.

You should keep a checklist of where your will and possessions are kept. The website **citizensinformation.ie** has a useful checklist on which you can record where your possessions and important documents are kept.

Legal aid

Legal Aid Board

You may 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 (and disposable capital less than €320,000). Eligible people usually have to pay a contribution towards the costs. If you wish to obtain legal advice, you must pay a contribution. The contribution is €10 if your disposable income is less than €11,500; the maximum contribution is €150. If you obtain legal aid, you pay a contribution based on your disposable income and your disposable capital, if any.

Legal Aid Board
Head Office
Quay Street
Cahirciveen
Co. Kerry

Chapter 13 Legal matters

Tel: (066) 947 1000
Lo-call: 1890 615 200
Email: **info@legallaidboard.ie**
Web: **legallaidboard.ie**

(Dublin Office)
47 Upper Mount Street
Dublin 2
Tel: (01) 644 1900

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. In conjunction with the Citizens Information Board, FLAC operates a free and confidential legal advice service in Citizens Information Centres (CICs) 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.

Free Legal Advice Centres
13 Lower Dorset Street
Dublin 1
Tel: (01) 874 5690
Information line: 1890 350 250
Web: **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 make a complaint. This chapter describes 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 which is available from your local social welfare office or online at **welfare.ie**.

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. The Appeals Office only deals with what are known as legislative schemes. 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 its website, **socialwelfareappeals.ie**.

How to 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 needed to make a decision.

You should include the following information in your appeal:

- » Your name and address
- » Your Personal Public Service (PPS) Number
- » The type of payment you are claiming
- » The decision you are appealing against
- » The reasons why you believe the decision is wrong

You should also include copies of the Deciding Officer's written decision and any documents that support your appeal. 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.

You can get a *Notice of Appeal Form*, and more information about appealing a decision of a Deciding Officer, from:

The Social Welfare Appeals Office
D'Olier House
D'Olier Street
Dublin 2
Lo-call: 1890 747 434
Email: **swappeals@welfare.ie**
Web: **socialwelfareappeals.ie**

There is no formal appeals system for the Household Benefits Package or Free Travel but entitlement can be reviewed at any time.

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 final outcome of an appeal you may take your case to the Ombudsman (see page 171).

Health service complaints

The Health Service Executive (HSE) has a statutory complaints system which allows anyone receiving public health or personal social services 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.

The website **healthcomplaints.ie** provides information on how to make a complaint or give feedback about health and social care services. A range of organisations that provide healthcare services or information have contributed to the website which is maintained by the Office of the Ombudsman.

Making a complaint

You may make a complaint about any action of the HSE or a service provider that:

- » In your view, is not fair or sound administrative practice, and
- » Adversely affects you or the person on whose behalf the complaint is made

There are limits to what you may complain about. For example, 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.

If you are not able to make a complaint because of age, illness or disability, the complaint may be made for you by someone else with your consent.

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.

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 a leaflet entitled *Your Service, Your Say* available in HSE locations throughout the country. It includes a form to make comments or complaints or you can email **yoursay@hse.ie** or write to any HSE location. Complaints officers in different HSE locations and service providers are listed on the website, **hse.ie**. You can call the HSE Info Line on Callsave 1850 24 1850 or call the National Advocacy Unit on Lo-call 1890 424 555.

Appeals of HSE decisions

If you are not happy with the outcome of your complaint you can request a review. If you are not happy with the outcome of the review you can complain to the Office of 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.

Private hospitals

Some hospitals only provide services to private patients. The relationship between a patient and a private hospital is essentially a contract – the hospital agrees to provide services and you agree to pay for those services.

If you have a complaint about a private hospital, you should first complain to the hospital. Most hospitals have a complaints officer who will take your complaint in person, over the phone or in writing.

In cases where you feel there has been professional misconduct, you should refer your case to An Bord Altranais (The Nursing Board) or, in the case of a doctor, the Medical Council. See **nursingboard.ie** or **medicalcouncil.ie** for information about the relevant complaints procedures or visit **healthcomplaints.ie**.

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 specified in service statements

Complaints must be made within three months. In many cases, the Disability Complaints 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 Disability 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 (in 2012) 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:

- » By 2015, public buildings 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 for people with intellectual disabilities 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.

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 – that is, 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 person, in writing, by telephone, by email or by using the online form (see the contact details below). You should include any relevant documentation or correspondence.

Office of the Ombudsman
18 Lower Leeson Street
Dublin 2
Tel: (01) 639 5600
Lo-call: 1890 223 030
Email: **ombudsman@ombudsman.gov.ie**
Web: **ombudsman.gov.ie**

The Ombudsman for Children

If you wish to make a complaint relating to 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
- » To investigate complaints made by children or on behalf of children against public bodies, schools and public hospitals

Under the Act, a child is someone under the age of 18 (with the exception of young people who are members of the Defence Forces). The Ombudsman for Children can investigate the HSE, public and voluntary hospitals, schools and detention schools, government departments, local authorities, and public organisations that are involved in the delivery of services to children and young people.

The Ombudsman for Children's Office may investigate on its 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, a 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 contact the Ombudsman for Children. You can phone, complete an online form or download a complaint form on **oco.ie**.

Ombudsman for Children
Millennium House
52–56 Great Strand Street
Dublin 1
Freephone: 1800 20 20 40
Tel: (01) 865 6800
Email: **oco@oco.ie**
Web: **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, which includes the Disability Act 2005 and the Citizens Information Act 2007, aims to establish new rights for people with disabilities and to provide a co-ordinated approach to services for people with disabilities. While this strategy remains Government policy, many elements of the strategy are currently on hold. This chapter outlines the strategy as well as Ireland's anti-discrimination legislation and also looks at 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 Educational 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

Education for Persons with Special Educational 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.

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; 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.

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 National Advocacy Service provides advocacy services for people with disabilities (see page ix).

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 (now the Department of the Environment, Community and Local Government)
- » The Department of Enterprise, Trade and Employment (now the Department of Jobs, Enterprise and Innovation)
- » The Department of Health
- » The Department of Social and Family Affairs (now the Department of Social Protection)
- » The Department of Transport (now the Department of Transport, Tourism and Sport)

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 European Union

The primary responsibility for policy on rights and services for people with disabilities lies with national governments. The European Union (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 Disability Strategy 2010–2020 was agreed in November 2010 and aims to empower people with disabilities so that they can enjoy their rights and participate fully in society.

EU Charter of Fundamental Rights

The EU Charter of Fundamental Rights 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 January 2012, 153 countries had signed the Convention and 110 had ratified it.

Ireland has signed the Convention but has not yet ratified it. The enactment of mental capacity legislation (see also Chapter 13) is required before Ireland can ratify it. It is expected that when the mental capacity legislation is enacted, Ireland will ratify both 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 **ohchr.org**. See **un.org/disabilities** for more about the Convention.

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.

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. For more information see **un.org**.

Anti-discrimination legislation

There is specific legislation outlawing discrimination on the grounds of disability in employment (the Employment Equality Acts 1998 to 2011) and in access to goods and services (the Equal Status Acts 2000 to 2011). The anti-discrimination legislation does not prevent the development of positive action for people with disabilities.

Employment Equality Acts 1998 to 2011

The Employment Equality Acts 1998 to 2011 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, and 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), and 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 if 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 to 2011

The Equal Status Acts 2000 to 2011 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, transport and facilities for refreshment. The Acts prohibit discrimination on nine grounds, including disability. Cases may be taken to the Equality Tribunal by parents or guardians on behalf of people with intellectual or psychological disabilities. 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 Equality. 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. It also monitors 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.

The NDA has set up a Centre for Excellence in Universal Design, **universaldesign.ie**. 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, ability or disability.

National Disability Authority
25 Clyde Road
Dublin 4
Tel: (01) 608 0400
Email: nda@nda.ie
Web: www.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 to 2011 and the Equal Status Acts 2000 to 2011. It deals with queries in relation to equality and discrimination and has a range of publications.

Equality Authority
Birchgrove House
Roscrea
Co. Tipperary
Tel: 0505 24126
Lo-call: 1890 245 545
Web: 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.

Chapter 15 Equality for people with disabilities

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.

Complaints under the Employment Equality Acts 1998 to 2011 must be brought within six months of the last act of discrimination. You can download the complaint form from **www.workplacerelations.ie**.

To make a complaint under the Equal Status Acts 2000 to 2011 you must first notify the person or organisation you are making the complaint against within two months of the last act of discrimination. To do this you complete form ES1 (available from the Equality Tribunal) and send it to the person or organisation you are making the complaint against. The time limit for notification can be extended to four months by the Director of Equality Investigations.

It is expected that changes to the employment rights enforcement agencies will be introduced in 2012. This may involve changes to the Equality Tribunal.

The Equality Tribunal
3 Clonmel Street
Dublin 2
Tel: (01) 477 4100
Lo-call: 1890 344 424
Web: **equalitytribunal.ie**

Appendix

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 in the telephone directory and online at **www.welfare.ie/en/ContactUs**.

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 details of your local Citizens Information Centre on **citizensinformation.ie**.

See **citizensinformation.ie** for online information about any of the topics in this book.

You can also call the **Citizens Information Phone Service** at 0761 07 4000 (within Ireland) or email your query to **information@citizensinformation.ie**.

Citizens Information Board

George's Quay House
43 Townsend Street
Dublin 2
Tel: 0761 07 9000
Email: info@ciboard.ie
Web: citizensinformationboard.ie

Assist Ireland

Citizens Information Board
George's Quay House
43 Townsend St
Dublin 2
Tel: 0761 07 9200
Text: 086 383 7644
Email: support@assistireland.ie
Web: assistireland.ie

Voluntary sector organisations

AHEAD – Association for Higher Education Access and Disability

UCD
Carysfort Avenue
Blackrock
Co. Dublin
Tel: (01) 716 4396
Email: ahead@ahead.ie
Web: ahead.ie

Carers Association

Market Square
Tullamore
Co. Offaly
Tel: (057) 932 2920
Email: info@carersireland.com
Web: carersireland.com

Central Remedial Clinic

Vernon Avenue
Clontarf
Dublin 3
Tel: (01) 854 2200
Email: info@crc.ie
Web: www.crc.ie

Center for Independent Living

Carmichael House
North Brunswick Street
Dublin 7
Tel: (01) 873 0455
Email: info@dublincil.org
Web: dublincil.org

DeafHear.ie

35 North Frederick Street
Dublin 1
Tel: (01) 817 5700
Minicom: (01) 817 5777
Text messages: (01) 878 3629
Fax: (01) 872 3816
Email: info@deafhear.ie
Web: deafhear.ie

Disability Federation of Ireland

Fumbally Court

Fumbally Lane

Dublin 8

Tel: (01) 454 7978

Email: info@disability-federation.ie

Web: disability-federation.ie

Disabled Drivers Association of Ireland

Ballindine

Co. Mayo

Tel: (094) 936 4054

Email: info@ddai.ie

Web: ddai.ie

Enable Ireland

32F Rosemount Park Drive

Rosemount Business Park

Ballycoolin Road

Dublin 11

Tel: (01) 872 7155

Email: communications@enableireland.ie

Web: enableireland.ie

Free Legal Advice Centres (FLAC)

13 Lower Dorset Street

Dublin 1

Tel: (01) 874 5690

Information Line: 1890 350 250

Web: flac.ie

Inclusion Ireland – National Association for People with an Intellectual Disability

Unit C2

The Steelworks

Foley Street

Dublin 1

Tel: (01) 855 9891

Email: info@inclusionireland.ie

Web: inclusionireland.ie

Irish Advocacy Network

Old Rooskey House

Rooskey

Co. Monaghan

Tel: (047) 38918

Email: admin@irishadvocacynetwork.com

Web: irishadvocacynetwork.com

Irish Deaf Society

30 Blessington Street

Dublin 7

Tel: (01) 860 1878

Email: info@irishdeafsociety.ie

Web: irishdeafsociety.ie

Irish Wheelchair Association

Áras Chúchulainn

Blackheath Drive

Clontarf

Dublin 3

Tel: (01) 818 6400

Email: info@iwa.ie

Web: iwa.ie

Mental Health Ireland

Mensana House
6 Adelaide Street
Dun Laoghaire
Co. Dublin
Tel: (01) 284 1166
Email: info@mentalhealthireland.ie
Web: mentalhealthireland.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
Web: 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: info@fedvol.ie
Web: fedvol.ie

Rehab Group

Beach Road
Sandymount
Dublin 4
Tel: (01) 205 7200
Email: info@rehab.ie
Web: rehab.ie

Government departments and statutory organisations

Department of Education and Skills

Marlborough Street

Dublin 1

Tel: (01) 889 6400

Email: info@education.gov.ie

Web: www.education.ie

Department of the Environment, Community and Local Government

Custom House

Dublin 1

Tel: (01) 888 2000

Lo-call: 1890 20 20 21

Web: www.environ.ie

Department of Health

Hawkins House

Hawkins Street

Dublin 2

Tel: (01) 635 4000

Web: www.dohc.ie

Department of Social Protection

Information Services

College Road

Sligo

Lo-call: 1890 66 22 44

Web: www.welfare.ie

SMS Text Messaging Service

To request forms, text the form code below followed by your name and address to 51909. Standard text rates apply.

Social welfare payment or scheme	Form code
Bereavement Grant	FORM BG
Carer's Allowance	FORM CARA
Carer's Benefit	FORM CARB
Disability Allowance	FORM DA
Domiciliary Care Allowance	FORM DCA
Family Income Supplement	FORM FIS
Free Travel	FORM TRAVEL
Fuel Allowance	FORM FUEL
Household Benefits	FORM HHB
Invalidity Pension	FORM INV
Living Alone Allowance	FORM LAA
Maternity Benefit	FORM MAT
One-Parent Family Payment	FORM OPFP
Respite Care Grant	FORM RCG
State Pension (Non-Contributory)	FORM SPNC
State Pension (Transition/Contributory)	FORM SPC
Widow(er)'s Contributory Pension	FORM WCP
Widow(er)'s Non-Contributory Pension	FORM WNCP

For specific enquiries you can contact the relevant section:

Bereavement Grant Section
Social Welfare Services
Ballinalee Road
Longford
Tel: (043) 333 4795 or
Lo-call: 1890 927 770

Blind Pension Section
Social Welfare Services
College Road
Sligo
Tel: (071) 915 7100
Lo-call: 1890 500 000

Carer's Allowance Section
Social Welfare Services
Ballinalee Road
Longford
Tel: (043) 334 0000
Lo-call: 1890 927 770

Carer's Benefit Section
Social Welfare Services
Ballinalee Road
Longford
Tel: (043) 334 0000
Lo-call: 1890 927 770

Disability Allowance Section
Social Welfare Services
Ballinalee Road
Longford
Tel: (043) 334 0000
Lo-call: 1890 927 770

Disablement Benefit Section
Social Welfare Services
Ballinalee Road
Longford
Tel: (043) 334 0000
Lo-call: 1890 927 770

Appendix Further information and support

Family Income Supplement Section

Social Welfare Services

Ballinalee Road

Longford

Tel: (043) 334 0000

Lo-call: 1890 927 770

Free Travel Section

Social Welfare Services

College Road

Sligo

Tel: (071) 915 7100

Lo-call: 1890 500 000

Household Benefits Section

Social Welfare Services

College Road

Sligo

Tel: (071) 915 7100

Lo-call: 1890 500 000

Illness Benefit Section

PO Box 1650

Dublin 1

Tel: (01) 704 3300

Lo-call: 1890 928 400

Injury Benefit Section

Áras Mhic Dhiarmada

Store Street

Dublin 1

Tel: (01) 704 3300

Lo-call: 1890 928 400

Invalidity Pension
Social Welfare Services
Ballinalee Road
Longford
Tel: (043) 334 0000
Lo-call: 1890 927 770

Occupational Injuries
(Medical Care) Section
Áras Mhic Dhiarmada
Store Street
Dublin 1
Tel: (01) 704 3000
Lo-call: 1890 928 400

Respite Care Grant Section
PO Box 10085
Dublin 2
Tel: (01) 673 2222

Social Welfare Services
(formerly Pension Services Office)
College Road
Sligo
Lo-call: 1890 500 000

Supplementary Welfare Allowance
Social Welfare Services
College Road
Sligo
Tel: (071) 915 7100

Appendix Further information and support

Treatment Benefit Section
St. Oliver Plunkett Road
Letterkenny
Co. Donegal
Tel: (074) 916 4480
Lo-call: 1890 400 400

Widowed or Surviving Civil Partner Grant Section
Social Welfare Services
College Road
Sligo
Tel: (071) 915 7100
Lo-call: 1890 500 000

Statutory organisations

Equality Authority

Birchgrove House
Roscrea
Co. Tipperary
Tel: (0505) 22388
Lo-call: 1890 245 545
Email: info@equality.ie
Web: www.equality.ie

Equality Tribunal

3 Clonmel Street
Dublin 2
Tel: (01) 477 4100
Lo-call: 1890 34 44 24
Email: info@equalitytribunal.ie
Web: www.equalitytribunal.ie

General Register Office

Government Offices
Convent Road
Roscommon
Tel: (090) 663 2900
Lo-call: 1890 252 076
Web: **groireland.ie**

Health Insurance Authority

Canal House
Canal Road
Dublin 6
Tel: (01) 406 0080
Lo-call: 1850 929 166
Email: **info@hia.ie**
Web: **hia.ie**

Health Service Executive

Head Offices

Oak House
Millennium Park
Naas
Co. Kildare
Tel: (045) 880 400

Dr. Steevens' Hospital
Dublin 8
Tel: (01) 635 2000

Info Line: 1850 24 1850
See **hse.ie** for a list of Local Health Offices

International Pension Centre (UK)

Tyneview Park
Newcastle-Upon-Tyne
NE98 1BA
United Kingdom
Tel: +44 191 218 7777
Textphone: +44 191 218 7280
Web: **dwp.gov.uk**

**Irish Government website:
gov.ie**

This website provides links to government departments and statutory agencies.

Legal Aid Board

Head Office
Quay Street
Cahirciveen
Co. Kerry
Tel: (066) 947 1000
Lo-call: 1890 615 200
Email: **info@legalaiddboard.ie**
Web: **legalaiddboard.ie**

Dublin Office
47 Upper Mount Street
Dublin 2
Tel: (01) 644 1900

Mental Health Commission

St Martin's House
Waterloo Road
Dublin 4
Tel: (01) 636 2400
Email: info@mhcirl.ie
Web: www.mhcirl.ie

National Council for Special Education

1–2 Mill Street
Trim
Co. Meath
Tel: (046) 948 6400
Web: www.ncse.ie

National Disability Authority

25 Clyde Road
Dublin 4
Tel: (01) 608 0400
Email: nda@nda.ie
Web: www.nda.ie

National Educational Psychological Service

24–27 North Frederick Street
Dublin 1
Tel: (01) 889 2700
Email: neps@neps.gov.ie

Office of the Disability Appeals Officer

FREEPOST

Office of the Disability Appeals Officer

3rd Floor

Hawkins House

Hawkins Street

Dublin 2

Lo-call: 1850 211 583

Email: appeal@odao.ie

Web: www.odao.ie

Office of the Ombudsman

18 Lower Leeson Street

Dublin 2

Tel: (01) 639 5600

Lo-call: 1890 223 030

Email : ombudsman@ombudsman.gov.ie

Web: ombudsman.gov.ie

Office of the Registrar of Wards of Court

15–24 Phoenix Street North

Smithfield

Dublin 7

Tel: (01) 888 6189

Web: courts.ie

Ombudsman for Children

Millennium House

52–56 Great Strand Street

Dublin 1

Freephone: 1800 20 20 40

Tel: (01) 865 6800

Email: oco@oco.ie

Web: oco.ie

Pobal

Holbrook House
Hollis Street
Dublin 2
Tel: (01) 511 7000
Email: **enquiries@pobal.ie**
Web: **www.pobal.ie**

Public Appointments Service

26–30 Upper Abbey Street
Dublin 1
Tel: (01) 858 7400
Lo-call: 1890 449 999
Email: **info@publicjobs.ie**
Web: **publicjobs.ie**

Revenue Commissioners

Central Repayments Office
M: TEK II Building
Armagh Road
Co. Monaghan
Tel: (047) 62100
Email: **cromon@revenue.ie**
Web: **revenue.ie**

Sign Language Interpreting Service (SLIS)

40 Lower Drumcondra Road
Drumcondra
Dublin 9
Tel/Minicom: 0761 078 440
Mobile: (087) 980 6996
Email: **bookings@slis.ie**
Web: **slis.ie**

Social Welfare Appeals Office

D'Olier House

D'Olier Street

Dublin 2

Lo-call: 1890 74 74 34

Email: swappeals@welfare.ie

Web: socialwelfareappeals.ie

State Examinations Commission

Cornamaddy

Athlone

Co. Westmeath

Tel: (090) 644 2700

Web: examinations.ie

Sustainable Energy Authority of Ireland

Wilton Park House

Wilton Place

Dublin 2

Tel: (01) 808 2100

Email: info@seai.ie

Web: seai.ie

Workplace Relations Customer Services (formerly the information services of the National Employment Rights Authority)

O'Brien Road

Carlow

Tel: (059) 917 8990

Lo-call: 1890 80 80 90

Web: www.workplacerelations.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? Where there any sections that 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 that you would like to suggest for the next edition?

Please return your comments to:
Information Resources
Citizens Information Board
George's Quay House
43 Townsend Street
Dublin 2

Disability payments: weekly maximum rates (2012)

Payments to people with disabilities	Personal rate €	Qualified adult €		Qualified child €
Illness Benefit	188.00	124.80		29.80
Invalidity Pension Aged under 65 Aged 65 and over	193.50 230.30	Under 66	Over 66	€29.80 €29.80
		138.10	206.30	
Disability Allowance	188.00	124.80		€29.80
Supplementary Welfare Allowance	186.00	124.80		€29.80
Blind Pension	188.00	124.80		€29.80
Blind Welfare Allowance	58.50	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 two or more	Qualified child
Carer's Allowance Aged under 66 Aged 66 or over	204.00	306.00	29.80
	239.00	358.50	29.80
Carer's Benefit	205.00	307.50	29.80
Respite Care Grant	€1,700.00 yearly per person cared for		

- » The personal rate is the amount received by the person with a disability.
- » The qualified adult rate is for the adult dependant of the person with the disability.
- » 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 the National Advocacy Service for people with disabilities.

June 2012

Head Office

Ground Floor

George's Quay House

43 Townsend Street

Dublin 2

t 0761 07 9000

f (01) 605 9099

e info@ciboard.ie

w citizensinformationboard.ie

Citizens **Information** 

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citizensinformation.ie

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