

WHAT NOW, WHERE NEXT?

Part E

Entitlements, Grants and Allowances

Education

Notes:

- i. **Special Educational Needs (SEN) or Special Needs** is the term given to children who have need of extra support in the mainstream setting. This includes children with disabilities
- ii. **Low Incidence Special Needs:** This is the term used to describe children with high support needs. It would include children with intellectual disability and autism with high support needs. There are less children with high support needs. This is how they get the term “low incidence”.
- iii. **High Incidence Special Needs:** Are those who need less support. They would include people with mild intellectual disability and children with mild autism.
- iv. **The National Council for Special Education (NCSE)**
The NCSE was set up in 2003, and is responsible for organising most of the educational entitlements for children and people with disabilities.
- v. **National Education Psychological Service (NEPS)**
 - The NEPS service is effectively filling the void left by the non-implementation of the EPSEN Act in terms of assessments of needs.
 - If requested, NEPS will undertake an assessment of need and draw up an IEP (see page 3)
 - This occurs after other smaller scale involvement and consultation with the school and parents.
 - It is the **School** who applies for this more advanced involvement, with parental permission.
 - There is a cap on Educational Psychologists in NEPS at 178 (Budget 2011)
 - If NEPS is not an available service in your school/ area parents can apply for a similar service from the Scheme for Commissioning Psychological Assessment (SCPA).
 - NEPS can make referrals to other services as part of the IEP.
 - If the school arranges the NEPS assessment there is no charge for the service.
 - The school is limited to a certain number of assessments by NEPS or under the SCPA.
- vi. **Special Educational Needs Organisers (SENO)**
 - SENOs are the point of contact for parents and schools regarding a child’s special educational needs.
 - There is at least one SENO in each county.
 - As the Special Needs Assessments and IEPs have not been commenced, the SENOs determine need and resources for schools and parents.
 - They also work closely with the National Education Psychological Service (NEPS) in place of the assessments yet to be commenced from the EPSEN Act 2004.
- vii. **The State Examinations Commission**

The State Examinations Commission is a body established by statutory order in March 2003. The Commission has responsibility for the operation of the State Certificate Examinations, the Junior and Leaving Certs. The organisation is staffed by civil servants and there are five Commissioners appointed by the Minister for Education and Skills.

The Commission deals with the provision and quality of the Irish State Examinations. The organisation is committed to working in partnership with school authorities and education providers in order to deliver a high quality examination and assessment system that is efficient, fair and accessible and to ensure that the system is operated in an environment of openness, transparency and accountability.

1. Resource Teachers and Learning Support teachers.

What are they?

Children with special needs are sometimes entitled to extra teaching support from Resource Teachers (RTs) and Learning Support Teachers (LSTs). Over the years, the distinction between RTs and LSTs has become blurred. Normally, we would expect RTs to assist children with low incidence needs on a one-to-one basis while LSTs would take those with high incidence needs in small groups. However there are no longer such rigid divisions between the two types of teacher. Essentially, their purpose is to help the child keep up with the rest of his/her peers. For the sake

of explanation, we'll equate RT with low incidence special needs and LST with high incidence special needs.

The administration of LSTs is slightly different in primary schools and second level schools. Essentially, each level is allocated a certain amount of hours for their Learning Support section, based on the size of the school. Therefore, it is up to each principal to organise how they use their Learning Support Teachers within the allocated hours given to the school and subject to any conditions set down by the Department of Education and Skills (DES).

For "low incidence" children it is necessary for the school to apply to the National Council for Special Education (NCSE) for resource teaching hours. There is a rule which equates a particular condition with a number of hours resource time. For example, low incidence autism merits 5 hours per week from the resource teacher. However, because of the recession, the hours have been reduced by up to 10%. Many organisations are fighting these cuts. At the time of writing it is the intention of those campaigning that all hours will be restored.

Who can apply:

The parents of children with special needs who have the necessary documentation to support their request.

How to apply:

Resource teaching: Apply to your school principal. It must be accompanied by supporting documentation. The principal will then apply to the local SENO.

Learning Support teaching: Apply to the principal with supporting documentation. The principal will make the decision.

2. Special Needs Assistants

Special Needs Assistants (SNAs) work with children who need extra non-teaching support, perhaps because of a physical disability or behavioural difficulties.

Many people assume that the purpose of SNAs is to teach children with special needs. While, in some cases, schools allow SNAs to teach, in fact, their official role is a caring one. Their purpose is to assist children with physical needs and those whose behaviour would endanger other students or themselves or disrupt the class for other students.

The number of hours allocated to a child depends on the child's assessed needs. The decision, at present, is made by the SENO.

Who can apply:

The parents of children with special needs who have the necessary documentation to support their request.

How to apply:

Apply to your school principal. Your application must be accompanied by supporting documentation.

3. Special Facilities in State Examinations

It is sometimes possible to help students with special needs doing State exams at second level. This assistance is called Reasonable Accommodation. Examples of reasonable accommodation include the following:

- Voice-activated computers, tape recorders or scribes (other people to do the writing)
- The examination may be done in a centre separate to the main centre(s)
- Extra time may be given to complete the examination. In the Leaving Cert, up to 20 minutes extra is given in

some subjects - Irish, English, History and Geography.

- Students with special needs may apply to be allowed to not do part of an examination and to be marked out of 100% on the balance of the paper. However, the certificate of results may contain a note stating that the candidate was exempt from part of the paper.

Who can apply:

Parents of children with special needs.

Where to apply:

Apply to the school principal with the appropriate documentation.

NOTE:

- The school principal will send the application to the State Examinations Commission. If it doesn't grant reasonable accommodation it's possible to appeal the decision.
- Application for reasonable accommodation should be made as early as possible to allow the child to avail of a similar facility during school exams. For example, if a child is granted a scribe for State exams, from then on, in all school exams, the child would be wise to use a scribe.

4. Individual Educational Plan (IEP) under the EPSEN Act

What is it?

A written document which specifies the learning goals that are to be achieved by the student over a set period of time. It should contain:

- i. The nature and degree of the child's abilities, skills and talents;
- ii. The nature and degree of the child's special educational needs and how those needs affect his or her educational development;
- iii. The present level of educational performance of the child;
- iv. The special educational needs of the child;
- v. The special education and related support services to be provided to the child to enable the child to benefit from education and to participate in the life of the school;
- vi. Where appropriate, the special education and related services to be provided to the child to enable the child to effectively make the transition from pre-school education to primary school education;
- vii. Where appropriate, the special education and related support services to be provided to the child to enable the child to effectively make the transition from primary school education to post-primary school education, and
- viii. The goals which the child is to achieve over a period not exceeding 12 months.

An IEP under the Act should be drawn up by the Principal of the school, or a nominated representative or the National Council for Special Education .

Who can apply? (see notes below)

Anyone who has had a special needs assessment under the EPSEN Act, and who has been returned a decision that a special educational need does exist, will automatically have an IEP drawn up for them by the principal (or nominated person) of their school. (See *Assessments from the National Education Psychological Service* below)

Who to apply to? (see notes below)

An automatic referral follows a decision on a special educational need assessment.

Notes:

- 1) **This section of the Act has not been commenced yet.** Therefore, a school has no obligation to prepare an IEP. However, many schools see a benefit for the child and the school in preparing one.
- 2) Information is gathered from the student, the family, school or pre-school, and other professionals (such as social workers, occupational therapists, GPs, etc.)
- 3) Parental involvement: Under the Act, parents are entitled to be involved with the preparation of an IEP. The IEP is considered to be a 'draft' IEP until the parents have been consulted. If the plan changes, parents are entitled to a copy of the new plan.

5. Home Tuition Grant

What is it?

The programme provides funding to parents to provide education at home for children who (for a number of reasons, such as chronic illness) are unable to attend school. The scheme is also available to children with special educational needs who are awaiting a suitable educational placement.

The programme also provides funding for home tuition for pre-school children on the autistic spectrum who need early educational intervention. The grant aid is for 10 hours home tuition a week for children aged 2½ to 3 and 20 hours a week for children aged 3. The funding is not provided if there is a place in school or early education available to the child.

Who can apply?

Parents / guardians of

- children who are unable to attend school due to chronic illness,
- children with special educational needs who are awaiting a suitable educational placement
- pre-school children older than 2½ years on the autistic spectrum who need early educational intervention

How to apply

On the internet: http://www.education.ie/servlet/blobServlet/cl0050_2010_application_form.doc

By contacting: Home Tuition Unit, Special Education Section, Department of Education and Skills, Cornamaddy, Athlone, Co. Westmeath. Tel: 090-6483757, 090-6483926, 090-6483921.

Return form to

Home Tuition Unit, Special Education Section, Department of Education and Skills, Cornamaddy, Athlone, Co. Westmeath. Tel: 090-6483757, 090-6483926, 090-6483921.

Notes

- In respect of children with Special Educational Needs applying for tuition as an interim measure whilst awaiting a school placement, it should be noted that regular reports will be requested by the Department of Education on the up-to-date position regarding placement during the year. Home tuition will only be sanctioned on a term-by-term basis.
- The Department also requires that you try to recruit a qualified primary school teacher in the first instance whereas some parents would prefer a tutor who has worked extensively using ABA
- The SENO is required to fill out part of the form, which may result in delays

6. Home Based July provision

What is it?

The July Education Programme is a funding arrangement for schools to provide further special needs education in the month of July. Special schools and mainstream primary schools with special classes catering for children with autism may choose to extend their education services through the month of July. There is also a July Programme for pupils with a severe/profound general learning disability. The funding also covers transport and escort services for the children.

If schools are not participating in the July Education Programme, home tuition is offered as an alternative for the pupils who would normally attend such schools.

Other children with autistic spectrum disorders or with severe learning disabilities may also be given home tuition during July.

Who can apply

The Parents of a child who has been diagnosed with Autistic Spectrum Disorder and/ or Severe to Profound Learning Disability, may apply for Home Based July Provision if the school in which the child is enrolled is not providing tuition for the month of July.

How to apply

From the internet: http://www.education.ie/servlet/blobServlet/sped_july_application_2010.doc

By contacting:

The JULY EDUCATION PROGRAMME, Department of Education & Skills, Government Buildings, Kilcarn, Navan, Co. Meath. Telephone: 046 9067410

NOTE:

- A copy of a recent psychological assessment / professional report is required if your child is not currently attending school.
- Details and qualifications of proposed tutors are required on the form. Also, tutors are required to submit a photographic form of identification displaying their signature e.g. driving licence, passport.

Return completed forms to: The JULY EDUCATION PROGRAMME, Department of Education & Skills, Government Buildings, Kilcarn, Navan, Co. Meath. Telephone: 046 9067410

Notes:

- Teachers currently on maternity leave or career break are not eligible to teach the July provision.
- The Department's qualification preference is for a fully qualified teacher. However, some alternative qualifications are acceptable: a qualification in autism (an autism specific qualification) – from St. Patrick's College of Education, Drumcondra, or Birmingham University, or other UK University or US/Australia or a qualification in an applied approach to teaching pupils with autism – in ABA, PECS, TEACCH. This should be an official certificate or diploma course ratified by a university, college or organisation. A short course or a certificate from school etc is not acceptable.

A third level qualification B.A., B.Sc., Psychology, RNMH etc. may also be appropriate depending on circumstances.

7. Is it possible to appeal decisions?

a. Appeal of SENO decisions:

Procedure for appeal of SENO decisions in relation to the allocation of teaching hours and Special Needs Assistants to schools to support the education of children with Special Educational Needs:

An appeal may be sought on the grounds that the SENO misinterpreted or ignored the Department of Education and Skills policy or that the SENO failed to take due account of the evidence of educational and/or care needs of the child or the resourcing available within the school when applying the Department of Education and Skills policy or a combination of both

Time frames for appeals:

The principal must indicate within five working days of the SENO's decision that an appeal will be lodged. The appeal must be lodged within ten working days.

Who hears the appeal?

A senior SENO who has not been involved with the case.

Who can appeal?

The school can appeal.

The parent can also appeal.

Where to appeal?

A parent must appeal through the school.

If the school feels that the appeal process itself was deficient?

In that case it is possible for the school to refer the case to the Appeals Advisory Committee. This committee has three members, an independent chairperson a representative of school management bodies and a parent representative.

b. "Section 29" Appeals:

Under [Section 29](#) of the 1998 Education Act if a Board of Management:

- expels a student or
- suspends a student or
- refuses to enrol a student

then the parent may appeal that decision to the Secretary General of the Department of Education and Skills (DES) and the appeal will be heard by an appeals committee

How to apply

Contact the Department of Education and Skills (see below)

Where to apply

National Educational Welfare Board,
16-22 Green Street, Dublin 7, Ireland
Tel: 01-8738700, Locall: 1890-363666

Email: info@newb.ie

Department of Education and Skills,
Marlborough Street, Dublin 1, Ireland
Tel: 01-889 6400, Locall: 1890-402 040

Email: info@education.gov.ie

Assessments

1. Assessment of Needs (Disability Act 2005)

What is it?

To determine if a person has a disability; the nature and extent of that disability; and the special health or educational needs of that person, and what supports they need. A report will be drawn up as to the findings of the assessment. This is called the Assessment Report. The Report will not be influenced by the cost of providing such supports.

The Assessment Report goes to a person called the Liaison Officer (also called the Case Manager). He/she decides what elements of the Assessment Report will be given to the person. This is stated in a document called a Service Statement.

Who can apply? (See Notes I, below)

A person who believes that they may have a disability, or spouses, parents, relatives, guardians, legal representatives and personal advocates. In the case of children under five, the applicant for the assessment is the parent or guardian (or the HSE if the child is in care). According to the Act you have a disability if “*there is a substantial restriction in your capacity to carry on a profession, business or occupation or to participate in social or cultural life because of an enduring physical, sensory, mental health or intellectual impairment*”

Where to apply

Your local Health Office. /OR/

http://www.hse.ie/eng/services/Publications/services/LHOGuides/Local_Health_Office_Guides.html

How to apply

You must apply *in writing on the prescribed form* available from GPs, pharmacies, hospitals and Local Health Offices or contact the HSE information line: 1850 24 1850. Local Health offices also have an assessment officer who can help with your application.

Link to download the form

<http://www.autismireland.ie/assets/files/downloads/assessment-of-need-application-form.pdf>

Notes:

- i. At present (July 2011), **only children who were under the age of 5 when the act was commenced (June 2007)** are entitled to an assessment under this Act.
- ii. You **cannot** make an application for assessment under this Act AND under the Education of Persons with Special Educational Needs Act 2004 (EPSEN), see below for assessment under the EPSEN Act.
- iii. You can make a complaint about;
 - a. A decision that no disability exists OR
 - b. The timeframe of the assessment OR
 - c. If the assessment is not undertaken in a manner that conforms to standards OR
 - d. The contents of the assessment statement OR
 - e. If items in the service statement are not provided.

iv. The Complaints Process:

- a. The complaints process has two levels: the Complaints Officer, and then Disability Appeals Officer.
- b. *If you wish to complain about an assessment the complaints form can be had from the Assessment Officer*
- c. *If you wish to complain about a service statement the form can be had from the Liaison Officer (sometimes known as the Case Manager).*
- d. If your complaint is not upheld you can appeal to the Appeals Officer. The Complaints Officer's report will contain an Appeal form

2. Assessment of Needs (EPSEN Act)

What is it?

An assessment to determine if the child in question has special education needs and what supports are needed to ensure they are educated in as inclusive a way possible

Who can apply?

The parents of any child can request an assessment to be carried out. The HSE or the principal of a school (or a nominated teacher) can also request it. If this is the case, the parents must be informed in writing and asked for permission for an assessment to take place. If no permission is granted by the parents, the HSE or the National Council for Special Education can appeal for permission to the High Court.

Who to apply to?

Parents apply to the school in which the child is enrolled.

How to apply?

A written request should be submitted. Full details around this process have not been put in motion **as this section of the Act has not been commenced.**

Notes:

- i. **This section of the Act has not been commenced yet (July 2011)**
- ii. If the child is found to have a special education need, then an Individual Education Plan will be drawn up.
- iii. The parents of the child should be involved in the assessment
- iv. Parents are entitled to a copy of the assessment report
- v. If a request for an assessment is denied, the parents can appeal this decision

Advocacy

National Advocacy Service

What is it?

The National Advocacy Service provides a personal advocate for a person seeking a social service are represented in order to assist such person in securing entitlements to that service. This does not include legal representation. The Citizens Information Board, will provide you with information about the Personal Advocacy Service if you inform them that you know of a person whom you think is eligible for this service, and you are a family member/carer of the person/member of an organisation or group who is actively involved in promoting the health, welfare or well-being of that person.

What is the role of a personal advocate?

- To assist, support and represent a '*qualifying person*' to apply for and obtain a social service or services that they have specified in their application for personal advocacy services. You must specify in the application what social service(s) you wish to have support in obtaining. Advocates might be supporting citizens to obtain hospital services, social welfare, primary medical care etc.
- To pursue any right of review, reference or appeal to a body other than a court if the application for such service or services is refused, if the personal advocate considers it appropriate to do so.
- To make or assist in making an application for an assessment under Part 2 of the Disability Act 2005, if appropriate.
- To assist, support and represent the '*qualifying person*' with the application, assessment and service statement (if any) prepared in respect of the person (under the Disability Act, 2005). See Assessments in this Part.
- For the purpose of assisting the person to promote the best interests of his or her health, welfare and well-being, provide support or training or both to:
 - The *qualifying person*
 - The '*qualifying person's* family, a carer of the *qualifying person* or any other person, including a member of an organisation or group, who is actively involved in promoting the health, welfare or well-being of the *qualifying person*

Who can apply?

- If the person is 18 years or older: A person who is by reason of a disability, unable to obtain or has difficulty in obtaining a particular social service or services without the assistance or support of a personal advocate.
- If under 18 years of age
If the parent/guardian has a disability and it would be unreasonable to expect them to act on the child/young person's behalf in obtaining a particular social service or services. Also, if the child/young person's parent/guardian actually qualifies under the act as a '*qualifying person*.'
- And for both age groups:

If there are reasonable grounds for believing that there is, in relation to the person, a risk of harm to his or her health, welfare or safety if he or she is not provided with the social service or services that he or she is seeking to obtain

Who to apply to:

At present (July 2011) in order to apply for this service or to obtain information, contact one of the 5 Regional Team Managers:

Region	Area	Name
1	Dublin broadly within the M50 excluding parts of Blanchardstown & parts of North Dublin (Clondalkin)	Ben North (086 0218778)
2	North East: Westmeath , Cavan, Fingal, Louth, Longford, Meath, Monaghan	Louise Loughlin (086 4102083)
3	South East: Offaly , Carlow, Kildare, Kilkenny, Laois, Wexford, Wicklow	Selina Doyle (086 0409978)
4	South West: Waterford , Cork, Kerry, Limerick, Tipperary	Patricia O'Dwyer (086 0223984)
5	West/North West: Leitrim , Donegal, Sligo, Mayo, Galway, Clare, Roscommon	Josephine Keaveney (086 0201095)

When the Advocacy service is fully up and running:

It is expected that the advocacy system will be set up by 2012. When this happens the application system will be different.

How to apply (when the system is up and running):

- In writing, or any form as may be specified by the Minister for Social Protection, apply to the Director of the Citizen's Information Board for the assignment of a personal advocate. You must specify in the application the social service or services that you are seeking to obtain.
- Another person can make the application on your behalf if you wish.
- You will be informed in writing or on a form specified by the Minister if your application was successful i.e. you have been granted a personal advocate. The Act does not specify the maximum time you should expect to wait for a reply.
- If your application is refused, the reply should specify the reasons for the refusal and a reminder that you can appeal against the decision.
- A refusal can be reversed if it appears to the Director of the Personal Advocacy Service:
 - that the decision was erroneous in the light of new evidence or of new facts which have been brought to his or her notice since the decision was made
 - that a mistake has been made in relation to the law or the facts
 - that there has been any relevant change of circumstances of the applicant concerned since the decision was made

Notes:

The Board decides how personal advocates are allocated to qualifying persons and use several criteria in this, including:

- the needs of *qualifying persons* to have personal advocates assigned to them;
- the degrees of risk of harm to the health, welfare or safety of *qualifying persons* if they are not provided with the social service or services that they are seeking to obtain;
- the benefits likely to accrue to *qualifying persons* if personal advocates are assigned to them;
- the availability to *qualifying persons* of advocacy services other than supplied by the national Advocacy Service;

- such other matters as the Board considers appropriate or as may be prescribed by regulations made by the Minister, which he or she is hereby authorised to make for that purpose.

A personal advocate assigned to a qualifying person, may, for the purpose of performing his or her functions:

- Enter any place providing services for the *qualifying person* and make enquiries
- Subject to the Data Protection Acts 1988 and 2003 obtain information from statutory / voluntary bodies
- Represent the *qualifying person* at meetings etc. where the *qualifying person's* interests are being represented.

Advocacy Support from Disability Organisations

There are many parent/family support groups around the country which provide advice and advocacy services for their members and others at a national level and a local level.

They include:

Inclusion Ireland (01 8559891)

Down Syndrome Ireland (01 426 6500)

Irish Autism Action (044 933 1609)

Aspire (8780027)

Shine Ireland (021 4377052)

National Parents & Siblings' Alliance (01 8624100)

Allowances and Grants

1. Domiciliary Care Allowance

What is it?

Domiciliary Care Allowance is a monthly payment to the carer of a child with a disability so severe that it requires care and attention and/or supervision substantially in excess of another child of the same age. This care and attention must be provided to allow the child to deal with the activities of daily living. The child must be likely to require this level of care and attention for at least 12 months.

The Domiciliary Care Allowance scheme is administered by the Department of Social and Family Affairs.

Who can apply:

In order to qualify, the child must have a severe disability that is likely to last for at least one year and:

- Be aged under 16, (at 16, the child can apply for a Disability Allowance)
- Live at home with the person claiming the allowance for 5 or more days a week. However, children in residential care who go home may receive a half rate payment if they are at home for 2 days or more a week, for example, a child who attends residential services from Monday to Friday and goes home at weekends.
- Meet the medical criteria
- Eligibility for DCA is not based on the type of impairment or disease, but on the resulting lack of function of body or mind which means the child needs extra care and attention.
- Be ordinarily resident in the State. Your pattern of residence over a number of years is taken into account to decide your 'ordinary residence'.

If you have been resident for the previous three tax years then you become ordinarily resident from the start of the fourth year. If you leave the country, you will continue to be ordinarily resident until you have been non-resident for three continuous tax years.

Broadly speaking, if you are living here and intend to continue living here for at least a year, you are considered to be ordinarily resident.

Link to further information:

<http://www.welfare.ie/EN/Publications/SW108/Pages/1WhatistheHabitualResidencecondition.aspx>

How to apply

To apply, fill in a Domiciliary Care Allowance form.

- From the internet: <http://www.welfare.ie/EN/Forms/Documents/DomCare1.pdf>
- By mobile: Text "FORM DCA" followed by your name and address to 51909 (standard text rates apply).
- You can also get an application form in your Social Welfare Local Office or Citizens Information Centre.

You should complete Parts 1 to 5 of the application form and have your child's GP complete parts 6 and 7. You should ensure that you attach any reports or assessments relevant to your child's disability.

Your application form and supporting documentation should be sent to:

Domiciliary Care Allowance, Social Welfare Services Office, Department of Social and Family Affairs
College Road, Sligo. Tel: (071) 915 7100, Locall: 1890 500 000

Notes

- Completing the form can be time consuming
- **It is necessary to give a lot of detail regarding the support you are required to give across the day.**

2. Carers Allowance

What is it?

Carer's Allowance is a means tested payment to people living in Ireland who are looking after someone who is in need of support because of age, physical or learning disability or illness, including mental illness. It is mainly aimed at carers on low incomes who live with and look after certain people who need full-time care and attention. If you are providing care to more than one person you may be entitled to an additional 50% of the maximum rate of Carer's Allowance each week.

Who can apply

In order to be entitled to a Carer's Allowance:

- You must be living with, or in a position to provide full-time care and attention to a person in need of care who does not normally live in an institution. However, you may continue to be regarded as providing full-time care and attention, if you or the person being cared for is undergoing medical or other treatment in a hospital or other institution for a period not longer than 13 weeks.
- You must be resident in the State
- You must not live in a hospital, convalescent home or other similar institution
- You must be at least 18 years old and
- You must not be engaged in employment, self-employment, training or education courses outside the home for more than 15 hours a week. During your absence, adequate care for the person requiring full-time care and attention must be arranged.

The person being cared for must be:

- Over the age of 16 and so incapacitated as to require full-time care and attention or
- Aged under 16 and in receipt of a Domiciliary Care Allowance.

The person receiving care is regarded as requiring full-time care and attention where he or she is so incapacitated as to require continuous supervision in order to avoid danger to him or herself or continual supervision and frequent assistance throughout the day in connection with normal bodily functions, and he or she is so incapacitated as to be likely to require full-time care and attention for a period of at least twelve months.

How to apply

Obtain a CR1 form if you're caring for one person and CR2 if you're caring for more than one person:

- From your local social welfare office or citizens information centre
- From the internet:
<http://www.welfare.ie/EN/Forms/Documents/cr1.pdf> OR <http://www.welfare.ie/EN/Forms/Documents/cr2.pdf>
- Using Mobile Phone: Text "Form CARA" with name and address to 51909

Send the form to: Carer's Allowance Section, Social Welfare Services Office, Government Buildings, Ballinalee Road, Longford, Ireland. Tel: (043) 334 0000, Locall: 1890 92 77 70

Care sharing

What is it?

Two carers who are providing care on a part-time basis in an established pattern can also share a single Carer's Allowance payment and the annual Respite Care Grant (see 5 in this section). Each carer must be providing care from Monday to Sunday but can do so on alternate weeks. A carer providing full-time care on a part-time basis is required under legislation to provide this care for a complete week (Monday to Sunday). Both carers will get the Household Benefits Package (This consists of : electricity allowance, **or** natural gas allowance, **or** group account allowance, **or** bottled gas allowance; telephone allowance; free television license)

A carer who is providing care on a part-time basis to someone who attends a residential institution, for example, every second week, can also be accommodated on the Carer's Allowance scheme. You must meet all the usual qualifying conditions for Carer's Allowance.

In both cases (two carers or one carer providing care on a part-time basis) the rate of payment received depends on the individual carer's circumstances.

Notes

- The form is 28 pages long and requires much personal information, including:
 - A statement from your employer if you are planning to work outside the home
 - Bank statements or statements from the post office or any financial institution showing balance of account(s) for 3 months
 - A letter from school/college if children are in full time education and aged 18-22 years
- If you fail to apply on time you may lose some of your payment - it is not backdated.

How to apply

Use the same procedure as for the carer's allowance (same form)

Half rate carer's allowance

What is it?

This is an additional payment you may be entitled to if you are getting certain social welfare payments and providing full-time care and attention to another person.

Who can apply

If you are in one of the following situations you may qualify for half-rate Carer's Allowance if you:

- Are already getting Carer's Allowance but also meet the qualifying criteria for another social welfare payment (example, you are working up to 15 hours per week part time and become eligible for illness benefit and subsequently become ill, or reach 65 years and become eligible for a State Pension).
- Have changed from another social welfare payment to get Carer's Allowance – your original payment may be reinstated (e.g. Adoptive Benefit) and you may also get half-rate Carer's Allowance. You must continue to meet the qualifying conditions for both schemes.
- Are caring for someone and being claimed for by a spouse/civil partner/cohabitant (for example, your spouse/cohabitant/civil partner may be claiming another social welfare payment and claim an increase in their social welfare payment for you as a qualified adult and your Carer's Allowance will be reduced by 50%. This can only be done with your consent and may result in an overall increase in household income).
- Are getting a social welfare payment other than the Carer's Allowance and caring for someone. You may keep your social welfare payment and qualify for half-rate Carer's Allowance.

There is a list of social welfare payments that you may also get half rate carer's allowance with which can be found at:
http://www.citizensinformation.ie/en/social_welfare/social_welfare_payments/carers/half_rate_carers_allowance.html

How to apply

Use the same procedure as for the carer's allowance (same form)

3. Carers Benefit (see *Carers Leave* in the section on *Other Entitlements*)

What is it?

Carer's Benefit is a payment made to insured persons in Ireland who leave the workforce to care for a person(s) in need of full-time care and attention.

You can get Carer's Benefit for a total period of 104 weeks for each person being cared for. This may be claimed as a single continuous period or in any number of separate periods up to a total of 104 weeks. However, if you claim Carer's Benefit for less than six consecutive weeks in any given period you must wait for a further six weeks before you can claim Carer's Benefit to care for the same person again. If the person you are caring for dies within the 2 year period, you will continue to get Carer's Benefit for 6 weeks after their death.

If you are caring for more than one person, you may receive payment for each care recipient for 104 weeks. This may result in the care periods overlapping or running concurrently.

Who can apply?

If you have left the workforce to care for person (s) in need of full time care and attention and:

- Are aged 16 years or under 66 years
- Have been in employment for at least eight weeks in the previous 26 weeks before becoming a carer. You must have worked for a minimum of 16 hours per week or 32 hours per fortnight
- Are resident in the state
- Have given up work in order to be a full time carer. Being a full time carer means you must be living with or in a position to provide full-time care and attention to a person in need of care who is not living in an institution
- Are **not** living in a hospital, convalescent home or other similar institution. However, you may continue to be regarded as providing full-time care and attention, if you or the person being cared for is undergoing medical or other treatment in a hospital or other institution for a period not longer than 13 weeks.
- Meet the PRSI contribution conditions:

For a first claim you must have:

- 156 paid contributions since entry into insurable employment,
 - 39 contributions paid in the relevant tax year (The 'relevant tax year' is the second last complete tax year before the year in which you claim Carer's Benefit. For example, for claims made in 2011, the relevant tax year is 2009) OR
 - 39 paid contributions in the 12 months before Carer's Benefit starts OR
 - 26 paid contributions in the relevant tax year and 26 paid contributions in the tax year before that.

Only Class A, B, C, D, H and E PRSI contributions count.

The person being cared for must be so incapacitated as to require full-time care and attention and must not normally live in an institution. Medical certification is required unless the person being cared for is a child and getting Domiciliary Care Allowance. The carer of a child on a Domiciliary Care Allowance need not be the person who receives that allowance on the child's behalf.

You must not be engaged in employment, self-employment, training or education courses outside the home for more than 15 hours a week. Since April 2008, the maximum amount you can earn is €332.50 per week.

How to apply

On the internet: <http://www.welfare.ie/EN/Forms/Documents/carb1.pdf>

To request a paper copy of the form to be posted:

<http://www.welfare.ie/EN/Publications/SW49/Pages/1WhatisCarersBenefit.aspx>

From a mobile: Text “CARB” with your name and address to 51909.

Return the form to your local social welfare office.

Notes:

1. An application for Carer’s Benefit can be backdated for up to eight weeks after you have started caring. However, it may be backdated further in certain situations, for example:
 - if you failed to apply because you received incorrect or insufficient information from the Department:
 - if the delay in applying was due to a ‘force majeure’, an event that made it impossible for you to apply on time, or
 - if the delay occurred because you were sick.
2. Carers benefit cannot be backdated if the reason for applying is that you were not aware of the existence of the payment when you commenced caring duties.

4. Disability Allowance (DA)

What is it?

Disability Allowance is a means tested weekly allowance paid to people with a disability aged 16 years to 66 years.

Who can apply

- People with an injury, disease or physical or intellectual disability that has continued or may be expected to continue for at least one year
- As a result of this disability be *substantially restricted* in undertaking work that would otherwise be suitable for a person of the same age, experience and qualifications
- Be aged between 16 and 66. When the person reaches 66 years of age they will no longer qualify for DA, but the person will be assessed for a state pension.
- Be habitually resident in Ireland.
- People whose income is inside certain limits. The main items regarded as income are:
 - cash income that the applicant or their spouse/civil partner/cohabitant has,
 - capital - for example, the value of savings, investments, shares, any property the applicant might have
 - maintenance paid to them.

How to apply

To apply, fill in an application form for the Disability Allowance.

From the internet: <http://www.welfare.ie/EN/Forms/Documents/da1.pdf>

From a mobile: Text "FORM DA1" followed by your name and address to 51909 (standard text rates apply).

An application form can be got from you Social Welfare Office or Citizens Information Centre.

The application form should be sent to:

Disability Allowance Section, Department of Social Protection, Social Welfare Services Office, Government Buildings, Ballinalee Road, Longford, Ireland. Tel: (043) 334 0000 Locall:1890 92 77 70

Notes:

- A person can do rehabilitative work and earn up to €120 per week without the payment being affected. Permission must be got from the Department of Social Protection before starting work.
- 50% of earnings between €120 and €350 will not be taken into account in the Disability Allowance means test.
- Any earnings over €350 are fully assessed as income in the means test.
- Income from a home sale, the first €190,460.71 is not counted as means under certain conditions (generally, if the reason for moving is due to disability).
- If married, in a civil partnership or cohabiting, a person may get an increase in payment for the partner as an adult dependant. There is also an increase in payment for dependant children.
- If the spouse/civil partner/cohabitant works it can affect the Disability Allowance.
- When a person applies for a Disability Allowance they can be called for a medical exam. If they do not attend this, they may not get the Disability Allowance.

For enquiries about the medical exam, contact:

Medical Review and Assessment Section, Department of Social Protection, Oisín House, 212-213 Pearse Street, Dublin 2, Ireland, Tel: (01) 673 2482

5. Respite Care Grant

What is it?

The Respite Care Grant is an annual payment made to carers by the Department of Social Protection (DSP) in Ireland. Carers can use the grant in whatever way they wish. You can use the grant to pay for respite care if you wish, but it is not necessary to do so.

In June of each year, the Department of Social Protection pays the grant automatically to carers getting Carer's Allowance, Carer's Benefit, Prescribed Relative's Allowance (see Note below) or Domiciliary Care Allowance from the Department. Only one Respite Care Grant can be paid for each person getting care.

Note: Prescribed Relative's Allowance is paid to a small number of people. It was replaced with the Carers allowance.

Who can apply?

The grant is paid to those getting one of the payments mentioned above as well as certain other carers providing full-time care. To get the Respite Care Grant, you must be:

- Aged 16 or over
- Ordinarily resident in the State
- Caring for the person on a full-time basis or
- Caring for the person for at least six months each year - this period must include the first Thursday in June

- Living with the person being cared for or, if not, be contactable quickly by a direct system of communication (for example, telephone or alarm).

You do not qualify if you are working more than 15 hours per week outside the home, if you are getting an unemployment payment or if you are signing on for unemployment credits. You also do not qualify if you are living in a hospital, convalescent home or similar institution.

The person you are caring for must:

- be so incapacitated as to need full-time care and attention (medical certification is required),
- not normally live in a hospital, convalescent home or other similar institution,
- not receive full-time care and attention within their own home from another person.

If you are caring for *more than one* person, a grant is paid for *each* of them.

NOTE: Meeting these criteria does not automatically guarantee receipt of the grant. Also, some parents have reported that the application process is lengthy.

How to apply

If you are getting Carer's Allowance, Half – Rate Carer's Allowance, Carer's Benefit, Prescribed Relative's Allowance or Domiciliary Care Allowance from the Department of Social Protection, you do not need to apply for the Respite Care Grant. It will be automatically paid to you in June.

If you are not getting one of these payments you should fill in an application form RCG 1 for the Respite Care Grant. If you are caring for more than two people you must fill in an RCG 1(a) Respite Care Grant form for each additional person and attach it to your completed RCG 1 form. You will get the form:

From the internet: <http://www.welfare.ie/EN/Forms/Documents/rcg1.pdf>

Using a mobile: Text the "Form RCG" and your name and address to 51909 (standard charges apply)

Ask for a form from your Social Welfare Local Office or Citizens Information Centre.

Return the form to your Local Social Welfare Office.

Other Entitlements

1. Respite care from your service provider

What is it?

Respite is a term generally associated with providing a person with a disability an opportunity to get a break away from the family and, at the same time, for families to get a break from caring. Most service providers provide some respite for their clients, although in recent years some service providers have reduced the amount of respite available.

Who can apply?

If your son or daughter is with a service provider then you can apply for respite.

How to apply?

Each agency has its own way of dealing with applications. Contact your social worker or the manager of your son's or daughter's unit.

2. Respite care from the HSE

What is it?

Some areas of the HSE provide respite for people with intellectual disability and/or autism.

Grant Aid is also given to community groups to provide places on summer schemes. Families can make a particular request e.g in relation to summer holidays where they might need extra assistance.

Respite requests are made through your Social Worker (see 12 in this section) and are assessed on a basis of need. All Home Support and Respite Care workers must have both Garda and health clearance before they can take up employment.

Who can apply

Any person caring for someone with an intellectual disability and / or autism.

How to apply

Contact your social worker (see 12 in this section)

Note:

This is part of an overall HSE service and entitlements vary across different HSE regions.

3. Home Respite Service

What is it?

The home based service is organised by the Carers Association and involves minding the person with disability in their own home while the parents take a break.

The service is based on

- Putting the carer first
- Allowing time for the carer, cared-for-person and home respite worker to get to know each other
- The carer being able to plan his/her short breaks away from home secure in the knowledge that a trained and trusted person will be there to care in his/her place
- Confidentiality, respect and dignity for all

The philosophy underlying the service is one of dedication to meeting the needs of the carers first and foremost. Home Respite Workers will engage with the carer to help with caring duties such as moving and lifting, feeding and dressing. In some cases the Home Respite Workers will take over the caring duties completely, giving the carer a well earned break.

Who can apply

Carers of people with intellectual disability and autism and others.

How to apply

Parents and family members can contact The Carers Association, Tel: 057 9322920 Fax: 057 9323623, e-mail: info@carersireland.com

Note: This service is subject to limited funding and therefore waiting lists may apply.

4. Home support

What is it?

Home Support is a service administered through the Disability Services Team/Autism Teams within the Health Services Executive.

What is it used for?

- home support is to give parents/carers a break, to spend time with other children in the family or to allow a parent to follow a particular programme by freeing them up to work with the person with a disability.
- To help with housework (in some cases)
- To supply preschool assistants provided to work with a child in pre-school
- To accompany families on holidays

The home support arrangement is reviewed on a regular basis by the social worker (see 12 in this section).

Choosing a home support worker

The home support worker can be nominated by the family and in certain circumstances a relative can be used. Otherwise the social worker recruits a home support worker preferably within a close distance of the family home. Home support workers pay tax and insurance and in some instances, if receiving benefit, can work up to 10 hours home support each week without affecting their benefit

Who can apply

All families who have a family member with a disability living with them are entitled to an assessment for the service. The assessment is carried out by the social worker on the team

How to apply

You can also apply to your local Public Health Nurse or Social Worker for Home Support. Contact your Local Health Centre

It is best to contact your team or social worker to understand how Home Support is applied in your area.

Notes

- Home Support varies widely from area to area how this is administered and there are variations to the rules in each area.
- Home support workers are not available to work bank holidays except in exceptional circumstances
- During their annual leave and sickness entitlement there is generally no replacement home support.
- Home support workers are not allowed to look after the child or young person they are caring for in their (support worker's) own home nor are they allowed to take them in their car.
- Home support workers are not paid mileage unless they are working for several families. This may limit families to choosing a home support worker in close proximity.
- Home Support Workers are employed by the HSE

(Text adapted by piece by Marcella McBride, Social Worker, Louth Autism Team, on IAA website)

5. Carers Leave

What is it?

The Carers Leave Act 2001 allows employees in Ireland to leave their employment temporarily to provide care for someone in need of fulltime care and attention. The person being cared for does not have to be a relative or spouse; they can be a friend, partner or colleague.

The minimum period of leave is 13 weeks and the maximum period is 104 weeks. You may apply to take carers leave in one continuous period of 104 weeks or for a number of periods not exceeding a total of 104 weeks. If you do not take carers leave in one continuous period, there must be a gap of at least six weeks between the periods of carers leave.

Your employer may refuse (on reasonable grounds) to allow you to take a period of carers leave which is less than 13 weeks' duration. Where your employer refuses this leave, they must specify in writing the grounds for refusing you this leave.

You may usually only be on carers leave in respect of any one person in need of full-time care at any one time. An exception is allowed where two people live together and both are in need of full-time care and attention. In this situation the total amount of carers leave is 208 weeks (104 for each person being cared for).

If your carers leave for someone has ended, you cannot begin another period of carers leave to care for a different person until six months after the end of the previous period of carers leave.

You can work up to a maximum of 15 hours per week. The earnings from such employment or self-employment must not exceed a weekly limit set by the Department of Social and Family Affairs (€320 net at present). The employer from whom you are taking carers leave is not obliged to provide these hours. You can seek employment elsewhere.

Alternatively, you may attend an educational or training course or take up voluntary or community work during carers leave, again for a maximum of 15 hours per week.

You should inform the Department of Social and Family Affairs if you take up any of these options. Following carers leave, you are entitled to return to your previous job or a suitable alternative which is not less favourable to the employee.

You are protected against being victimised for taking carers leave, or proposing to take it. Being victimised includes dismissal, unfair treatment and an unfavourable change in your conditions of employment. You may not be dismissed for taking carers leave. As a general rule, you must be treated as if you had been in work during the carers leave, except that you are not entitled to pay and are only entitled to annual leave and public holidays in respect of the first 13 weeks of carer's leave.

Who can apply

In order to qualify for carers leave, you must have worked for your current employer for a continuous period of at least 12 months.

You must propose to provide full-time care and attention to an incapacitated person. The person for whom you will provide the full-time care and attention must be so disabled as to require:

- Continual supervision and frequent assistance throughout the day in connection with normal bodily functions OR
- Continual supervision in order to avoid danger to themselves.

How to apply

You must apply to the Department of Social Protection for a decision that the person requiring the care needs the type of full-time care and attention referred to above. You must then give this decision to your employer.

Use carers benefit form CARB1 from Department of Social Protection

Give written notice to your employer of your intention to take Carers leave, not later than 6 weeks before you intend to take the leave. The statement of notice must include:

- The date on which you intend to take the leave
- The duration of the leave
- The manner in which you intend to take the leave – whether you wish to take the leave in one continuous 104 week period or for a number of periods.
- A statement that an application for a decision (in the first instance or on appeal) that the person to be cared for is a relevant person for the purposes of Carers Leave Act, 2001, has been made to the Department of Social Protection
- The employee's signature and date.

You must give your employer a copy of the decision from the deciding officer (or appeals officer) from the Department of Social Protection that the person in respect of whom the employee proposes to avail of Carers Leave is a relevant person i.e. medically certified as requiring full – time care and attention.

Employer and employee prepare a confirmation document containing:

- Date on which leave period will commence
- The duration of the period of leave

There is a downloadable guide on the Carers Leave Act 2001 from the National Employment Rights Authority website in :

<http://www.employmentrights.ie/en/media/Carers%20Leave%20Txt.pdf> OR

National Employment Rights Authority, Information Services, Government Buildings, O'Brien Road, Carlow

Tel :(059) 917 8990, Locall 1890 80 90

6. Medical Card

What is it?

A medical card is a means tested benefit issued through the HSE, allowing the holder and generally their dependents to receive certain medical services free of charge (free GP services, prescribed drugs and services with some exceptions,

in-patient public hospital services, out-patient services, medical appliances, dental /optical/aural services, maternity and infant care services, some personal and social care services and a maternity cash grant on the birth of each child.)

Applicants whose weekly incomes are derived solely from Social Welfare allowances/benefits or Health Service Executive allowances, should be granted a Medical Card.

How to apply:

From the internet: www.medicalcard.ie

By contacting: Your local health centre.

7. GP visit card

A GP visit card is a means tested benefit issued through the HSE, allowing the holder and generally their dependents to receive free GP services. Unless they have a medical card, visits to GPs (family doctors) are not free. If they do not qualify for a medical card on income grounds, they may qualify for a GP Visit Card. It is means tested, but the income limits are 50% higher than for the medical card.

If they apply for a medical card as outlined above and are refused, they will automatically be assessed for a GP visit card. The same form is used for both applications, available from the local health centre.

8. Long term illness scheme

What it is:

If a person has certain long-term illnesses or disabilities, they may apply to join the Long Term Illness Scheme and they will be supplied with a Long Term Illness book. This book allows you to get drugs, medicines, and medical and surgical appliances directly related to the treatment of the illness, free of charge. It does not depend on your income or other circumstances and is separate from the Medical Card Scheme and the GP Visit Card Scheme.

Someone who already has been given a Medical Card, do not need to apply for a Long Term Illness book. If they become ineligible for a Medical Card at any stage, but have a long term medical condition, they should apply to join the Long Term Illness scheme to cover the cost of medication. (HSE)

Who can apply

A person with a long-term illness (there is a specified list). This includes intellectual disability but not ASD. However, if a person has been diagnosed with both, they may be eligible.

The person must be ordinarily resident in Ireland and hold a PPSN.

How to apply

Fill in the application form which is available from the Local Health Office. A doctor or consultant will sign the form to confirm the condition and list medication taken.

9. Incapacitated Child Allowance

What is it:

It is a Tax Credit that can be claimed by the parent/guardian of a child with a permanent disability.

Who can apply

The tax credit can be claimed in respect of a child, step-child a formally adopted child of whom a person has custody, who is maintained at the person's expense and is permanently incapacitated.

The person must have become incapacitated before reaching the age of 21 years or have become so after reaching the age of 21, but while still in full-time education or while training full time for a trade or profession for a minimum of 2 years.

How to apply

Write to your tax office, with the following information – Child's Name, Date of Birth, brief description of the nature of incapacity. It is important to state whether the Allowance is being claimed for previous years. It is advisable to send a copy of a diagnosis/psychologist's report for backup.

10. Home Carer's Tax Credit

Description

Available where one person works in the home caring for a dependent child.

Who can apply

Married couples who are taxed jointly (not available to married couples who are taxed as single persons)

One spouse (the 'home carer') must be working in the home caring for one or more dependent persons, i.e. a child for whom they are entitled to Social Welfare child benefit, a person aged 65 or over, or a person who is permanently incapacitated by reason of intellectual disability or autism. The home carer's income is subject to limits.

The person you are caring for must reside either with you or in close proximity (maximum 2kms away). If the person is not residing with you, there must be a direct communication link between the 2 residences (e.g. telephone, alarm system)

Full tax credit due if the Home Carer's income is less than €5,080. If income is between €5,080 - €6,700, a reduced relief is granted

How to apply

On the internet: using PAYE Anytime Service (you must be registered with this service).

On the mobile:

Text **CREDIT PPS-number PIN CARER** to 51829. The PIN requested is the number used to access PAYE Anytime.

For example, if your PPS number is 1234567A, your PIN is 654321 (the first six digits backwards) and you want to claim home carer's tax credit simply text to 51829: **CREDIT 1234567A 654321 CARER**

Telephone: Contact your Regional PAYE LoCall Service

Complete and send a claim form to your Local Revenue Office.

Link to claim form: <http://www.revenue.ie/en/tax/it/forms/home-carers-credit-claim-form.pdf>

11. Housing Adaptation Grant for People with a Disability

What is it?

A means tested grant provided to people with a disability or family member-carer of person with a disability in order to make their home more suitable for the person with a physical, sensory or intellectual disability or a mental health issue. This may include physical alterations to the home and in some cases the provision of heating may be included. This scheme is for persons not covered under the Mobility Aids Grant Scheme.

Who can apply

Any person with a disability as outlined above or a family member / carer on behalf of the person who is living 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

How to apply

Contact your local authority.

Link to the list of all local authorities in Ireland, including address and contact details:

<http://www.environ.ie/en/LocalGovernment/LocalGovernmentAdministration/LocalAuthorities/>

Notes:

- i. The application will be assessed on medical need, which may pose a challenge to those applying on the basis of sensory needs.
- ii. The grant will **not be paid** if you start work on the adaptation before the grant is approved. However, it is expected that the work will start within 6 months of your grant approval. This may cause problems with organising contractors for the work.

12. Social Worker

What is it

The aim of social work is to help people achieve change and make decisions which will improve their quality of life. It is also a function of social work to identify options and support steps to advance social policy and service delivery.

How to apply

If your family member with a disability is “with” a service provider then you might be able to avail of the services of their social work department.

If your family member is not “with” a service or the service doesn’t employ social workers then you can apply directly to your [Local Health Office](#) or hospital for assistance.

13. NOTE:

Much information may be had from the Citizens Information Board. This can be found on their website <http://www.citizensinformationboard.ie/> or their booklets "[Entitlement for children with disabilities](#)" and "[Entitlements for people with disabilities](#)".