

# Frequently Asked Questions on the Green Paper on Disability Reform

## Contents

1. The Green Paper .....	2
2. The public consultation .....	2
4. Medical assessments .....	5
5. Employment .....	6
6. Secondary benefits .....	8
7. Age criteria and Domiciliary Care Allowance .....	9
8. The UK system (PIP) .....	9
9. UNCRPD .....	10
10. Other Departments .....	10
11. Carers .....	11

## **1. The Green Paper**

### **What is a Green Paper?**

A Green Paper is a government proposal on how to improve something or solve a problem. It doesn't claim to be the best solution or the only solution. Its real purpose is to encourage thinking and discussion, and to prompt suggestions, from Disabled Persons Organisations (DPOs), representative organisations and the public.

### **Where is the Strawman?**

The Green Paper on Disability Reform was previously called 'the Strawman'.

### **Who wrote the Green Paper?**

The Green Paper is a consultation document written by the Department of Social Protection.

### **Why has the Department written a Green Paper?**

The Green Paper is a response to Government commitments under the [Roadmap for Social Inclusion](#) to develop and consult on proposals to restructure long-term disability payments and to simplify the system.

The Green Paper also aims to address concerns raised in the [Pathways to Work Strategy](#), the [Make Work Pay report](#) and the recommendations in the [Cost of Disability report](#).

It is not a final reform plan. It invites discussion and debate on how best to reform disability payments.

### **What formats is the Green Paper available in?**

The Green Paper is available in Plain English. Summaries of the Green Paper are also available in Easy to Read, screen reader friendly formats, two Braille formats and in an Irish Sign Language video.

### **Why is the Green Paper only dealing with the reform of disability payments?**

The Cost of Disability report found that the cost of disability is significantly broader than income supports. Additional costs of disability run across many areas of expenditure, including housing, transport, health, and education. These need to be addressed across Government.

The Department of Children, Equality, Disability, Inclusion and Youth is currently developing a National Disability Strategy to cover these broad range of issues.

The Department of Social Protection is focusing on the areas it is responsible for – income and employment supports.

## **2. The public consultation**

### **Why is there a public consultation?**

The Green Paper was designed for public consultation and no final decisions have been made.

We want to hear from as many disabled people and their representatives as possible. We are open to all ideas and suggestions. We encourage everybody with an interest in improving the lives of people with disabilities to make a submission.

### **How can I contribute to the public consultation?**

You can make a submission in writing or by video. We welcome submissions from both individuals and stakeholder organisations, such as people with disabilities, Disabled Persons' Organisations and disability service organisations.

Email submissions to: [DCPolicyConsultation@welfare.ie](mailto:DCPolicyConsultation@welfare.ie)

Post submissions to: Disability and Carers' Policy Unit, Áras Mhic Dhiarmada, Department of Social Protection, Store Street, Dublin 1, D01 WY03.

We held consultation events in October and November 2023. These included:

- A stakeholder event on 18 October
- A [hybrid public consultation event](#) in Dublin Castle on 9 November (you can watch the presentations at the link)
- A workshop-based public consultation event in Cork on 14 November
- A workshop-based public consultation event in Athlone on 23 November
- An online public consultation event on 30 November.

### **What is the closing date for the public consultation?**

The closing date for the public consultation is **15 March 2024**.

## **3. Personal Support Payment**

### **What is the Personal Support Payment?**

The Green Paper proposes to merge Disability Allowance, Blind Pension and Invalidity Pension into a single payment called the Personal Support Payment.

This payment would have three tiers or levels.

**Tier 1:** if you cannot supplement your income with work, you will receive a higher payment rate set at the State Pension Contributory rate. In 2024, this rate is €277.30 per week.

**Tier 2:** if you have a lower capacity to work but may be able to take up some work for a limited period, you will receive a payment between tier 1 and tier 3. In 2024, this rate is €254.65.

**Tier 3:** if you have a higher capacity to work and can take up different employment and types of work, you will receive the current rate of Disability Allowance. In 2024, this rate is €232.

### **Why is the Department proposing to tier the payment?**

Indecon's Cost of Disability Report found that disability payments should be targeted at those most in need and who face the greatest additional cost of disability, rather than spreading resources thinly. It also recommended that government policy should support an increase in employment opportunities for people with disabilities.

The proposed three-tiered payment takes into consideration these recommendations. First, it seeks to better protect disabled people who cannot work from poverty, by providing for higher rates of payment. Second, it seeks to encourage and support a higher level of employment for people with disabilities by offering employment supports to suit people's individual needs.

### **How does this payment address the cost of disability?**

The Cost of Disability report did not recommend a cost of disability payment. The report concluded that disability payments should be targeted at those most in need and who face the greatest additional cost of disability.

Through the proposed tiered payments, many people will see significant increases in their weekly payments of up to €45 per week and the employment services they can avail of based on their need. The lowest proposed tier offers a payment at the same rate as Disability Allowance. The Green Paper also outlines how all current recipients of long-term disability payments will be transitioned to the Personal Support Payment on a no-loss basis.

At a conservative estimate, the proposed measures, if introduced, would cost an additional €130 million each year.

### **Will the payments increase over time?**

The Department regularly reviews the payment rates for all income support payments as part of the Budgetary process.

### **Can you be reassessed once assigned to a tier?**

When you are assigned to a tier, you will receive an explanation as to why you were placed into that category. If you do not agree with this decision, you can seek a review from the Department and/or appeal the decision to the Social Welfare Appeals Office.

### **Why will there be contributory and non-contributory access to this new payment? Will the access route affect the amount paid?**

Under the Green Paper proposals, Invalidity Pension, Disability Allowance and Blind Pension will be merged into a single payment, the Personal Support Payment. To get the payment, new applicants can apply through either the contributory or non-contributory route. The payment will be the same for all recipients based on their assigned tier, regardless of which way they qualified for the scheme.

Invalidity Pension is a social insurance scheme paid from the Social Insurance Fund. Eligibility is based on Pay Related Social Insurance contributions and the medical condition. To qualify, you must be incapable of work for at least 12 months and be likely to be incapable of work for at least another 12 months or be permanently incapable of work.

If you do not meet the 260 weeks of paid contributions requirement to receive Invalidity Pension, you can apply for the non-contributory schemes, Disability Allowance or Blind Pension. These schemes are social assistance payments paid by the Exchequer, and subject to medical and means requirements and a habitual residence condition.

### **Why will the non-contributory access to this new payment be means-tested? Why are the means of my spouse/civil partner/cohabitant included in the means test?**

The Green Paper proposes merging Disability Allowance, Blind Pension and Invalidity Pension to create a single payment, the Personal Support Payment. To qualify, the contributory and non-contributory entry requirements would remain.

The contributory stream of the Personal Support Payment would be based on PRSI contributions, just as with Invalidity Pension now. Your means and your partner's means would not be assessed for the income support but would be considered for some secondary benefits.

The non-contributory stream of the Personal Support Payment would be based on a means test, similar to what is currently in place for Disability Allowance and Blind Pension. If you are

married, in a civil partnership or cohabiting, your means and your partner's means will be assessed. This is the case even if you are the only person in your relationship claiming a payment.

The means of a partner are considered for all social assistance payments. The means assessment reflects the expectation that people with reasonable amounts of income or capital can use these resources to support themselves so that social welfare expenditure can be directed towards those who need it most.

#### **4. Medical assessments**

##### **Why are there medical assessments?**

Medical assessments are required to ensure that people are given the correct payment to meet their need and to target limited resources to those who need it most.

##### **Are you bringing in new medical assessments?**

Medical assessments are already part of the system of disability income supports. Every person currently on a long-term disability payment, such as Disability Allowance, provided documentation on their condition which was assessed by one of the Department's Medical Assessors. Most medical assessments are desk-based.

The Green Paper proposes to continue to use the existing system to decide whether someone is eligible for payment and to then assign people into one of the three tiers.

##### **What model of assessment will be used?**

Medical assessors, when assessing applications, use the bio-psycho-social model of assessment. This form of assessment recognises that illness and health are impacted by biological, psychological, and social factors.

Assessing capacity to work is complex and based on many factors, including the health condition and body function, and environmental and personal factors. The assessment used by the Department of Social Protection considers the detailed information applicants submit, including medical reports from their doctor, and information from the applicant on how the disability affects their daily living, as well as psycho-social factors such as their experience, training, age, and support networks.

The Green Paper proposes to continue to use this model of assessment.

##### **Who will carry out the medical assessments?**

The Department of Social Protection carries out medical assessments in-house with trained and experienced medical assessors. There are currently 32 doctors registered with the Irish Medical Council employed by the Department to carry out these assessments.

They give between 35,000 and 40,000 opinions every year for Disability Allowance and Invalidity Pension applications and reviews. Approximately 220,000 people are already on a disability payment following an assessment.

##### **How will the tiering/additional assessments be carried out?**

Tiered assessments are already in place for recipients of Partial Capacity Benefit. Medical assessors already determine whether a person's restriction of capacity for work is moderate, severe, or profound and their rate of payment is based on this assessment.

The Department recognises that additional medical assessors would be needed to transition the people currently on a long-term disability payment to the proposed Personal Support Payment. However, this would be done over a number of years.

## **5. Employment**

### **Will I be forced to work or engage with Intreo?**

Minister Humphreys has been very clear that engagement with Intreo employment services will be on a voluntary basis.

The Green Paper seeks to provide more employment supports for you if you can and want to work. You will be encouraged to engage with the services and offers that fit your needs and circumstances. You will be told of the range of employment supports available to you. You will not be forced to engage with Intreo or to work.

### **Why is there a focus on work in the Green Paper?**

Ireland's employment rate for people with disabilities is below the EU average and many people with disabilities face high poverty rates. The Green Paper proposes a solution to these issues by targeting supports to those most in need rather than thinly spreading resources.

It aims to achieve this through its main proposal of a three-tiered Personal Support Payment, rather than the one-size-fits all payment we currently have.

Under tier 3, you may not be able to do certain types of work but may still be capable of taking up other forms of employment. You will be encouraged to engage with Intreo employment services and be supported to take up reasonable offers of training and employment programmes appropriate to their capacity and circumstances.

Under tier 2, you may be capable of undertaking some types of work for some time, but you are not likely to be able to fully support yourself through paid employment. Intreo employment services will be proactive in offering supports and services and you will be encouraged to make reasonable efforts to engage with these offers.

We recognise that under Article 27 and General Comment No. 8 of the UNCRPD that the right to work is a fundamental right, essential for realising other human rights and forms an inseparable part of human dignity.

Over 26,000 disabled people are currently working and availing of the Department's income and employment supports. We know there are many people with disabilities who have employment ambitions they would like to pursue. The Green Paper is about helping these people find suitable employment. We know that employment is not an option for everyone. The aim is to encourage participation and inclusion and to enable disabled people to increase their income through employment, where possible.

### **What about social inclusion through volunteering, education, and training?**

The Department recognises that social inclusion can be achieved in many ways. However, the Department is focused on what is within our area of responsibility - income supports and employment supports.

We know there are many people with disabilities who have employment ambitions they would like to pursue. The Green Paper is about helping such people find suitable employment supports. Others will be supported to access training and educational supports or volunteering opportunities.

People will not be forced into employment. The Green Paper only proposes to support people who can and want to find employment.

### **What supports are currently available to people who take up employment?**

The proposed tiered system would work with the Department's employment supports to help you reach your employment ambitions if you can and want to work.

Intreo employment services and EmployAbility, an Intreo partner, can support you in finding a job and getting the support you need.

Currently, if you are on Disability Allowance and Blind Pension, you may work and continue to receive part of your income support and secondary benefits through income disregards.

Similarly, if you are on Invalidity Pension or on Illness Benefit for more than six months, you can move on to Partial Capacity Benefit to take up employment and continue to receive a payment.

As of November 2023, over 16,000 people on Disability Allowance were availing of the earnings disregard. Over 2,900 people were in receipt of Partial Capacity Benefit.

It is important to remember that there are many people with disabilities in employment who are not in receipt of a disability payment as their income is above the threshold. Approximately 100 people leave Disability Allowance every month for work above the earnings disregard threshold.

### **Will income disregards and Partial Capacity Benefit continue under the Green Paper proposals?**

A key aim of the Green Paper is to merge Disability Allowance, Blind Pension and Invalidity Pension into a single payment, the Personal Support Payment.

To create a single payment, inconsistencies between these payments need to be addressed. The Green Paper proposes a new in-work payment called the Working Age Payment. This payment would replace income disregards and Partial Capacity Benefit.

The payment is based on the [Working Family Payment](#) model where a person receives a payment based on a percentage of the difference between their income and a specified threshold depending on the category they are assigned and the make-up of their family. This approach would provide a minimum income guarantee.

Any examples provided for this new payment in the Green Paper are only for explanation purposes. The threshold for the Working Age Payment would be decided at a later date, after considering feedback from the public consultation.

### **How will you tackle barriers to employment, such as employer attitudes, discrimination, and the need for workplace accommodations?**

The Department of Social Protection offers a number of employment supports which aim to tackle the barriers to employment that people with disabilities face.

[The Reasonable Accommodation Fund](#) (RAF) financially supports employers, employees and jobseekers with disabilities to make the workplace more accessible.

This includes four grants:

- Workplace Equipment Adaptation, for adaptations, such as ramps, and equipment, such as assistive technologies.

- Job Interview Interpreter Grant, which offers deaf, hard of hearing jobseekers or jobseekers with a speech impairment funds to hire a sign language interpreter, a lip speaker, or another interpreter for job interviews.
- Personal Reader Grant, which allows a blind or visually impaired person to employ a personal reader to help with job-related reading.
- Employee Retention Grant helps employers keep employees who acquire an illness, condition or impairment that affects their ability to carry out their job.

From January to September 2023, there were 156 recipients of a grant under the RAF.

[The Disability Awareness Support Scheme](#) (DASS) funds training about working with people with disabilities. It provides a maximum of €20,000 of funding for private sector employers to arrange and pay for disability awareness training for staff who work with a colleague who has a disability. Such training aims to improve employers' and employee attitudes towards people with disabilities and help combat discrimination in the workforce.

In August 2023, a [report on the RAF and DASS](#) was published. The report made nine recommendations to improve the scheme, including merging the two schemes, simplifying the application process, providing approval in principle, and expanding the supports and funding eligibility. The new single scheme will have seven elements:

1. Workplace Needs Assessment
2. Equality, Disability, and Inclusion Training
3. Communication Support (Interpreter)
4. Work Equipment
5. Workplace Adaptation
6. Personal Reader
7. In-work Support.

The Department is currently working to implement these recommendations. The new supports should be available in April 2024.

[The Wage Subsidy Scheme](#) provides a financial incentive to private sector employers to hire people with a disability. The subsidy is paid to an employer if a disabled employee has the skills to do the job but due to their disability produces at least 20% less work when compared to an employee who does not have a disability doing the same work. Under Budget 2024, an additional €3.7 million was allocated to the scheme to reduce the minimum hours needed to access the scheme from 21 hours to 15 hours per week from April 2024. As of August 2023, 1,672 people were employed under the Wage Subsidy Scheme.

The [Back to Work Enterprise Allowance](#) supports people, including persons with disabilities, to take up self-employment opportunities by allowing them to keep their full income support in their first year and 75% in their second year of self-employment.

## **8. Secondary benefits**

### **What impact will these changes have on secondary benefits, like the medical card?**

The Green Paper proposes that the current arrangements regarding secondary benefits would continue to apply to all groups who currently receive these benefits.

If you currently receive Disability Allowance and Blind Pension, you will continue to receive a Free Travel Pass and may receive the Fuel Allowance Payment and the Household Benefits Package.



If you currently receive Disability Allowance and work, income earned up to €427 per week will continue to not be considered in the means test for the medical card. This is administered by the Health Service Executive.

Applying means tests ensures that the State supports are directed to those most in need of them.

## **9. Age criteria and Domiciliary Care Allowance**

### **Why will the age of eligibility for Disability Allowance increase from 16 to 18?**

One of the Green Paper's proposals is to raise the qualifying age for Disability Allowance to 18 to create a single payment.

The age of entry for Disability Allowance has been 16 since its introduction in 1996. This qualifying age was based on the scheme which came before Disability Allowance, the Disabled People's Maintenance Allowance. When introduced in the 1950s, this allowance sought to help the many disabled people who left the education system at that age. The Green Paper proposes to raise the age of entry to recognise that education for many people with disabilities now continues to age 18 and over.

The proposal would also bring Disability Allowance's qualifying age in line with the rest of the social welfare system, as all other working age payments become payable at age 18. In line with this change, the Green Paper proposes to extend Domiciliary Care Allowance to the age of 18. This recognises that young people aged 16 and 17 are usually still in the care of their parents or guardians.

These proposed changes to Disability Allowance and Domiciliary Care Allowance have been sought in a wide range of reports going as far back as the Report of the Commission on Social Welfare in 1986 and more recently in the Make Work Pay report in 2017.

## **10. The UK system (PIP)**

### **How are the Green Paper proposals different to the UK system?**

The Green Paper is not based on the UK system. The system proposed in the Green Paper aims to simplify and combine features that are already part of our system of disability supports.

The UK uses the functional model of assessment for the Personal Independence Payment (PIP). The assessment looks at an individual's ability to carry out a series of everyday activities. Qualification for the payment is based on the total number of points awarded.

The Green Paper does not propose to use the functional model of assessment. It only notes that the Department's medical assessors have learnt from this model to produce their model of assessment: the bio-psycho-social model.

The bio-psycho-social model of assessment considers not only medical factors but also psycho-social factors such as experience, training, age, and support networks. The consideration of social factors in the assessment process is based on the International Classification of Functioning, Disability and Health (WHO, 2001). The Green Paper proposes to assess the level of payment based on a person's capacity to work using the bio-psycho-social model.

The Green Paper proposals are not a cost-cutting measure. The proposed measures will lead to an increase in spending on disability schemes.

You will not lose your payment or have your payment reduced under the tiered system. Many people will see a significant increase in their payment of up to €45 per week. The lowest proposed tier offers a payment at the same rate as Disability Allowance. The Green Paper also outlines how all current recipients of long-term disability payments will be transitioned to the Personal Support Payment on a no-loss basis.

## **11. UNCRPD**

### **Has Ireland ratified the UNCRPD?**

Ireland ratified the United Nations Convention on the Rights of Persons with Disabilities in March 2018.

### **How do these proposals align with the UNCRPD?**

The UNCRPD was a key consideration for the Department when preparing the Green Paper to make sure proposals were in line with the Convention.

While every government Department must respect the spirit of the UNCRPD, there are two articles of particular focus for the Department of Social Protection: Article 27 on Work and Employment, and Article 28 on the right to an adequate standard of living and social protection. The article on consultation is also important.

Article 27 recognises the rights of disabled people to work on an equal basis to others. The Green Paper seeks to target employment supports suitable to a person's capacity. Some 26,000 disabled people are working and availing of the Department's income or employment supports. We know that many more would like to pursue their employment ambitions, subject to their capacity to do so. We would like to do more to help them.

Article 28 recognises the rights of disabled people to an adequate standard of living and social protection. The tiered payment structure attempts to address this right by ensuring that those with the greatest incapacity receive a higher weekly payment, to help to better protect them from poverty.

Article 4(3) of the UNCRPD commits State Parties to closely consult with and actively involve disabled people through their representative organisations in the development and implementation of legislation and policies. The Department has consulted with DPOs in the planning of the consultation process, and has held consultation events so that disabled people, DPOs and disability groups can all engage with and give feedback on the proposals.

## **12. Other Departments**

### **What consideration has been given to schemes and services run by other Departments?**

The Cost of Disability report identified that additional costs of disability run across many areas of expenditure, including housing, transport, health, and education. It found that there is no single, typical cost of disability. Rather, there is a spectrum from low to high additional costs of disability, depending on individual circumstances. The report concluded that a whole of Government approach is required to address this issue.

The Department of Children, Equality, Disability, Inclusion and Youth is currently working on a new National Disability Strategy.

The Green Paper is the Department of Social Protection's response to addressing issues within our area of responsibility, income supports and employment supports.

### **13. Carers**

#### **What impact will the proposals have on carers?**

The Green Paper does not propose to make any changes to Carers Allowance or Carers Benefit. The proposed tiering would have no impact on Carers Allowance or Carers Benefit.